



DEVELOPMENT SERVICES COMMITTEE MINUTES

APRIL 17, 2012, 9:00 a.m. to 12:30 p.m.

Canada Room

Meeting No. 10

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 A

Presentations, Major Studies, and Issues Agenda

9:00 a.m. – Canada Room

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 Colin Campbell
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
Ronji Borooh, Town Architect
Alan Brown, Director of Engineering
Catherine Conrad, Town Solicitor
Stephen Huycke, Public Services & Records Coordinator
Regan Hutcheson, Manager, Heritage Planning
Biju Karumanchery, Senior Development Manager
Brian Lee, Senior Manager, Development Engineering &
Transportation
Bill Wiles, Manager of By-law Enforcement & Licensing
Kitty Bavington, Council/Committee Coordinator

The Development Services Committee convened at the hour of 9:05 a.m. in the Canada Room with Regional Councillor Jim Jones in the Chair.

DISCLOSURE OF PECUNIARY INTEREST – none declared

**1. SOUTH YONGE STREET CORRIDOR
STREETSCAPE MASTER PLAN (10.0)**
[Presentation York Region Council Report](#)

The Committee had before it Report No. 1 of the Transportation Services Committee - Regional Council Meeting of January 26, 2012.

Ronji Borooah, Town Architect, introduced the presentation of the South Yonge Street concept streetscape plan, as approved by Region of York.

Angela Gibson, Head, Policy and Planning, Region of York and Bruce Cudmore, EDA Collaborative Inc. gave a presentation regarding the South Yonge Street Corridor Streetscape Master Plan. The report presents the findings and recommendations of the Master Plan Study from Steeles Avenue to Bantry Avenue, encompassing a collaborative vision relating to the Yonge Street subway extension.

The presentation included the public and stakeholder consultation, the work plan, contextual planning, phasing, and the various districts. Comparative costs were reviewed. Next steps include the establishment of an Implementation Strategy Team between York Region and the local municipalities.

The Committee had comments and questions regarding cell phone towers, burying hydro lines, cost contributions by the BIAs, bus lanes, and bike lanes. Ms. Gibson advised that the traffic review has ensured adequate bike lanes and buffers can be accommodated and design details will be determined in later phases. The Committee noted that Heritage areas require specific coordinated design considerations.

Discussions involved staging plans for implementation in consideration of the anticipated time frame for the subway extension.

Marion Matthias made a deputation and provided comments on the need for bike lanes, including the local community in discussions, and that intensification is not feasible without a higher order of transit. With respect to heritage districts, Ms. Matthias requested that the roads not be widened, and that the hydro lines be buried in these areas.

Moved by: Councillor Valerie Burke
Seconded by: Councillor Howard Shore

That the presentation provided by Ms. Angela Gibson, Head, Policy and Planning, Region of York and Mr. Bruce Cudmore, EDA Collaborative Inc. regarding South Yonge Street Corridor Streetscape Master Plan be received.

CARRIED

2. MASTER SERVICING STUDY (MSS) (5.0)
[Presentation](#)

The Committee received correspondence from Stephen J. D’Agostino of Thompson Rogers, representing landowners in the area.

Alan Brown, Director of Engineering gave a presentation regarding the Master Servicing Study (MSS). The purpose of the Study is to determine existing capacity constraints, estimate future servicing needs, and identify infrastructure needs and costs, based on 2031 land use and growth projections. Mr. Brown identified the assessment areas for municipal services, the water supply system, sanitary collection system, and storm drainage system. Next steps will include finalizing the servicing study and identifying the infrastructure cost estimates and funding sources. An update report will be provided in the Fall of 2012.

Staff responded to several questions from the Committee regarding the regional filtration system, and stormwater management plans.

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That correspondence from Stephen J. D’Agostino of Thompson Rogers, representing landowners in the area, be received; and,

That the presentation provided by Mr. Alan Brown, Director of Engineering regarding Master Servicing Study (MSS) be received.

CARRIED

3. DEVELOPMENT SERVICES COMMITTEE MINUTES
- April 3, 2012, Part A (10.0)
[Minutes](#)

Moved by: Regional Councillor Gord Landon

Seconded by: Councillor Alan Ho

That the minutes of the Development Services Committee meeting, Part A, held April 3, 2012, be confirmed.

CARRIED

**4. REVISIONS TO APPROVED PLANS
DUE TO UNAUTHORIZED DEMOLITION OF
HERITAGE DWELLING BUILDING PERMIT
APPLICATION HP 11 122569 000 01
41 ALBERT STREET, MARKHAM VILLAGE (16.11)**
[Extract](#) [Report](#) [Written Submission](#) [Heritage Staff Notes](#)
[Markham Subcommittee Minutes and Recommendations](#)

On March 27, 2012 Development Services Committee referred this matter to the Markham Subcommittee for further discussions. The Committee had the following information before it:

- Extract from Development Services Committee meeting dated March 27, 2012
- Development Services Committee staff report dated March 27, 2012
- Written submission received at Development Services Committee on March 27, 2012 from Alexis and Brett Whalen
- Heritage Staff notes dated April 11, 2012
- Markham Subcommittee Minutes and Recommendations dated April 11, 2012.

Jim Baird, Commissioner of Development Services summarized the information provided to the Committee, including the recommendations of the Markham Subcommittee to approve the alterations as built. Members of the Markham Subcommittee reviewed the lengthy discussions, the on-site visit and the Subcommittee recommendations.

The Committee discussed the importance of adhering to approved plans and cautioned future owners of heritage buildings to do their due diligence before making applications. Staff confirmed the original plans anticipated a new foundation and restoration of the existing building; however instead, a totally new building was constructed contrary to the approved design.

With respect to previous discussions regarding the list of contractors made available to applicants, staff advised that a memo is being prepared on this issue and will be circulated to the Committee. The issue of providing clear information in both directions was discussed, and it was noted that the appointment of a trained heritage Building Inspector is a positive step forward.

The Committee agreed to recess in-camera on this matter later in the meeting.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Alex Chiu

- 1) **That the minutes of the Markham Subcommittee meeting held April 11, 2012, be received; and,**
- 2) **That the single detached dwelling at 41 Albert Street, Markham Village, be approved as constructed; and,**
- 3) **That the owners pay for a Markham Remembered plaque that would be installed at the front of the property detailing the former heritage building; and,**

- 4) That the owners construct a wooden white picket fence along the street; and further,
- 5) That the owners complete the appropriate Building Permit processes and receive approvals for the alterations and the Site Plan Agreement be revised as per Council's direction.

CARRIED

**5. REGIONAL MUNICIPALITY OF YORK
REVISIONS TO THE *RETAIL
BUSINESS HOLIDAYS ACT* EXEMPTION
APPLICATION PROCESS AND REVIEW (10.16)
[Correspondence](#)**

The Committee discussed this matter in conjunction with agenda Items # 6 and # 7, correspondence from the Denison Centre and Foody Mart, requesting support for their applications to York Region for exemption under the *Retail Business Holidays Act*.

Jennifer Thomas of Thomas Law, representing the Denison Centre, made a deputation requesting Markham's support for the exemption request, and discussed the proximity of the Denison Centre to other shopping malls that have been granted exemptions.

Manoj Biswas, representing Oriental Foods in the Denison Centre and speaking on behalf of the tenants in Denison Centre, made a deputation requesting Markham's support for the exemption request. He circulated a written petition from the tenants in support, and a petition from the staff stating they are in support. Mr. Biswas referred to the criteria for exemptions, and the reasons why the Denison Centre should be exempted.

Andy Wong, representing Foody Mart, made a deputation requesting Markham's support for the exemption request. Mr. Wong discussed the advantages for businesses identified as tourist attractions, and traffic congestion and parking overflow on holidays at places that are permitted to be open. Mr. Wong circulated a petition in support.

The Committee discussed traffic, parking, employment opportunities and pressures, competition issues, and setting a precedent for more exemption requests. It was noted that the exemption criteria requires the business to be directly related to the tourist attraction or to rely on the traffic from the tourist attraction, not just to be within 2 km of the attraction.

Discussions also included compliance with diversity initiatives for employees, and with the *Employment Standards Act* with respect to working on holidays.

The Committee requested the Clerk, with input from the Director of Economic Development, hold a Committee workshop and prepare a report regarding the *Retail Business Holidays Act* in May, 2012, if possible.

Moved by: Mayor Frank Scarpitti
Seconded by: Councillor Carolina Moretti

- 1) That the correspondence dated March 27, 2012 from Denis Kelly, Regional Clerk, Regional Municipality of York on "Revisions to the *Retail Business Holidays Act* Exemption Application Process and Review" requesting comments from local municipalities, be received and referred to the **Clerk; and,**
- 2) **That the Clerk, with input from the Director of Economic Development, hold a Committee workshop and prepare a report regarding the *Retail Business Holidays Act* in May, 2012, if possible.**

CARRIED

**6. THE DENISON CENTRE, MARKHAM
APPLICATION FOR EXEMPTION UNDER THE
RETAIL BUSINESS HOLIDAYS ACT (10.16)
[Correspondence](#)**

The Committee discussed this matter in conjunction with agenda Items # 5 and # 7, correspondence regarding the *Retail Business Holidays Act*.

Jennifer Thomas of Thomas Law, representing the Denison Centre, made a deputation requesting Markham's support for the exemption request, and discussed the proximity of the Denison Centre to other shopping malls that have been granted exemptions.

Manoj Biswas, representing Oriental Foods in the Denison Centre and speaking on behalf of the tenants in Denison Centre, made a deputation requesting Markham's support for the exemption request. He circulated a written petition from the tenants in support, and a petition from the staff stating they are in support. Mr. Biswas referred to the criteria for exemptions, and the reasons why the Denison Centre should be exempted.

The Committee discussed traffic, parking, employment opportunities and pressures, competition issues, and setting a precedent for more exemption requests. It was noted that the exemption criteria requires the business to be directly related to the tourist attraction or to rely on the traffic from the tourist attraction, not just to be within 2 km of the attraction.

Discussions also included compliance with diversity initiatives for employees, and with the *Employment Standards Act* with respect to working on holidays.

The Committee requested the Clerk, with input from the Director of Economic Development, hold a Committee workshop and prepare a report regarding the *Retail Business Holidays Act* in May, 2012, if possible.

Due to the timing of the application, this matter will be forwarded to Council on April 17, 2012.

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

- 1) That the correspondence dated April 11, 2012 from Mr. Joseph C. Vieni, Barrister on behalf of the owners for The Denison Centre, and from **Dr. Ken Ng, Chairman, Chinese Chamber of Commerce in Markham, dated April 16, 2012**, requesting the Town of Markham's support with respect to an application made to the Regional Municipality of York for exemption under the *Retail Business Holidays Act*, be received; and,
- 2) **That the deputations by Jennifer Thomas of Thomas Law representing the Denison Centre, and by Manoj Biswas, representing Oriental Foods in the Denison Centre with respect to an application made by the Denison Centre to the Regional Municipality of York for exemption under the *Retail Business Holidays Act*, be received; and further,**
- 3) **That the Regional Municipality of York be advised that the Town of Markham supports the request by the Denison Centre for an exemption under the *Retail Business Holidays Act*, due to its proximity to the tourist attraction of Pacific Mall.**

CARRIED

**7. 2197088 ONTARIO INC.
O/A FOODY MART, 5221 HIGHWAY 7
EXEMPTION UNDER THE
RETAIL BUSINESS HOLIDAYS ACT (10.16)
[Correspondence](#)**

The Committee discussed this matter in conjunction with agenda Items # 5 and # 6, correspondence regarding the *Retail Business Holidays Act*.

Andy Wong, representing Foody Mart, made a deputation requesting Markham's support for the exemption request. Mr. Wong discussed the advantages for businesses identified as tourist attractions, and traffic congestion and parking overflow on holidays at places that are permitted to be open. Mr. Wong circulated a petition in support.

The Committee discussed traffic, parking, employment opportunities and pressures, competition issues, and setting a precedent for more exemption requests. It was noted that the exemption criteria requires the business to be directly related to the tourist attraction or to rely on the traffic from the tourist attraction, not just to be within 2 km of the attraction.

Discussions also included compliance with diversity initiatives for employees, and with the *Employment Standards Act* with respect to working on holidays.

The Committee requested the Clerk, with input from the Director of Economic Development, hold a Committee workshop and prepare a report regarding the *Retail Business Holidays Act* in May, 2012, if possible.

Due to the timing of the application, this matter will be forwarded to Council on April 17, 2012.

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Alex Chiu

- 1) That the correspondence dated April 10, 2012 from Cheng Yi Wei, President, Foody Mart requesting for exemption under the *Retail Business Holidays Act*, be received; and,
- 2) **That the deputation by Andy Wong, representing Foody Mart, with respect to an application made by Foody Mart to the Regional Municipality of York for exemption under the *Retail Business Holidays Act*, be received; and further,**
- 3) **That the Regional Municipality of York be advised that the Town of Markham supports the request by 2197088 Ontario Inc., Foody Mart, for an exemption under the *Retail Business Holidays Act*, due to its proximity to the tourist attraction of Main Street Markham.**

CARRIED

8. IN-CAMERA MATTER (11.0)

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Colin Campbell

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

- 1) Personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

Moved by: Councillor Alex Chiu

Seconded by: Councillor Alan Ho

That the Development Services Committee rise from in-camera session (12:45 PM).

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 12:45 PM.

Alternate formats for this document are available upon request.
