



Development Services Committee Minutes

June 2, 2015, 9:00 AM to 3:00 PM

Council Chamber

Meeting No. 12

All Members of Council

Development Services

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

Economic Development

Chair: Councillor Alex Chiu
Vice-Chair: Councillor Alan Ho

Transportation Issues

Chair: Regional Councillor Joe Li
Vice-Chair: Regional Councillor Nirmala Armstrong

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Joe Li
Regional Councillor Nirmala Armstrong
Councillor Valerie Burke
Councillor Don Hamilton
Councillor Karen Rea
Councillor Colin Campbell
Councillor Amanda Collucci
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community and Fire Services
Ronji Borooh, City Architect
Alan Brown, Director of Engineering
Sally Campbell, Acting Manager, East District
Catherine Conrad, City Solicitor
Biju Karumanchery, Acting Director of Planning and Urban Design
Richard Kendall, Manager, Central District
Brian Lee, Deputy Director of Engineering
Kevin Ross, Manager, Development Finance
Bill Snowball, Fire Chief
Sara Tam, Manager, Business Planning and Innovation
Tom Vilella, Manager, Zoning and Special Projects
Kitty Bavington, Council/Committee Coordinator

Regrets

Councillor Alan Ho

The Development Services Committee convened at the hour of 9:06 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Regional Councillor Joe Li assumed the Chair for Transportation item, No. 2.

The Committee recessed from 1:15 to 2:05 p.m.

Disclosure of Pecuniary Interest

Councillor Valerie Burke disclosed an interest with respect to Item # 8, Thornhill Revitalization, by nature of having a family business in the area, and did not take part in the discussion of or vote on the question of the approval of this matter.

**1. MARKHAM FIRE & EMERGENCY SERVICES
CADET PROGRAM (12.2.6)**

The Markham Fire & Emergency Services CADET Program has focused its public education efforts on meeting the needs of our very diverse community. One of the areas of diversity that often gets forgotten are those with developmental delays. This program was created to give individuals who would not be able to be hired as a firefighter the chance to experience all aspects and roles within the fire service.

Mayor Frank Scarpitti, Commissioner of Community & Fire Services, Brenda Librecz and Fire Chief, Bill Snowball presented plaques to the following recipients:

Jordan Lyn-Whittaker
Tarique Walker
Douglas Tam

**2. HIGHWAY 7
TOWN CENTRE BLVD. TO SCIBERRAS ROAD
HYDRO UNDERGROUNDING (5.10)**
[Presentation](#)

This matter was deferred from the May 19, 2015, Development Services Committee meeting.

Alan Brown, Director of Engineering, gave a presentation on hydro undergrounding, providing background on the discussions since 2012, and information on key issues: technical, costs, funding, and schedule. The total updated cost is estimated at \$19.4m. Funding options include PowerStream, the tax base, Section 37, Development Charges, gas tax, developer funding, and joint funding. The Highway 7 reconstruction could be delayed for a minimum of two years if undergrounding proceeds. Staff recommend not proceeding with Hydro undergrounding on Highway 7.

The Committee discussed developer responsibilities, future opportunities, and the benefits of undergrounding hydro lines such as safety factors and the recent ice storm. It was suggested that Powerstream be approached regarding the aesthetic impact of the hydro poles being used.

Moved by: Councillor Alex Chiu
Seconded by: Councillor Amanda Collucci

- 1) That the May 19, 2015 presentation entitled “Highway 7, Town Centre Blvd. to Sciberras Road Hydro Undergrounding,” be received; and,
- 2) That hydro undergrounding on Highway 7 (Town Centre Blvd. to Sciberras Road) not proceed; and,

- 3) That the Region of York be requested to proceed with the reconstruction of Highway 7; and further,
- 4) That PowerStream and Region be requested to ensure all future hydro and utility service connections for development north and south of Highway 7 be undergrounded and any transformers/switchgears be on private property.

CARRIED

**3. BILL 73 - SMART GROWTH
FOR OUR COMMUNITIES ACT, 2015 (10.0)**
[Presentation](#)

This matter was deferred from the May 19, 2015, Development Services Committee meeting.

The presentation on Bill 73 – Smart Growth for our Communities Act, 2015, relates to agenda item # 7, the staff report entitled “Bill 73 – Smart Growth For Our Communities Act, Proposed Amendments to the Development Charges Act, 1997 and the Planning Act”.

Tom Villella gave a presentation regarding proposed reforms to Land Use Planning legislation. Following consultation throughout Ontario by the provincial government, the intention of the reforms is to ensure that the Planning process is transparent, cost effective, and responsive to the needs of communities. Mr. Villella reviewed specific key proposals and the staff recommendations for each: moratoriums on certain development applications; limitations on appeals to the Ontario Municipal Board; requirements for public consultation; parkland dedication; and additional Bill 73 changes.

Kevin Ross gave a presentation regarding proposed reforms to Development Charges legislation. Mr. Ross reviewed specific key proposals and the staff recommendations for each: expansion of services eligible for DCs; increased emphasis on area-specific DCs; developments requiring multiple Building Permits; service level calculation; transit recovery; requirement to adopt an Asset Management Plan; voluntary payments; improved reporting requirements; and other issues not addressed by Bill 73.

Staff responded to questions from the Committee regarding construction indexing of Development Charges; minor variances; and moratoriums on development applications. The Committee directed that the following statement for recommendation 5.b) regarding prescribed criteria for minor variances, be amended as follows: “.... *“minor” cannot be determined solely through mathematical means, since, for example, a 10% variance may be inappropriate in certain circumstances but perfectly acceptable in others.*”

Next steps were reviewed. Staff will submit comments to the Province, and will report back to the Committee as updates are available on Bill 73. Staff will also report back on the Parkland Dedication By-law review.

Moved by: Regional Councillor Nirmala Armstrong
Seconded by: Councillor Valerie Burke

That the presentation provided by Tom Vilella, Manager, Zoning & Special Projects and Kevin Ross, Manager, Development Finance entitled "Bill 73 - Smart Growth for our Communities Act, 2015", be received.

CARRIED

4. DEVELOPMENT SERVICES COMMITTEE MINUTES
- May 19, 2015 (10.0)
[Minutes](#)

Moved by: Councillor Alex Chiu
Seconded by: Deputy Mayor Jack Heath

That the minutes of the Development Services Committee meeting held May 19, 2015, be confirmed.

CARRIED

5. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES
- May 19, 2015 (10.0)
[Minutes](#)

Moved by: Councillor Alex Chiu
Seconded by: Deputy Mayor Jack Heath

That the minutes of the Development Services Public Meeting held May 19, 2015, be confirmed.

CARRIED

6. MAIN STREET MARKHAM COMMITTEE MINUTES
- April 15, 2015 (16.0)
[Minutes](#)

Moved by: Councillor Alex Chiu
Seconded by: Deputy Mayor Jack Heath

That the minutes of the Main Street Markham Committee meeting held April 15, 2015, be received for information purposes.

CARRIED

**7. BILL 73 – SMART GROWTH FOR
OUR COMMUNITIES ACT
PROPOSED AMENDMENTS TO THE
DEVELOPMENT CHARGES ACT,
1997 AND THE PLANNING ACT (10.0)**
[Report](#)

[Appendix 3](#) - Full copy of Bill 73 available on-line only.

This matter was deferred from the May 19, 2015, Development Services Committee meeting.

This report relates to agenda item # 3, the presentation entitled "Bill 73 - Smart Growth for our Communities Act, 2015".

Moved by: Councillor Alex Chiu

Seconded by: Deputy Mayor Jack Heath

- 1) That the report entitled “Bill 73 – Smart Growth For Our Communities Act, Proposed Amendments to the Development Charges Act, 1997 and the Planning Act” be received; and,
- 2) That a copy of this report be forwarded to the Ministry of Municipal Affairs and Housing and York Region, along with a covering letter highlighting Markham’s outstanding concerns from the 2014 public consultation process, and summarizing Markham’s comments on Bill 73; and,
- 3) That the Ministry of Municipal Affairs and Housing be requested to allow Markham to participate in any working groups formulated to review Bill 73; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**8. STATUS UPDATE
THORNHILL REVITALIZATION AREA LAND USE
INTENSIFICATION STUDY TERMS OF REFERENCE
DISCUSSIONS WITH METROLINX, PROJECT PR 14 126187 (10.0)**
[Memo](#)

Councillor Valerie Burke disclosed an interest with respect to Item # 8, Thornhill Revitalization, by nature of having a family business in the area, and did not take part in the discussion of or vote on the question of the approval of this matter.

Jim Baird, Commissioner of Development Services discussed the Metrolinx Rapid Express Rail (RER) project and clarified the time frame and collaborative benefits.

Arnie Rose, area resident, suggested the regional rail lines would not be available for community service in the near future, and requested enforcement of the Zoning and Property Standards By-laws.

Brian Gordon, area resident, questioned the status of the Thornhill Revitalization Working Group and endorsed enforcement of Zoning and Property Standards By-laws. Mr. Gordon suggested the time line for the Metrolinx initiative is lengthy, and did not support the staff recommendation.

Susan Eaton, area business owner, stated that the business community is working with the City and By-law Enforcement to resolve issues, and they are moving forward. Ms. Eaton suggested the Working Group is not required.

The Committee briefly discussed the development of the transit system and the status of the Thornhill Revitalization Working Group. The Committee requested a memo regarding the Working Group in the fall.

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Amanda Collucci

- 1) **That the depositions by Arnie Rose, Brian Gordon, and Susan Eaton, regarding Thornhill Revitalization, be received; and**
- 2) That the memorandum titled: “Thornhill Revitalization Area Land Use Intensification Study Terms of Reference Discussions with Metrolinx, Project PR 14 126187” be received; and further,
- 3) That staff continue to monitor the progress of Metrolinx’s Regional Express Rail (RER) study and provide Development Services Committee with further updates to the status of a potential John Street GO station on the Richmond Hill line as key RER reports are released.

CARRIED

**9. PRELIMINARY REPORT
1038715 ONTARIO LTD.
UNIONVILLE MONTESSORI SCHOOL
9286 KENNEDY ROAD
WEST SIDE OF KENNEDY ROAD, NORTH OF 16TH AVENUE
APPLICATIONS FOR A ZONING BY-LAW AMENDMENT
TO PERMIT A TEMPORARY PORTABLE AND SITE PLAN
APPROVAL FOR THE PORTABLE
FILE NO.: ZA/SC 14 125142 (10.5, 10.6)
[Report](#)**

Moved by: Councillor Alex Chiu

Seconded by: Deputy Mayor Jack Heath

- 1) That the report dated June 2, 2015 entitled “PRELIMINARY REPORT, 1038715 Ontario Ltd., Unionville Montessori School, 9286 Kennedy Road, Applications for a Zoning By-law Amendment to permit a temporary portable and site plan approval for the portable, File No.: ZA/SC 14 125142” be received.

CARRIED

**10. REQUEST FOR DEMOLITION
- 10 ALBERT STREET, MARKHAM VILLAGE (16.11, 10.13)
[Report](#)**

On May 19, 2015, Development Services Committee deferred consideration of the above subject matter to the meeting this date to allow continued discussions between the applicant and a neighbour.

John Wannop, representing Cindy Dernynck, applicant, discussed the deferral of the application with respect to a tree permit impacting the adjacent property, and advised that matters are ready to proceed once the demolition is approved. Mr. Wannop confirmed that that tree will be removed following the house demolition.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Karen Rea

- 1) **That the deputation by John Wannop, representing Cindy Dernynck, applicant, regarding the demolition of 10 Albert Street, be received; and,**
- 2) That Council endorse the demolition of the non-heritage dwelling at 10 Albert Street located within the Markham Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**11. YORK REGION WORKS YARD
(350 YORKTECH DRIVE) (10.0)**

[Letter](#)

On May 19, 2015, Development Services Committee deferred consideration of the above subject matter to the meeting this date. A letter dated May 15, 2015 from the Region of York, was provided.

The Committee discussed the proposed use and questioned if a works yard or storage of household hazardous goods are appropriate uses. Staff advised that the proposed uses are permitted under the Public Use provisions of the Zoning By-law. The proposal is subject to approval by the City. It was suggested that the concerns being expressed by Markham Council Members will require further discussion at Regional Council.

Moved by: Councillor Don Hamilton

Seconded by: Regional Councillor Joe Li

- 1) That the letter dated May 15, 2015 from Daniel Kostopoulos, Commissioner, Transportation Services, Region of York, providing information regarding 350 Yorktech Drive be received; and,
- 2) That the Region of York be advised that the City of Markham does not support the proposed use as a works yard and for storage of household hazardous goods.

CARRIED

**12. RECOMMENDATION REPORT
TRIBUTE (UNIONVILLE) LIMITED
SITE PLAN APPLICATION TO PERMIT A
MIXED-USE, COMMERCIAL-RESIDENTIAL BUILDING
AT 20 FRED VARLEY DRIVE
FILE NO. SC 13 109695 (10.6)**

[Report](#)

Jim Baird, Commissioner of Development Services provided a chronology of the development approvals for this site, and advised that the site plan proposal meets zoning requirements as approved by the OMB.

Murray White of Tribute, and the project architect, were in attendance representing the applicant. They gave a presentation regarding site plan details, elevations, and landscaping. Discussions included the underground parking and unit count.

The Committee noted that Tribute is making improvements to the adjacent parkette and is working with the TRCA for permits. The applicant was asked to review construction traffic via Eureka Street to avoid pedestrians and traffic generated by the nearby school. Staff will review the traffic issue.

Moved by: Councillor Don Hamilton

Seconded by: Deputy Mayor Jack Heath

- 1) That the report dated June 2, 2015 titled “RECOMMENDATION REPORT, Tribute (Unionville) Limited, site plan application to permit a mixed-use, commercial-residential building at 20 Fred Varley Drive,” be received; and,
- 2) That the application for site plan approval (SC 13 109695) be endorsed in principle subject to the conditions attached as Appendix ‘A’ and Appendix ‘B’; and,
- 3) That site plan approval be delegated to the Director of Planning and Urban Design, or his designate, to be issued following execution of a site plan agreement. Site plan approval is issued only when the Director or his designate has signed the plans; and,
- 4) That Council grant servicing allocation for the 113 residential units within this development; and,
- 5) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
- 6) That the Owner provide the City with the required 60% processing fee in accordance with the City’s applicable Fee By-law; and,
- 7) That this endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period; and,
- 8) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Owner; and,
- 9) That Council authorize the enactment of a by-law to remove the Hold (H) provision on the subject lands once the conditions of hold removal have been met, including but not limited to, the execution of a site plan agreement and execution of a Section 37 Agreement, to the satisfaction of the Commissioner of Development Services and the City Solicitor; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**13. RECOMMENDATION REPORT
LINVEST PROPERTIES (CORNELL) LIMITED
SITE PLAN APPLICATION TO PERMIT
192 STACKED TOWNHOUSE UNITS
AT 6937 HIGHWAY 7 EAST
FILE NUMBER SC 15-129363 (10.6)**
[Report](#)

Councillor Colin Campbell requested deferral of this application to the June 16, 2015, Development Services Committee meeting, to allow the applicant and residents to resolve issues.

Moved by: Councillor Colin Campbell
Seconded by: Regional Councillor Nirmala Armstrong

- 1) That the report titled “Recommendation Report, Site Plan Application to permit 192 stacked townhouse units at 6937 Highway 7 East, File Number SC 15 129363”, be **deferred to the June 16, 2015, Development Services Committee meeting.**

CARRIED

**14. RECOMMENDATION REPORT
2391004 ONTARIO LTD. (BELLPORT HOMES)
OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT
AND DRAFT PLAN OF SUBDIVISION TO PERMIT THE
DEVELOPMENT OF 3 SINGLE DETACHED AND 38 TOWNHOUSE
DWELLINGS AT 6845 - 6853, 6869 AND 6889 14TH AVENUE
FILES: ZA 14 137887, SU 14 137887 & OP 14 137887 (10.3, 10.5 & 10.7)**
[Report](#)

Jim Baird, Commissioner of Development Services, provided an overview of the proposal.

Mike Larkin of Larkin Land Use Planners, representing the applicant, gave a presentation to review amendments to the application resulting from input at the Public Meeting and consultation with staff. Elevations and site plan drawings were displayed. If required, the extension of Barter Street could be for emergency access only, using bollards to limit access.

Wendy Pan, area resident, spoke of the concerns of the residents, and the increase of units from 35 to 38. Ms. Pan suggested the builder should comply with existing zoning by-laws.

Max Wang, area resident, spoke of comments from the Public Meeting regarding concerns for safety and compliance with the zoning by-laws. Mr. Wang suggested the builder should comply with the existing by-laws.

Staff reviewed and explained the amendments to the Official Plan and Zoning By-law, as requested by the applicant, with respect to the current and new Official Plans, the unit count, and zoning standards. Staff recommend that Barter Street be opened as a public street for vehicular and pedestrian connectivity and emergency access.

The Committee discussed the concerns identified: the extension of Barter Street, emergency access, the traffic study, the 4-way stop at 9th Line, provision of parkland instead of cash-in-lieu, and the building count and size.

The applicant and consultants were in attendance. A representative of the applicant indicated they are willing to reduce the unit count by two units backing onto Germain Crescent.

A Motion to defer this matter to the next Development Services Committee was defeated.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Amanda Collucci

- 1) **That correspondence from Amber Burke, Wendy Pan, Ken Rahl of Legacy Community Ratepayers Association, and Max Wang, regarding the application by 2391004 Ontario Ltd. (Bellport Homes), presented at the June 2, 2015 Development Services Committee meeting, be received; and,**
- 2) **That the deputations by Wendy Pan and Max Wang regarding the application by 2391004 Ontario Ltd. (Bellport Homes), provided at the June 2, 2015 Development Services Committee meeting, be received; and,**
- 3)** That the deputations by Michael Larkin, Ricky Tsui, Yan Wang, Trish Vrotsos, Max Wang, Wendy Pan and Amber Burke regarding the application by 2391004 Ontario Ltd. (Bellport Homes), provided at the June 15, 2015 Council meeting, be received; and,
- 4) That the report titled “RECOMMENDATION REPORT, 2391004 Ontario Ltd. (Bellport Homes), Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to permit the development of 3 single detached and 38 townhouse dwellings at 6845-6853, 6869 and 6889 14th Avenue, Files ZA 14 137887, SU 14 137887 & OP 14 137887”, be received; and,
- 5) That the record of the Public Meetings held on March 24, 2015, regarding the applications for approval of a Draft Plan of Subdivision, Zoning By-law Amendment and Official Plan Amendment, be received; and,
- 6)** That the Official Plan Amendment application submitted by 2391004 Ontario Ltd. (Bellport Homes), to amend the Box Grove Secondary Plan to allow a combined net site density of 39 units per ha (15.8 units per ac) be approved, and that the draft Official Plan Amendment as amended by Council on June 15, 2015 attached as Appendix ‘A’ be finalized and enacted without further notice; and,

- 7) That the Official Plan Amendment application submitted by 2391004 Ontario Ltd. (Bellport Homes), to amend the 2014 Official Plan (not yet in force) to allow townhouses that do not front a public street be approved, and that the Official Plan Amendment attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 8)** That the Zoning By-law Amendment application submitted by 2391004 Ontario Ltd. (Bellport Homes), to remove the properties from the Rural Residential Zoning categories of By-law 194-82, as amended, and incorporate them into a Residential Two (R2) zone category under By-law 177-96, as amended, be approved, and that the draft by-law attached as Appendix ‘C’ be revised as follows:
 - i) To permit townhouse dwellings on Block A with a minimum width of 6.8 metres and maximum height of 2 stories fronting the south side of the private street;
 - ii) To permit townhouse dwellings on Block A with a minimum width of 7.0 metres and maximum height of 2.5 stories adjacent to the south side of 14th Avenue; and
 - iii) To exempt visitor parking from being required for block townhouse units that provide three or more parking spaces; and,
- 9)** That the revised Zoning By-law Amendment be finalized and enacted without further notice; and
- 10) That Draft Plan of Subdivision 19TM-14005 submitted by 2391004 Ontario Ltd. (Bellport Homes), be draft approved subject to the conditions outlined in Appendix ‘D’; and,
- 11) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix ‘D’ as may be amended by the Director of Planning and Urban Design; and,
- 12) That the draft plan approval for Plan of Subdivision 19TM-14005 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and further,
- 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**Amended by Council on June 15 & 16, 2015, to add/amend Clauses 3, 6, 8, and 9.

**15. CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM
- GRANT APPLICATION (7.6)**

[Report Attachment](#)

Brenda Librecz, Commissioner of Community and Fire Services, described the funding program, the criteria for eligibility, and the top five projects being recommended for submission. The Committee discussed several projects and indicated support for three projects:

- Markham Village Library Square Rehabilitation and New Cenotaph – Phase 1
- Bronze Monument to Benjamin Thorne and onsite Amenities
- Stiver Mill Expansion – Phase 2

A suggestion was made to re-name the Markham Village Library Square to Veterans Square.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Colin Campbell

- 1) That the report, “Canada 150 Community Infrastructure Program - Grant Application”, be received; and,
- 2) That the Commissioner of Community and Fire Services be authorized to submit applications to the Canada 150 Community Infrastructure Program **for the following projects:**
 - **Markham Village Library Square (to be renamed to Veterans Square) Rehabilitation and New Cenotaph – Phase 1**
 - **Bronze Monument to Benjamin Thorne and onsite Amenities**
 - **Stiver Mill Expansion – Phase 2; and,**
- 3) That staff report back on appropriate funding sources should Markham be successful in obtaining one or more grants; and further,
- 4) 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 3:30 PM.

Alternate formats for this document are available upon request.