

Development Services Committee Minutes

Meeting Number 7

April 21, 2020, 9:00 AM - 1:00 PM

Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Biju Karumanchery, Director, Planning & Urban Design
	Arvin Prasad, Commissioner, Development Services	Ron Blake, Senior Development Manager, Planning & Urban Design
	Brenda Librecz, Commissioner, Community & Fire Services	Daniel Brutto, Planner I, North District
	Claudia Storto, City Solicitor and Director of Human Resources	Don De Los Santos, Manager, Small Business Centre
	Brian Lee, Director, Engineering	Francesco Santaguida, Assistant City Solicitor
	Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship	Scott Chapman, Election & Council/Committee Coordinator

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1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Committee meeting convened at the hour of 9:01 AM with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 12:05 PM and reconvened at 12:48 PM.

Mayor Frank Scarpitti left the meeting at 11:54 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Reid McAlpine declared a conflict of interest on item 8.1 (Celebrate Markham Action Plan) as he has incurred expenses related to the planning and preparation of the 2020 Unionville Festival by the Unionville Festival Board.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – MARCH 9, 2020 (10.0)

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Jack Heath

1. That the minutes of the Development Services Committee meeting held March 9, 2020, 2019, be confirmed.

Carried

3.2 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES - MARCH 3, 2020 (10.0)

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Jack Heath

1. That the minutes of the Development Services Public meeting held March 3, 2020, be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

Communications were submitted for the following item:

9.2 - Berczy Warden Holdings Inc. (10348 Warden Avenue)

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

7.1 DOORS OPEN ORGANIZING COMMITTEE MINUTES - JANUARY 23, 2020 (16.11)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the Doors Open Organizing Committee meeting held January 23, 2020, be received for information purposes.

Carried

7.2 CYCLING AND PEDESTRIAN ADVISORY COMMITTEE (CPAC) MINUTES – JANUARY 16, 2020 (16.34)

There was discussion regarding the status of funding for the Markham Cycles program.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Joe Li

1. That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held January 16, 2020, be received for information purposes.

Carried

7.3 VARLEY-MCKAY ART FOUNDATION OF MARKHAM MINUTES – JANUARY 20, 2020 (16.0)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the Varley-McKay Art Foundation of Markham meeting held January 20, 2020, be received for information purposes.

Carried

7.4 HERITAGE MARKHAM COMMITTEE MINUTES – FEBRUARY 12, 2020 AND MARCH 11, 2020 (16.11)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the minutes of the Heritage Markham Committee meeting held February 12, 2020 and March 11, 2020, be received for information purposes.

Carried

7.5 REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD OF NOVEMBER 15, 2019 TO FEBRUARY 15, 2020 (10.0)

There was discussion on the status of the following incoming planning applications:

- EXP (14 Cedar Avenue)
- Weins Canada (7537 Woodbine Avenue)
- Onepiece Ideal (MS) Developments Inc. (28 Main Street)

Moved by Regional Councillor Jack Heath

Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “Report on Incoming Planning Applications for the Period of November 15, 2019 to February 15, 2020”, be received and staff be directed 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 solution.

Carried

7.6 INFORMATION REPORT 2020 FIRST QUARTER UPDATE OF THE STREET AND PARK NAME RESERVE LIST (10.14, 6.3)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report titled ‘Information Report 2020 First Quarter Update of the Street and Park Name Reserve List’, be received; and,

2. That Council approve the revised Street and Park Name Reserve List set out in Appendix 'A' attached to this report; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.7 PRELIMINARY REPORT DIGRAM DEVELOPMENTS HELEN INC. APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT AN EIGHT-STOREY RESIDENTIAL BUILDING AT 55, 63 & 83 HELEN AVENUE (WARD 3) FILE NOS. PLAN 19 137397 AND SU/ZA 17 135415 (10.3, 10.5)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report titled "PRELIMINARY REPORT, Digram Developments (Helen) Inc., Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit an eight-storey residential building at 55, 63, and 83 Helen Avenue (Ward 3), File Nos. PLAN 19 137937 and SU/ZA 17 135415" be received.

Carried

7.8 JOSEPH & LEAH PIPHER FARMHOUSE AND SMOKEHOUSE 33 DICKSON HILL ROAD (16.11.3)

The Committee resolved to refer this matter back to staff to allow for continued discussions between the landowners and staff.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

1. That as recommended by Heritage Markham, the Joseph & Leah Pipher Farmhouse and Smokehouse-33 Dickson Hill Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
2. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to ate as per the requirements of the Ontario Heritage Act; and,

3. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
4. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
5. That if the designation is referred to the Conservation Review Board, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Board in support of Council's decision to designate the property; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Referred

7.9 PRELIMINARY REPORT EMIX LTD., APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW TO ADD COMMERCIAL USES INCLUDING A COMMERCIAL SELF-STORAGE FACILITY AT 8400 WOODBINE AVENUE, WEST SIDE OF WOODBINE AVENUE, NORTH OF PERTH AVENUE (WARD 8) FILE NOS. PLAN 19 132742 AND PLAN 20 110587 (10.3, 10.5)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report dated April 21, 2020, entitled "PRELIMINARY REPORT Emix Ltd., Applications to amend the Official Plan and Zoning By-law to add commercial uses including a commercial self-storage facility at 8400 Woodbine Avenue, west side of Woodbine Avenue, north of Perth Avenue (Ward 8) File Nos. PLAN 19 132742 and PLAN 20 110587", be received.

Carried

7.10 PRELIMINARY REPORT APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT BY 1212763 ONTARIO LTD. TO FACILITATE APPROXIMATELY 417 DWELLING UNITS, PARKLAND, TWO STORMWATER MANAGEMENT PONDS, GREENWAY AND THE SUPPORTING ROAD NETWORK ON THE SUBJECT LANDS KNOWN LEGALLY AS PART OF LOTS 22 AND 23,

**CONCESSION 4 IN THE BERCZY GLEN SECONDARY PLAN AREA
(WARD 2) FILE NO.: PLAN 19 142694 (10.7, 10.5)**

There was discussion regarding the potential leveraging of section 37 contributions towards the development of seniors recreation facilities in the surrounding area, as well as the potential construction of purpose-built units.

Moved by Councillor Alan Ho

Seconded by Councillor Karen Rea

1. That the report dated April 21, 2020 titled “PRELIMINARY REPORT, Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by 1212763 Ontario Ltd. to facilitate approximately 417 dwelling units, parkland, two stormwater management ponds, greenway and the supporting road network on the subject lands known legally as Part of Lots 22 and 23, Concession 4 in the Berczy Glen Secondary Plan Area (Ward 2)”, be received.

Carried

7.11 RECOMMENDATION REPORT DEMOLITION OF NON-HERITAGE PORTIONS OF A PROPERTY DESIGNATED UNDER PART IV OF THE ONTARIO HERITAGE ACT 10225 KENNEDY ROAD ROBINSON GLEN SECONDARY PLAN AREA, WARD 6 (16.11 & 10.13)

Moved by Councillor Keith Irish

Seconded by Councillor Alan Ho

1. That the report titled “Recommendation Report, Demolition of Non-Heritage Portions of a Property Designated Under Part IV of the Ontario Heritage Act, 10225 Kennedy Road, Robinson Glen Secondary Plan Area, Ward 6, File No. 19 102709 DP”, dated April 21, 2020, be received; and,
2. That Council endorse the demolition of the non-heritage portions of the dwelling known as the Homer Wilson Farmhouse; and,
3. That the non-heritage portions of the building be carefully removed with manual demolition of selected areas adjoining the heritage building, to ensure no accidental damage by machine operation occurs; and,
4. That a plan or description of how any openings (windows and doors) in the heritage building are to be secured once the non-heritage portions of the building have been removed be provided by the applicant, prior to the

issuance of the demolition permit, to the satisfaction of the Manager of Heritage Planning; and,

5. That any issues with openings, roofing, rain gutters/downspouts, soffits and fascia be addressed to ensure that the heritage building remains in stable condition until its future restoration occurs; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. PRESENTATIONS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES

8.1 CELEBRATE MARKHAM ACTION PLAN (10.16)

Councillor Reid McAlpine declared a conflict on this item. (He has incurred expenses related to the planning and preparation of the 2020 Unionville Festival by the Unionville Festival Board.)

Arvin Prasad, Commissioner, Development Services, introduced the item.

Christina Kakaflikas, Acting Director, Economic Growth, Culture & Entrepreneurship delivered a presentation on the Celebrate Markham Action Plan, providing members of Committee with an overview of the impacts to the 2020-2021 Celebrate Markham Grant Program event cycle resulting from the disruptions caused by the 2019 Novel Coronavirus (COVID-19). Recommended actions and next steps were outlined.

The Committee discussed the following relative to the Celebrate Markham Action Plan:

- Program eligibility criteria, including pre- and post-event financial reporting requirements;
- Consideration of appropriate grant funding for modified and/or virtual events for the 2020-2021 event cycle; and,
- Potential relief options for unrecoverable and non-deferrable expenses incurred to-date by event organizers.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jack Heath

1. That the presentation entitled "Celebrate Markham Action Plan", be received; and,

2. **That staff be authorized to approve urgent funding allocations under the Celebrate Markham Grant Program for events scheduled between April 1 and mid-July 2020 not exceeding the event amounts approved for the 2019-2020 funding cycle; and further,**
3. **That staff be directed to report back with an interim status report on the 2020-2021 Celebrate Markham Action Plan by the end of May 2020.**

Carried

9. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

9.1 RECOMMENDATION REPORT BERCZY ELGIN HOLDINGS INC. APPLICATIONS FOR A DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT TO FACILITATE THE CREATION OF APPROXIMATELY 788 RESIDENTIAL UNITS, TWO SCHOOL BLOCKS OR PARTS THEREOF AND ONE PARK BLOCK ON THE SUBJECT PROPERTY KNOWN MUNICIPALLY AS 3575 ELGIN MILLS ROAD EAST (WARD 2) FILE NO'S.: SU/ZA 18 235522 (10.7, 10.5)

Arvin Prasad, Commissioner, Development Services, introduced the item.

Ron Blake, Senior Development Manager, provided members of Committee with an overview of the development application, including the site context, application history, and key issues addressed in the revised draft plan of subdivision.

Christine Halis, KLM Planning Partners, consultant for the applicants, was in attendance and delivered a presentation on the development proposals for 3575 Elgin Mills Road East and 10348 Warden Avenue, including an overview of the site context, initial and revised draft plans of subdivision, and proposed zoning by-law amendment.

The Committee discussed the following relative to the development applications:

- Securing age-friendly and accessible design housing within the proposed subdivisions, including requirements for a minimum percentage of walk-out units, purpose-built second suites, and units with master bedrooms at grade;
- Securing a minimum percentage of purpose-built rental housing units within the proposed subdivisions;
- Status and phasing of municipal servicing infrastructure for the proposals and Future Urban Area;

- Leveraging section 37 contributions for public leisure space such as seniors recreation facilities and day-care centres;
- Future leisure facility provision strategies under the City's Integrated Leisure Master Plan;
- Exploring opportunities for co-location of day-care facilities within local schools;
- Implementing separated cycling and pedestrian facilities along Elgin Mills Road and Warden Avenue;
- Increasing compensation requirements for the loss of mature trees, including the planting of backyard trees where feasible;
- Clarifying ownership details for fences abutting private properties through Agreements of Purchase and Sale to mitigate potential confusion regarding maintenance responsibilities;
- Securing the protection of the existing heritage structure;
- Investigating opportunities for the installation of residential fire sprinkler protection systems;
- Concerns regarding the side set-backs for the proposed detached houses and potential impacts on tree planting and servicing requirements;
- Concerns regarding the width of the proposed townhouses being 13 feet; and,
- Community energy and sustainability initiatives for the proposed developments.

It was requested that staff continue to work with the applicant to address the comments raised by members of Committee before proceeding to Council for final approval.

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the staff report dated April 21, 2020 titled “RECOMMENDATION REPORT, Berczy Elgin Holdings Inc., Applications for a Draft Plan of Subdivision and Zoning By-law Amendment to facilitate the creation of approximately 788 residential units, two school blocks or parts thereof and one park block on the subject property known municipally as 3575 Elgin Mills Road East (Ward 2),” be received; and,

2. That the record of the Public Meeting held on March 26, 2019, regarding the Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by Berczy Elgin Holdings Inc. on the subject property known municipally as 3575 Elgin Mills Road East (Ward 2), be received; and,
3. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and,
4. That the application submitted by Berczy Elgin Holdings Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix 'A' be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
5. That Draft Plan of Subdivision 19TM-18010 be approved, subject to the conditions set out in Appendix B of this report; and,
6. That the Director of Planning and Urban Design or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix B, as may be amended by the Director of Planning and Urban Design or his designate; and,
7. That draft plan approval for Draft Plan of Subdivision 19TM-18010 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,
8. That servicing allocation for 788 units be assigned to Draft Plan of Subdivision 19TM-18010; and,
9. **That Council authorize a City Wide Hard Development Charge credit not exceeding \$1,560,196 to DG Berczy Elgin Holdings Inc. relating to their portion of the construction and property costs associated with roads identified as Street 2 (from Elgin Mills Road to south limit of subdivision) and Street 1 (Elgin Mills Road to south limit of subdivision) within the plan of subdivision; and,**
10. **That the Mayor and Clerk be authorized to execute a Development Charge Credit Agreement, if required, in accordance with the City's Development Charge Credit and Reimbursement Policy, with DG Berczy Elgin Holdings Inc., or their successors in title to the satisfaction of the Treasurer and City Solicitor; and further,**

11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 RECOMMENDATION REPORT APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT BY BERCZY WARDEN HOLDINGS INC. TO FACILITATE THE CREATION OF APPROXIMATELY 894 RESIDENTIAL UNITS AND MIXED USES ON THE LANDS KNOWN MUNICIPALLY AS 10348 WARDEN AVENUE (WARD 2) FILE NO'S.: ZA/SU 18 235516 (10.7, 10.5)

It was requested that staff continue to work with the applicant to address the comments raised by members of Committee before proceeding to Council for final approval.

Moved by Councillor Alan Ho

Seconded by Councillor Khalid Usman

1. That the staff report dated April 21, 2020 titled "Recommendation Report, Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Berczy Warden Holdings Inc. to facilitate the creation of approximately 894 residential units and mixed uses on the lands known municipally as 10348 Warden Avenue (Ward 2)" be received; and,
2. That the record of the Public Meeting held on March 26, 2019, regarding the Draft Plan of Subdivision and Zoning By-law Amendment applications by Berczy Warden Holdings Inc. on the Subject Property known municipally as 10348 Warden Avenue, be received; and,
3. **That the communications submitted by Delta Urban Inc. on behalf of Wagem Nominee Limited be received; and,**
4. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and,
5. That the application submitted by Berczy Warden Holdings Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law

attached as Appendix 'A' be finalized and brought forward to a future Council meeting to be enacted without further notice; and,

6. That Draft Plan of Subdivision 19TM-18009 be approved, subject to the conditions set out in Appendix B of this report;
7. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix B, as may be amended by the Director of Planning and Urban Design, or his designate; and,
8. That draft plan approval for Plan of Subdivision 19TM-18009 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,
9. That servicing allocation for 894 units be assigned to Draft Plan of Subdivision 19TM-18009; and,
10. **That Council authorize a City Wide Hard Development Charge credit not exceeding \$4,881,562 to DG Berczy Warden Holdings Inc. relating to their portion of the construction and property costs associated with roads identified as Street 2 (from north limit of subdivision road to 145m west of Warden Avenue) and Street 3 (from north limit of subdivision to south limit of subdivision) and Street 1 (from east limit of subdivision to west limit of subdivision) within the plan of subdivision, and,**
11. **That the Mayor and Clerk be authorized to execute a Development Charge Credit Agreement, if required, in accordance with the City Development Charge Credit and Reimbursement Policy, with DG Berczy Warden Holdings Inc., or their successors in title to the satisfaction of the Treasurer and City Solicitor; and further,**
12. That Staff be authorized and direction to do all things necessary to give effect to this resolution.

Carried

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

There were no notices of motion.

12. NEW/OTHER BUSINESS

There was no new / other business.

13. ANNOUNCEMENTS

There were no announcements.

14. ADJOURNMENT

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Isa Lee

That the Development Services Committee meeting adjourn at 1:25 PM.

Carried