



DEVELOPMENT SERVICES COMMITTEE MINUTES

NOVEMBER 15, 2011, 9:00 a.m. to 12:30 p.m.

Council Chamber

Meeting No. 29

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones
Vice-Chair: Councillor Don Hamilton

Economic Development

Chair: Councillor Carolina Moretti
Vice-Chair: Councillor Alex Chiu

Transportation Issues

Chair: Regional Councillor Gord Landon
Vice-Chair: Councillor Alan Ho

PART B

Report Agenda

9:00 a.m. – Council Chamber

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Carolina Moretti
Councillor Alan Ho
Councillor Logan Kanpathi

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Alan Brown, Director of Engineering
Stephen Chait, Director, Economic Development
Catherine Conrad, Town Solicitor
George Duncan, Senior Heritage Planner
Regan Hutcheson, Manager, Heritage Planning
Christina Kakaflikas, Manager, Special Projects
Stephen Kitagawa, Senior Planner
Rino Mostacci, Director of Planning and Urban Design
Stacia Muradali, Senior Planner
Kitty Bavington, Council/Committee Coordinator

Regrets

Councillor Colin Campbell
Councillor Alex Chiu

The Development Services Committee convened at the hour of 9:07 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Councillor Carolina Moretti assumed the Chair for Economic Development item, No. 11.

DISCLOSURE OF PECUNIARY INTEREST – None Declared

1. DEVELOPMENT SERVICES COMMITTEE MINUTES

- October 25, 2011, Part B (10.0)

[Minutes](#)

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

That the minutes of the Development Services Committee meeting, Part B, held October 25, 2011, be confirmed.

CARRIED

2. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES

- October 25, 2011 (10.0)

[Minutes](#)

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

That the minutes of the Development Services Public Meeting, held October 25, 2011, be confirmed.

CARRIED

3. MAIN STREET MARKHAM COMMITTEE MINUTES

- October 19, 2011 (16.39)

[Minutes](#)

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

That the minutes of the Main Street Markham Committee meeting held October 19, 2011, be received for information purposes.

CARRIED

- 4. ELIAS AND EKATERINI BOBOTSIS
9941 WOODBINE AVENUE
EAST SIDE OF WOODBINE AVENUE
SOUTH OF MAJOR MACKENZIE DRIVE
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS AND
SITE PLAN APPROVAL TO PERMIT AN
EXPANSION OF THE ROYAL CACHET MONTESSORI SCHOOL
(OPA, ZA AND SC 11 110068) (10.5, 10.6)**
[Report Attachment](#)

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

- 1) That the report entitled “PRELIMINARY REPORT, Elias and Ekaterini Bobotsis, 9941 Woodbine Avenue, East side of Woodbine Avenue, south of Major Mackenzie Drive, Applications for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit an expansion of the Royal Cachet Montessori School, File No.’s: OPA, ZA and SC 11 110068” be received; and,
- 2) That a Public Meeting be held to consider the applications for Official Plan and Zoning By-law Amendments; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- 5. AMBER PLAIN INVESTMENTS LTD.
5443, 5521 AND 5565 MAJOR MACKENZIE DRIVE
(SU.11-120547 AND ZA.11-120546)
ARROWDALE DEVELOPMENTS LTD.
AND BONNYDON LTD.
5601 MAJOR MACKENZIE DRIVE
(SU.11-118808 AND ZA.118807) (10.6, 10.5)**
[Report](#)

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

- 1) That the report dated November 8, 2011, entitled, Preliminary Report,
 - “Amber Plain Investments Ltd., 5443, 5521 and 5565 Major Mackenzie Drive, File Numbers: SU.11-120547 and ZA.11-120546
 - Arrowdale Developments and Bonnydon Ltd., 5601 Major Mackenzie Drive, File Numbers: SU.11-118808 and ZA.11-118807,”be received; and,

- 2) That Staff be authorized to schedule statutory Public Meetings to consider the proposed Draft Plan of Subdivisions and Zoning By-law Amendments; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**6. EXTENSION OF SITE PLAN ENDORSEMENT
PROPOSED 15,970 M² (171,909 FT²)
8 STOREY OFFICE BUILDING
80 MINTHORN BOULEVARD
WEMAT FOUR LIMITED
(SC 05 016629) (10.6)
[Report](#)**

Staff provided clarification in response to a question from the Committee.

Moved by: Councillor Valerie Burke

Seconded by: Regional Councillor Joe Li

- 1) That the Staff memorandum dated November 15, 2011, entitled “Extension of Site Plan Endorsement - Proposed 15,970 m² (171,909 ft²) eight storey office building, 80 Minthorn Boulevard - Wemat Four Limited, File No: SC 05 016629”, be received; and,
- 2) That the request for an extension of Site Plan Endorsement by Wemat Four Limited be granted to February 3, 2015, subject to conditions as outlined in Appendix ‘B’; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- 7. AGS CONSULTANTS LTD.
139, 195, 201, 203 AND 205 LANGSTAFF ROAD EAST
3, 5 AND 21 ESSEX AVENUE
ROBERT AND DEBORAH TIBERIO
196 AND 198 LANGSTAFF ROAD EAST
APPLICATIONS FOR ZONING BY-LAW AMENDMENTS
TO EXTEND PERMISSIONS FOR TEMPORARY USES FOR
AN ADDITIONAL THREE YEARS
(ZA 11 114963, ZA 11 114979, ZA 11 114988)
(ZA 11 114990 AND ZA 11 119729) (10.5)
[Report](#)**

The Committee requested staff investigate pro-active options with respect to the cat rescue shelter, to avoid a crisis situation. Appreciation was expressed to Patrick O’Hanlon for his assistance in this matter.

Moved by: Councillor Valerie Burke
Seconded by: Regional Councillor Joe Li

- 1) That the report entitled “INFORMATION REPORT, AGS Consultants Ltd., 139, 195, 201, 203 and 205 Langstaff Road East, 3, 5 and 21 Essex Avenue, Robert and Deborah Tiberio, 196 and 198 Langstaff Road East, Applications for Zoning By-law Amendments to extend permissions for temporary uses for an additional three years, File No.’s: ZA 11 114963, ZA 11 114979, ZA 11 114988, ZA 11 114990 and ZA 11 119729” be received.

CARRIED

- 8. ALTERATION TO THE QUEEN’S HOTEL
BUILDING PERMIT APPLICATION 11 129318 NH
174-178 MAIN STREET
UNIONVILLE HERITAGE CONSERVATION DISTRICT (16.11)
[Correspondence Report](#)**

The Committee received correspondence from David Conway, property owner, regarding the Building Permit application for the Queen’s Hotel.

Staff explained the unauthorized modifications to the heritage building and the recommendations of Heritage Markham and staff that the building be returned to its original condition.

Staff displayed historic photographs identifying the subject window and door and other features of the building, and chronicled the architectural changes over the years. It was acknowledged that very few heritage buildings are 100% original; however, staff consider that the subject alternations are not in keeping with guidelines for such renovations, and may create a precedent for other requests and other alterations without permits, as well as undermining the intent of heritage preservation.

The Committee considered the value of the door to the operation of the business. The business had previously shared an adjacent doorway and vestibule with another business, which the tenant considered detrimental to customer access. It was suggested that improved signage may help to promote the business, and that relocation of the door to the north side of the building would be more in keeping with the heritage guidelines.

Discussions included pending charges to the property owner, with respect to work performed without a permit. The Committee indicated support for additional fees that can be applied in instances of approval after the fact, and requested that staff incorporate this subject into upcoming discussions regarding the fee by-law. Staff noted that if the alterations are denied, the applicant and staff can continue discussions for an alternate door location and signage improvements.

Roger Kanda, applicant, made a deputation explaining the situation and stated that he had been advised by the owner to do the alterations, and had been unaware of the requirement for a Building Permit and heritage approval.

The Committee deferred further discussions until later in the meeting, pending the arrival of other parties involved.

When discussions resumed, Roger Kanda spoke of his history in Unionville and his business involvement on Main Street. He displayed photographs of the new door, which had been found in the basement of the building and matches the adjacent door. He confirmed that the door had been installed in July, prior to opening the business in August this year, and he suggested that relocation of the door to the north side would not be practical, due to the costs and the need to change the interior layout. The original materials have been discarded. Staff responded that restoration is still possible, even without the original materials.

Rob Kadlovski, Co-chair of UBIA, spoke in support of the approval of the Building Permit. Mr. Kadlovski provided background information on Mr. Kanda's support of the Main Street community, and the inadvertent alterations.

Some Committee members spoke about the importance of supporting Markham's heritage program, and some members spoke of the importance of supporting businesses on Main Street.

It was noted that the landlord and tenant have an obligation to comply with the regulations and to be aware of Building Permit and heritage requirements. Staff were directed to meet with the landlord to discuss possible enhancements to the building. The Committee inquired whether it would be possible for the entire original balcony to be restored.

A motion to approve the staff recommendation, with a provision that staff consider relocation of the door to the north side of the building, was LOST.

The Committee considered a new motion to approve the door, as constructed. A Committee member requested that Clause 1 be separated.

Moved by: Regional Councillor Gord Landon

Seconded by: Regional Councillor Joe Li

- 1) That building permit application 11 129318 NH to retroactively approve the alteration of a window to a door on the front door of the historic Queen's Hotel at 174-178 Main Street, Unionville, be **approved as constructed**.
CARRIED
- 2) **That the correspondence from David Conway, property owner, in support of approval of the Building Permit, be received; and**
- 3) **That the deputations by Roger Kanda, applicant, and Rob Kadlovski, Co-chair of Unionville BIA, in support of approval of the Building Permit, be received; and**
- 4) That there is no objection to the removal of interior walls as outlined in the Building Permit application; and,
- 5) **That a meeting be arranged between staff and the landlord, to consider further enhancements to the building; and further,**
- 6) That staff be directed to take any actions necessary to give effect to the resolution.
CARRIED

**9. 2218942 ONTARIO LIMITED
(FORMERLY FORCAST INC.)
9225 9TH LINE
APPLICATIONS FOR OFFICIAL PLAN
SECONDARY PLAN AND ZONING BY-LAW AMENDMENT
TO PERMIT A FINANCIAL INSTITUTION WITH AN
ASSOCIATED DRIVE THROUGH SERVICE FACILITY
(OP.08-116248 AND ZA.08-116256) (10.3, 10.4, 10.5)
[Report](#) [Appendix A and B](#)**

Correspondence was received from Peter Bahen, in support of the proposal, and from Debbi Accettura, in objection to the proposal.

Jim Baird, Commissioner of Development Services, provided an overview of the proposal for a financial institution with associated drive through service facilities at 9225 9th Line. The public consultation process, proposed mitigation measures to address concerns, and the recommendations of staff, were reviewed. The Site Plan application will come forward to the Committee at a later date.

Debbi Accettura made a deputation in objection, stating that she had investigated the zoning of the subject property prior to purchasing their home, and did not want it to be rezoned to a non-residential use. Ms. Accettura noted concerns for idling vehicles and garbage accumulation on the site.

Adam Brown of Sherman Brown, representing the applicant, advised that community meetings had been held, one specifically targeting the adjacent residences, and positive feedback had been received. A statutory Public Meeting had also been held, and Mr. Brown outlined the changes the applicant has agreed to make to the proposal to address the issues identified. Elevations and design enhancements were displayed. In response to questions Mr. Brown advised that the property has been vacant for seven years; the applicant is a commercial developer, not a residential developer and has no interest in building houses on the site; and he considers the proposed use to be more compatible to the adjacent residences than the existing gas station and car wash to the north. Mr. Brown summarized that the proposal has advanced and site plan application has been submitted based on the public feedback and general indication of support received.

The Committee discussed traffic and access issues on 9th Line, and that the proposed use is not provided for in the Cornell vision; it was suggested, however, this could be considered a transition use and the applicant can work with the residents at the Site Plan stage on further enhancements.

The Committee considered the impacts, and the comments of area residents. The Committee questioned the scope of the community consultation by the Ward Councillor, and agreed to refer this matter directly to Council, as the Ward Councillor was not in attendance to provide input.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Carolina Moretti

- 1) **That correspondence from Peter Bahen, in support, and from Debbi Accettura, in objection to the proposal by 2218942 Ontario Limited, be received; and,**
- 2) **That the deputation by Debbi Accettura, in objection to the proposal by 2218942 Ontario Limited, be received; and**
- 3) **That the following resolution be referred directly to Council:**
 - a) *That the staff report dated November 15, 2011 entitled “Recommendation Report, 2218942 Ontario Limited, 9225 9th Line, Applications for Official Plan, Secondary Plan and Zoning By-law Amendment to permit a financial institution with an associated drive through service facility”, be received; and,*
 - b) *That the record of the Public Meeting held on June 21, 2011, with respect to the proposed amendments to the Official Plan, Secondary Plan and Zoning By-law, be received; and,*
 - c) *That the applications submitted by 2218942 Ontario Limited to amend the Official Plan (Revised 1987) and Secondary Plan, be approved, and the draft Official Plan and Secondary Plan Amendments attached as Appendix ‘A’, be finalized and enacted without further notice; and,*

- d) *That the application submitted by 2218942 Ontario Limited to amend the Zoning By-law be approved and the draft implementing Zoning By-law Amendment attached as Appendix 'B' be finalized and enacted; and further,*
- e) *That Staff be authorized and directed to do all things necessary to give effect to this resolution.*

CARRIED

**10. 1839314 ONTARIO LIMITED
(FORMERLY GREAT ELDIN DEVELOPMENTS LTD)
9560 HIGHWAY 48
DRAFT PLAN OF SUBDIVISION AND
REZONING APPLICATIONS TO PERMIT
TOWNHOUSES, A FUTURE MIXED USE
DEVELOPMENT BLOCK AND A PUBLIC PARK
(SU 11 109000 & ZA 11 108999) (10.7, 10.5)
[Report](#)**

Jim Baird, Commissioner of Development Services, introduced this matter and summarized the proposal. The draft plan approval encompasses the entire subdivision, and the proposed rezoning involves the park and townhouse areas only. The high density block will come back to Committee for zoning and site plan approval at a later date, with detailed plans.

Moved by: Councillor Carolina Moretti
Seconded by: Regional Councillor Joe Li

- 1) That the report dated November 15, 2011 titled “RECOMMENDATION REPORT, 1839314 Ontario Limited (formerly Great Eldin Developments Ltd.), 9560 Highway 48, Draft plan of subdivision and rezoning applications to permit townhouses, a future mixed use development block, and a public park (File Nos: SU 11 109000 & ZA 11 108999)”, be received; and,
- 2) That the record of the Public Meeting held on June 21st, 2011, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received; and,
- 3) That the Draft Plan of Subdivision (19TM-95081) submitted by 1839314 Ontario Limited be draft approved subject to the conditions attached as Appendix ‘A’ to this report; and,
- 4) That the application submitted by 1839314 Ontario Limited to amend Zoning By-laws 304-87 and 177-96, as amended, to permit townhouses and a public park be approved and the draft by-laws attached as Appendix ‘B’ be finalized and enacted without further notice; and,

- 5) That conditional 2011 servicing allocation for 46 townhouse units be granted to draft plan of subdivision 19TM-95081, subject to written confirmation from the Trustee of the Wismer Commons Developers Group that servicing allocation is available from the total 2011/2012 sewer and water allocation previously assigned to Wismer Commons; and,
- 6) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 7) That the draft plan approval for plan of subdivision 19TM-95081 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**11. INTERNATIONAL INVESTMENT
ATTRACTION PROGRAM 2012 (10.16)**
[Report](#)

On October 25, 2011 Development Services Committee deferred consideration of the subject matter to a future meeting.

Christina Kakaflikas, Manager, Special Projects, reported on the proposed business mission to India in partnership with the Indo-Canada Chamber of Commerce as part of a targeted Markham-India program, as part of Markham's economic strategy. The Committee discussed the importance of continuity for the missions, to build on the momentum that has been built.

Moved by: Deputy Mayor Jack Heath
Seconded by: Regional Councillor Joe Li

- 1) That the report entitled "International Investment Attraction Program" 2012 be received; and,
- 2) That Markham partner with the Indo-Canada Chamber of Commerce (ICCC) to develop, promote and execute a business mission and that the ICCC help to recruit mission delegates and provide organizational and promotional services and travel arrangement services in advance of and during the mission; and,
- 3) That the Town be represented by a four person delegation composed of Mayor Frank Scarpitti, Councillor Carolina Moretti, Chair of the Economic Development Committee, and two Economic Development professional staff, S. Chait (Director) and C. Kakaflikas (Manager Special Projects); and,

- 4) That the total cost of the “International Investment Attraction Program” not exceed \$47,800.00 and be expensed from within the 2012 “International Investment Attraction Program” Capital Budget; and,
- 5) That Council pre-approve the International Investment Attraction Program Capital Budget in the amount of \$76,300, with the remaining funds of \$28,500 to be used for the China investment attraction program; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

NEW BUSINESS

12. TRANSIT STRIKE (5.14)

The Committee discussed the ongoing transit strike and the efforts by Regional Councillors and York Region to resolve the issues involved.

13. IN-CAMERA MATTER (8.0)

Moved by: Councillor Carolina Moretti
Seconded by: Councillor Logan Kanapathi

That, in accordance with Section 239 (2) (e) of the *Municipal Act*, Development Services Committee resolve into an in-camera session to discuss the following confidential matters:

- 1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- 2) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- 3) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

CARRIED

Moved by: Councillor Carolina Moretti
Seconded by: Regional Councillor Joe Li

That the Development Services Committee rise from in-camera session (12:55 PM).

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 12:55 PM.

Alternate formats for this document are available upon request.