

Electronic Development Services Public Meeting Minutes

Meeting Number 15
November 16, 2021, 7:00 PM - 9:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Alan Ho Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci
Regrets	Councillor Khalid Usman	Councillor Isa Lee
Staff	Ron Blake, Senior Development Manager, Planning & Urban Design Marg Wouters, Senior Manager, Policy & Research Regan Hutcheson, Manager, Heritage	Hailey Miller, Planner I, West District Laura Gold, Council/Committee Coordinator Mary Caputo, Manager of Development, West District

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1. CALL TO ORDER

The Development Services Public Meeting convened at 7:05 PM in the Council Chamber with Councillor Keith Irish in the Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. REPORTS

3.1 CITY INITIATED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT UNIONVILLE SPECIAL POLICY AREA AND BOUNDARY UPDATE (10.0)

The Public Meeting this date was called to consider Official Plan and Zoning By-law Amendments to update the boundaries of the Special Policy Area in the Unionville area.

The Committee Clerk advised that 2326 notices were mailed on October 27, 2021. There was no public meeting sign posted for this item, due to the large area affected. The meeting notice was advertised in the Markham Economist and Sun on October 28, 2021. There were two written submissions received regarding this proposal.

Patrick Wong, Senior Planner, Natural Heritage, provided a presentation regarding the review of the Special Policy Area boundary including changes to the flood plain, development permissions within the Special Policy Area, and outstanding review required by the Province, Toronto and Region Conservation Authority and York Region. .

Quentin Hanchard, and Rehana Rajabali, Toronto Region Conservation Authority, attended the meeting and were available to answer questions.

The following deputations on the proposed City initiated Official Plan and Zoning By-Law Amendment for the Unionville Special Policy Area Boundary Update were provided:

Christiane Bergauer-Free spoke in opposition to the proposed City application. Ms. Bergauer-Free expressed concern regarding the effect infill developments have on soil erosion, tree roots, natural ground water, water table flow, and the remaining natural habitat in the Unionville Area. Ms. Bergauer-Free suggested these effects lead to flooding and erosion, which can cause property damage. Ms. Bergauer-Free further expressed concern regarding debris from construction polluting the creek and flowing into the Rouge River System during storms when water levels are high. Ms. Bergauer-Free displayed two photos of flooding on Fonthill Boulevard, and asked Council to retain the existing flood policies for the Unionville area, and not approve the City initiated application to amend the policies.

Doug Denby expressed concern that gravel fill put down by CN could affect the flooding of his home or street. Mr. Denby asked whether the floodplain mapping takes into account the new gravel that had been placed north of his property and further stated that changes to Main Street Unionville have changed the direction of water flow.

Sandra McEleney expressed her concerns during the meeting via email as she was watching the meeting, but was unable to speak in person. Ms. McEleney noted that the impacts from climate change are real and that Markham is not immune

from a major flooding event like the flooding currently occurring in British Columbia. Ms. McEleney further noted that the Rouge watershed should be better protected, suggesting that major developments should not be permitted by the river. Ms. McEleney was opposed to removing the protections provided by the Unionville Special Policy Area Policy, as the river is already unhealthy and would be further threatened by the removal of the policy. Ms. McEleney also questioned why TRCA supported this application.

Committee provided the following feedback:

- Expressed concern that changes to the City's flooding policies are being proposed when the effects of climate change suggest there will be more flooding incidences, noting the current flooding being experienced in Abbotsford, British Columbia;
- Questioned the benefit of changing the flooding policies in the Unionville Area.
- Noted that improvements to modelling have been made that better identify where flooding may occur;
- Questioned if the City would be liable if a home flooded that was removed from the Unionville Special Policy Area;
- Questioned if improvements to the City's Storm Water Management System have changed the water flow during a storm;
- Questioned the flood plain regulations for properties outside of a Special Policy Area;
- Suggested that Council needs to better understand what is being removed from the flood plain completely versus what is coming out of the Unionville Special Policy Area, but will still be protected under the flood plain regulations;
- Requested that communications on the proposed changes be clarified for concerned Ward 3 residents (i.e. where is the flood plain area? where is the special policy area and what is the difference between the two?).

Mr. Wong advised that the City's Special Policy Area is being updated to reflect the most current flood plain information available. Mr. Wong further advised that there are properties within the Unionville Special Policy Area that are no longer part of the flood plain that are recommended to be removed as there is no longer a planning basis for the SPA designation. Mr. Wong further noted that the flood

plain modelling for Ontario is based on Hurricane Hazel, which is a very conservative standard as it was the largest storm ever to hit southern Ontario.

Ms. Rajabali advised that the TRCA's current flood modelling has changed. The hydrology (computer models of the volume of water in the system and where it is at a specific time) has improved. Based on the new modeling, some areas have seen a reduction in the water flow while others have seen an increase in the water flow. Ms. Rajabali advised that it is challenging to know why water flow has reduced in certain areas. For instance, it is challenging to know whether water flow has reduced due to improvements to storm water management or if it has reduced based on changes to the way modelling is being conducted. Ms. Rajabali recognized that stormwater management has improved in recent years and that it much better mimics the natural system

Mr. Wong displayed a map comparing the old versus the proposed boundaries for the Unionville Special Policy Area. Mr. Wong explained that flood protection and flood proofing is required for all new development in the flood plain regardless of Special Policy Area status. Mr. Wong further explained that the flood plain has been reduced for the area described by Ms. Bergauer-Free on Fonthill Boulevard, as the flood plain now only covers the rear yard of the property where it previously covered the entire property. Therefore, a special policy area is no longer required as it is unlikely that structure would be built in the rear yard.

Staff were requested to follow-up with Mr. Denby regarding his concern with respect to the gravel that was put down by CN and the flooding impact it may have to his property or street. The Committee further suggested that if there is an impact to his property that staff should try to work out the matter with CN Rail.

Mr. Wong noted that all of the reports and maps presented at today's public meeting are available on Your Voice Markham on the project page.

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Don Hamilton

1. That the depositions by Christiane Bergauer-Free, Doug Denby, and Sandra McEleney, regarding the "Updated Floodplain Mapping and Review of the Unionville Special Policy Area", be received; and,

2. That the written submission by AKS Properties Inc (sent by WeirFoulds LLP on the behalf of AKS), and Gatzios Planning + Development Consultants Inc. , be received.

3. That the Development Services Commission report dated October 28, 2019, entitled “Updated Floodplain Mapping and Review of the Unionville Special Policy Area”, be received.
4. That the Record of the Public Meeting held on November 16, 2021 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications be received.
5. That the City-initiated Official Plan and Zoning By-law Amendment applications to update the Unionville Special Policy Area Boundaries (PLAN 21 139260) be referred back to staff for a report and a recommendation.
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

3.2 PRELIMINARY REPORT APPLICATION BY THORNHEIGHTS HOMES INC., FOR A ZONING BY-LAW AMENDMENT TO PERMIT EIGHT (8) TOWNHOUSE UNITS AT 16 KIRK DRIVE, FILE NO. PLAN 21 115669 (WARD 1) (10.5)

The Public Meeting this date was to consider an application submitted by Thornheights Homes Inc. for a zoning by-law amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (WARD 1)

The Committee Clerk advised that 76 notices were sent on October 27, 2021, and that the Public Meeting sign was posted on October 26, 2021. No written submissions were received regarding this proposal.

Hailey Miller, Planner I, provided a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

Jim Kotsopoulos, JKO Planning Services Inc, provided a presentation regarding the proposed development

The following deputations were made on the proposed development:

Karen Franklin spoke in opposition to the proposed eight (8) townhouse units at 16 Kirk Drive. Ms. Franklin was opposed to the density being proposed on a lot currently zoned for one single detached dwelling. Ms. Franklin advised that existing residents moved to the area for its sense of community, infrastructure, and green space. Ms. Franklin expressed concern that the proposed development will affect traffic congestion, noise pollution, the streetscape, and flooding in the

area. Ms. Franklin presented a petition signed by 238 residents in support of maintaining the current zoning for the area.

Jane Winstanley spoke in opposition to the proposed development due to it not complying with municipal by-laws, and not being compatible with the surrounding single detached properties. Ms. Winstanley expressed concern regarding the proposed height and density of the townhouses, the shadow the townhomes will create, and the impact the townhomes will have on traffic congestion. Ms. Winstanley asked Council to uphold existing municipal policy.

Daniela Provenzano spoke in opposition to the proposed development due to congestion and safety concerns. Ms. Provenzano expressed concern that the proposed development would reduce the number of parking spaces on Kirk Drive and increase the overflow parking on Thornheights Road, as residents residing in the townhouse units will likely use their garages for storage and park their cars on the street. Ms. Provenzano further expressed concern that the proposed development will increase congestion at Kirk Drive and Yonge Street, that it will create a wall like appearance, that mature trees will be cut down, and that it will create an unsafe sidewalk for pedestrians and cyclist as there will be more driveways to cross.

Suzanne Shields spoke in opposition to the proposed development due to the impact it will have on infrastructure and trees. Ms. Shields expressed concern that the proposed development will increase flooding in the area due to a decrease in green space and mature trees and an increase in hard surfaces on the subject lands.

Robert Barton expressed concern regarding the Site Plan due to the number of units being proposed, the setbacks from Thornheights Road and Kirk Drive, and the proposed height and width of the townhouses. Mr. Barton suggested that the height of the proposed townhouses will create shadow concerns, and that the width of the proposed townhouses will create an appearance of overcrowding. Mr. Barton further suggested that the proposed lot coverage will impact storm water run off.

Ben Ferozian expressed concern that the proposed development will impact the character of the neighborhood and his privacy, as the current neighbourhood is comprised of single detached homes and the windows and doors of the proposed townhouses overlook his property.

Alice Shukla spoke in opposition to the proposed development. Ms. Shukla expressed concern that the proposed townhouses do not fit the character of the area, are too tall and dense, will generate more traffic at Kirk Drive and Yonge Street, do not include accessibility features, and will impact the storm water

management system. Ms. Shukla suggested that a single detached dwelling be built on the subject lands.

Bruce Drysdale spoke in opposition to the proposed townhouses. Mr. Drysdale expressed concern regarding the aesthetics of having townhouses in a neighbourhood comprised of single detached dwellings, and that it would set precedent for more townhouses to be built in the area. Mr. Drysdale suggested that a house that matches the character of the area be built on the subject lands.

The Committee expressed the following concerns:

- Expressed concern regarding the height and density of the proposed townhouses;
- Expressed concern that accessibility is not being considered in the design of the townhouses;
- Expressed concern that proposed development does not fit the character of the area and that it will reduce the amount of street parking.

Moved by Regional Councillor Jack Heath

Seconded by Mayor Frank Scarpitti

1. **That the deputations by Karen Franklin, Jane Winstanley, Daniela Provenzano, Suzanne Shields, Robert Barton, Ben Ferosian, Alice Shukla, and Bruce Drysdale, regarding Application by Thornheights Homes Inc., for a Zoning By-law Amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)” be received; and,**
2. **That the written submissions by Ruth Devor, Jeffery Raphael, Karen Franklin, Justin Bernhard, Farnaz Asadinik, Mahmoud Jalapour, Bahaeddin Alaiefard, Zohreh Donyadideh, Alice & Ben Shukla, Don Russell, Chongo Park, and Yuehui Zhou, regarding Application by Thornheights Homes Inc., for a Zoning By-law Amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)” be received; and,**
3. That the report entitled, “Preliminary Report, Application by ThornheightsHomes Inc., for a Zoning By-law Amendment to permit eight (8) townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1)” be received;
4. That the Record of the Public Meeting held on November 16, 2021, with respect to the proposed Zoning By-law Amendment to permit eight (8)

townhouse units at 16 Kirk Drive, File No. PLAN 21 115669 (Ward 1), be received;

5. That the application by Thornheights Homes Inc., for a Zoning By-law Amendment, File No. PLAN 21 115669, be referred back to Staff for a report and a recommendation;
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

4. ADJOURNMENT

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Alan Ho

That the Development Services Public Meeting adjourn at 9:31 PM.

Carried