



DEVELOPMENT SERVICES COMMITTEE MINUTES

MARCH 6, 2012, 9:00 a.m. to 12:30 p.m.

Council Chamber

Meeting No. 5

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 Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Alan Ho
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community & Fire
Services
Sabrina Bordone, Planner
Alan Brown, Director of Engineering
Catherine Conrad, Town Solicitor
Regan Hutcheson, Manager, Heritage Planning
Richard Kendall, Manager, Central District
Rino Mostacci, Director of Planning and Urban Design
Liz Wimmer, Senior Environmental Planner
Kitty Bavington, Council/Committee Coordinator

Regrets

Regional Councillor Gord Landon
Councillor Carolina Moretti
Councillor Colin Campbell

The Development Services Committee convened at the hour of 9:10 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Councillor Alan Ho assumed the Chair for Transportation items, Nos. 11 and 12.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Valerie Burke disclosed an interest with respect to Item # 7, Incoming Applications, the proposed Telecommunications Tower by 1275095 Ontario Limited at 7 Harlech Court, by nature of a family member owning a business in the area, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

**1. DEVELOPMENT SERVICES COMMITTEE MINUTES
- February 21, 2012, Part B (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Committee meeting, Part B, held February 21, 2012, be confirmed.

CARRIED

**2. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES
- February 21, 2012 (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Public Meeting, held February 21, 2012, be confirmed.

CARRIED

**3. MILNE PATHWAY WORKING GROUP MINUTES
- FEBRUARY 13, 2012 (16.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Milne Pathway Working Group meeting held February 13, 2012, be received for information purposes.

CARRIED

**4. YORK REGION 16TH AVENUE
TRUNK SEWER ENHANCEMENT PROJECTS
– ROBINSON CREEK NORTH PROJECT (5.10)**

[Report](#)

The Committee requested a short presentation be given on this matter at a future Development Services Committee meeting.

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the report entitled “York Region, 16th Avenue Trunk Sewer Enhancement Projects - Robinson Creek North Project” dated March 6, 2012, be received; and,
- 2) That Council endorse the Robinson Creek North Restoration Project subject to the following:
 - i) That staff continue to work with the Toronto and Region Conservation Authority and the Region of York to finalize the design for the channel restoration and the multi-use pathway, to the satisfaction of the Town; and,
 - ii) That the Commissioner of Development Services and the Town Solicitor be authorized to execute an agreement with the TRCA and the Region of York, for the works to be done on the Town owned lands at no expense to the Town, and further
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**5. PRELIMINARY REPORT GENTHORN DEVELOPMENTS INC.
ZONING BY-LAW AMENDMENT APPLICATION TO ADD RESTAURANTS,
COMMERCIAL SCHOOLS AND PRIVATE SCHOOLS TO THE
LIST OF PERMITTED USES AT 5 HILLCROFT DRIVE (10.5)
[Report](#)**

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the report titled “PRELIMINARY REPORT”, Genthorn Developments Inc., Zoning By-law Amendment application to add restaurants, commercial schools and private schools to the list of permitted uses at 5 Hillcroft Drive, dated March 6, 2012, be received; and,
- 2) That a Public Meeting be held to consider the application submitted by Genthorn Developments Inc. to add restaurants, commercial schools and private schools to the list of permitted uses at 5 Hillcroft Drive; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**6. STATUS UPDATE REPORT
TRIBUTE (UNIONVILLE) LIMITED ZONING
BY-LAW AMENDMENT APPLICATION TO
PERMIT A MIXED-USE COMMERCIAL-
RESIDENTIAL BUILDING AT 20 FRED VARLEY DRIVE (10.5)**
[Report](#)

The Ward Councillor summarized the public consultation and the efforts of the Unionville Subcommittee Working Group to resolve issues of concern.

Staff clarified the approval authority jurisdictions of the Region and the Province, and the possible requirement for an Official Plan Amendment. Discussions included the scale and massing of the proposal with respect to Special Policy Area policies, intensification policies, and Heritage guidelines. Mediation and appeal options were also discussed.

The Committee strongly supported mediation with the applicant at the Town level, prior to the OMB process. Some members of the Working Group were in attendance and were acknowledged by the Committee.

The Committee recessed in-camera.

Moved by: Councillor Don Hamilton

Seconded by: Mayor Frank Scarpitti

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 matter:

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

CARRIED

Moved by: Councillor Don Hamilton

Seconded by: Councillor Howard Shore

That the Development Services Committee rise from in-camera session (9:55 AM).

CARRIED

The Committee advised that it had received the Town Solicitor's opinion and discussed strategies regarding this matter. It was emphasised that the Town prefers to mediate with the applicant, Tribute (Unionville) Limited, at the Town level.

Moved by: Councillor Don Hamilton

Seconded by: Mayor Frank Scarpitti

- 1) That the report titled “Status Update Report, Tribute (Unionville) Limited, Zoning By-law Amendment application to permit a mixed-use commercial-residential building at 20 Fred Varley Drive, File No. ZA 11 113101” be received; and
- 2) That Council direct the Town Solicitor and Staff to request mediation at the Ontario Municipal Board (OMB); and further
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

7. REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD OF OCTOBER 2, 2011 TO JANUARY 13, 2012 (10.0)
[Report](#)

Councillor Valerie Burke disclosed an interest with respect to Item # 7, Incoming Applications, the proposed Telecommunications Tower by 1275095 Ontario Limited at 7 Harlech Court, by nature of a family member owning a business in the area, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

The Committee noted the following matters:

2218942 Ontario Ltd., 9225 9th Line: Staff were directed to ensure the development occurs in compliance with the proposal presented to the Committee previously. The Deputy Mayor requested a copy of the site plan application.

Balwinder and Ravinder Khanna, 23 Princess Street: The Committee discussed the concerns of the residents. Staff advised that the applicant has revised the plans, however it will still require a Minor Variance application to the Committee of Adjustment.

York Catholic District School Board, 840 Bur Oak:

- Ward 2 is incorrect.
- Site plan application number SC 11 129769 is duplicated with 1275095 Ontario Limited.
- Expansion of 15 additional parking spaces should take the traffic plan and ingress/egress into consideration.

Hans Naffaa, 12 Buttonville Crescent: Ward 2 is incorrect.

1275095 Ontario Limited, 7 Harlech Court: This matter is subject to the Committee approval route.

Mike Moffat, 7 Sabiston Drive: Staff were directed to ensure drainage issues with the neighbouring property are resolved.

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Alan Ho

- 1) That Committee receive the report entitled “Report on Incoming Planning Applications for the period of “October 2, 2011 to January 13, 2012” and direct staff to process the applications in accordance with the approval route outlined in the report; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**8. REQUEST FOR DEMOLITION OF DWELLINGS
23 PRINCESS ST. AND 59 ROUGE ST.
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT
(FORMERLY CALLED 23 PRINCESS STREET AND 59 ROUGE STREET,
MARKHAM VILLAGE, REQUEST FOR DEMOLITION OF DWELLINGS)
(10.13 and 16.11)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the staff report titled “Request for Demolition of Dwelling, 23 Princess St. and 59 Rouge St., Markham Village Heritage Conservation District” dated March 9, 2012, be received; and,
- 2) That Council has no objection to the demolition of the dwellings at 23 Princess St. and 59 Rouge St. subject to the following conditions:
 - a) The applicant to advertise in the local newspaper the availability of the dwellings for relocation and/or salvage of materials to promote diversion of materials from landfill;
 - b) The applicant or future owner obtain Site Plan Approval for a new dwelling which complies with the Markham Village Heritage Conservation District Plan prior to the issuance of a demolition permit;
 - c) The applicant or future owner work with staff to retain mature trees on the property; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

9. TRIBUTARY #5 IMPROVEMENTS – FUNDING (5.7)

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the report entitled “Tributary #5 Improvements – Funding” be received; and,
- 2) That the budget for the Capital Account #70-5350-11416-005 be increased by \$932,324.84 inclusive of HST to be funded from the Townwide Hard Development Charges Reserve for the following items:
 - a. Associated cost of Tributary #5 Improvements, at 16 Main Street in the amount of \$832,324.84 inclusive of HST;
 - b. Additional contingency allowance for this project of \$100,000.00 (from \$63,893.82 to \$163,893.82) inclusive of HST; and,
- 3) That upon completion of the Tributary #5 Improvements, any unused funding be transferred back to the Townwide Hard Development Charge Reserve; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**10. PROPOSED RELOCATION OF THE HERITAGE DWELLING
23 VICTORIA AVENUE, UNIONVILLE (16.11)**

[Report](#)

Jim Baird, Commissioner of Development Services, gave a brief introduction to this matter, advising that the staff recommendation reflects Heritage Markham’s preference that the building be sited at the original location, to maintain the streetscape.

Nicholas Lisi, the applicant, displayed photographs illustrating the proximity of the sidewalk and light standard, and requested approval to move the building back three feet.

The Committee discussed the policies of the Unionville Heritage Conservation Plan, and reviewed the setbacks of adjacent houses.

Moved: Councillor Don Hamilton

Seconded by: Mayor Frank Scarpitti

- 1) That the staff report entitled “Proposed Relocation of the Heritage Dwelling, 23 Victoria Avenue, Unionville”, dated March 6, 2012, be received; and,

- 2) That Council supports the construction of a new foundation under the heritage portions of the existing house, **a maximum of three feet back from** its original location, provided that:
- The Toronto and Region Conservation Authority provides written confirmation that permitting a new foundation would not require the existing finished first floor height to be raised more than 6 inches from its current elevation;
 - The new foundation will have a 4-6 inch rebate designed to permit a veneer of granite fieldstone laid in a traditional rubble pattern utilizing the stones of the existing foundation;
 - The existing house is temporarily moved and relocated back onto the new foundation as a complete and original structural entity, including all the existing structural members such as the floor joists, floor, wall studs and roof rafters;
 - A Heritage Letter of Credit of \$10,000 (in addition to the standard Site Plan Approval financial security) is secured as a condition of approval to be released when the dwelling is successfully placed on its new foundation after the temporary relocation procedure; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**11. MARKHAM ROAD FROM 16TH AVENUE TO
MAJOR MACKENZIE DRIVE MUNICIPAL SERVICING (5.10)**
[Report](#)

Moved by: Mayor Frank Scarpitti

Seconded by: Regional Councillor Jim Jones

- 1) THAT the staff report entitled, “Markham Road from 16th Avenue to Major Mackenzie Drive Municipal Servicing” be received; and,
- 2) THAT the existing 300mm diameter sanitary sewer on the East side of Markham Road from north of Edward Jeffrey’s Avenue northward to approximately 160m south of Major Mackenzie Drive be upgraded with a new larger diameter sanitary sewer (450mm and 525mm) to accommodate future development within the area; and,
- 3) THAT a new 2012 Engineering Department capital project be created for the proposed upgrade of the existing sanitary sewer on Markham Road, from 16th Avenue to Major Mackenzie Drive, and Bur Oak Avenue, in the amounts of \$900,000.00, inclusive of HST, to accommodate future development, to be funded the from Town Wide Hard (TWH) DC reserve, with subsequent recoveries from the future Area Specific Development Charge (ASDC) reserve, and \$100,000.00, for the non-growth portion, inclusive of HST to be funded from the Non-DC Growth Reserve Fund; and,

- 4) THAT the Development Charges Background Study scheduled to be completed by the spring/summer of 2013, include an Area Specific Development Charge (ASDC) which shall include the sanitary sewer upgrade; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**12. AWARD OF PROPOSAL 221-R-11-CONSULTING SERVICES
FOR THE TRIBUTARY #5 ENVIRONMENTAL ASSESSMENT STUDY (5.7)
[Report](#)**

Alan Brown, Director of Engineering, gave a brief overview of the purpose and location of the project.

The Committee discussed the source of the water flow, options for relocation, and the Town's Small Streams Policy. It was suggested that the creek be named. Staff and interested Committee members will discuss this further, and it will be addressed when staff report back on this matter.

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Jim Jones

- 1) THAT the report entitled "Award of Proposal 221-R-11-Consulting Services for the Tributary #5 Environmental Assessment Study", be received; and,
- 2) THAT the contract for Tender 221-R-11-Consulting Services for the "Tributary #5 Environmental Assessment Study" be awarded to the highest ranked, second lowest priced, bidder, URS Canada Inc., in the amount of \$93,016.78 inclusive of HST; and,
- 3) THAT that a separate purchase order in the amount of \$ 15,000.00 inclusive of HST be issued for contingency to cover any additional consultation costs and that the Director of Engineering be authorized to approve the expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) THAT the Engineering Department Project Management fee in the amount of \$12,962.01 inclusive of HST be funded from the Markham Centre Mobility Hub Account as detailed in this report; and,
- 5) THAT a new Engineering Department 2012 Capital Budget be created for this study in the amount of \$120,978.79 inclusive of HST to be funded from the Town Wide Development Charges; and,
- 6) THAT the enhancements to the tributary arising from the Environmental Assessment study be included in the future Development Charge Bylaw Update; and further,

- 7) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 10:40 AM.

Alternate formats for this document are available upon request.
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