

Electronic Development Services Public Meeting Minutes

Meeting Number 16
November 30, 2021, 7:00 PM - 9:00 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	Arvin Prasad, Commissioner	Dimitri Pagratis, Senior Planner, Central District
	Development Services	
	Biju Karumanchery, Director, Planning & Urban Design	Laura Gold, Council/Committee Coordinator
	Frank Clarizio, Director, Engineering	Mary Caputo, Manager of Development, West District
	Stephanie DiPerna, Acting Director, Building Standards	Stephen Lue, Manager of Development, Central District
	Daniel Brutto, Planner I, North District	
	Brad Roberts, Manager, Zoning and Special Projects	John Yeh, Manager of Strategy & Innovation

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1. CALL TO ORDER

The Development Services Public Meeting convened at 7:03 PM with Regional Councillor Jim Jones in the Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interests.

3. REPORTS

3.1 2022 DEVELOPMENT FEE, BUILDING, AND CITY-WIDE FEE BY-LAWS (10.0)

The Public Meeting this date was called to consider a proposal to amend or replace the following fee by-laws:

- Building By-law 2020-140, being a by-law respecting construction, demolition and change of use permits and inspections, and
- Development Fee By-law 211-83, being a by-law to prescribe a tariff of fees for processing of planning applications

The Committee Clerk advised that 122 notices were sent electronically on November 10, 2021, and the notice was also published in the *Markham Economist & Sun* and *Thornhill Liberal* on November 4, 2021. There was one written submission received regarding this proposal.

John Yeh, Manager, Strategy & Innovation, provided a presentation on the proposed amendments to the Development and Building Fee By-laws.

The following deputation was provided on the proposed amendments to the Development Fee and Building By-laws:

Gabe Di Martino, BILD York Chapter Co-Chair & Co-Chair of the Markham City Builders Forum, provided his sincere appreciation to staff for capping the 2022 Planning, Urban Design and Engineering Fees at the rate of inflation, and for collaborating and making an effort to improve the development process. BILD encourages the City to continuously look for efficiencies that help streamline development approvals and advocates that any fee increase should correspond with an increase in level of service.

Committee discussed the following relative to the proposed amendments to the Development and Building Fee By-laws.

- Questioned how the fee related to underground and associated parking is changing;
- Expressed concern that the fees will not keep up with the City's costs if it is not based on the rate of inflation;
- Questioned if time restrictions can be placed on development applications;
- Asked for clarification on the definition of a partial occupancy fee.

The following responses to inquiries from the Committee were provided:

Mr. Yeh advised that from 2018 to 2021 all developers of site plan applications were required to pay an Engineering and Urban Design gross floor area fee if there was or was not an underground parking and/or associated parking structure. Starting in 2022 developers will only have to pay this fee if they have a parking structure included in their development application. Mr. Yeh clarified that in 2022 the development fees will be adjusted based on the rate of inflation as agreed to in 2021 with developers from the Markham City Builders Forum due to the continued economic uncertainty resulting from the COVID-19 pandemic. Mr. Yeah further clarified that in 2022 a review of the Development Fee By-laws will be conducted in consultation with the development industry to better understand the costs of providing development application related services.

Arvin Prasad, Commissioner of Development Services, advised that there are limited tools that can be used to set conditions for approved development applications, such as the Plan of Subdivision.

Stephanie DiPerna, Director of Building Standards, clarified that a partial occupancy fee is charged when some floors of a high-rise development are occupied while other floors are still being completed. Ms. DiPerna further clarified that this is a new fee, which many municipalities are charging.

Moved by Regional Councillor Jack Heath
Seconded by Deputy Mayor Don Hamilton

1. **That the Deputation by Gabe Di Martino, Trinity Point & BiLD, regarding the proposed amendments to the Development and Building Fee By-laws be received; and,**
2. **That the written submission from Victoria Mortelliti, and Gabe Di Martino, BiLD, regarding the proposed amendments to the Development and Building Fee By-laws be received; and,**
3. That the Record of the Public Meeting held on November 30, 2021, with respect to the proposed amendments to the Development and Building Fee By- laws be received; and,
4. That the amendment to By-law 211-83, as amended, “Tariff of Fees for the Processing of Planning Applications,” substantially in the form attached as Appendix ‘B’, be enacted; and,
5. That By-law 2020-140, as amended be repealed and the attached “By-law respecting Construction, Demolition and Change of Use Permits and Inspections,” attached as Appendix ‘C’, be enacted; and,

6. That the By-laws come into force and take effect on January 1, 2022; and further,
7. That Staff be authorized and directed to do all thing necessary to give effect to this resolution.

Carried

**3.2 PRELIMINARY REPORT SCARDRED 7 COMPANY LIMITED
APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW
AMENDMENT TO PERMIT A RESIDENTIAL MIXED-USE
DEVELOPMENT LOCATED AT 4038 AND 4052 HIGHWAY 7 EAST
(WARD 3), FILE NO. PLAN 21 120023 (10.3, 10.5)**

The Public Meeting this date was called to consider applications for an Official Plan Amendment application and Zoning By-law Amendment application, submitted by Scardred 7 Company Limited. The applications apply to lands located at 4038 and 4052 Highway 7 East.

The Committee Clerk advised that 1001 notices were mailed on November 10, 2021, and a Public Meeting sign was posted on November 1, 2021. There were 20 written submissions received regarding this proposal.

Dimitri Pagratis, Senior Planner, provided a presentation regarding the proposal, the location, surrounding uses, and outstanding issues.

Chis Pereira, MBPD, representing the applicant, provided a presentation on the proposed development.

The following deputations were made on the proposed development:

1. Jeffrey Taylor, resident, Village Parkway townhomes, expressed concern regarding the impact existing and proposed developments are/will have on traffic congestion and safety in his neighbourhood. Mr. Taylor was particularly concerned that it was becoming unsafe to access Village Parkway from Alfredo Street. Mr. Taylor was also concerned that residents will take his townhouses private road to avoid traffic congestion creating unsafe conditions for families living in the townhouses. Mr. Taylor noted that it would be much more suitable to build townhouses on the subject lands.
2. Daniela Chiculete expressed concern regarding the magnitude and density of the project, the built form and massing, the affect the project will have on traffic and pedestrian safety, the shadow impact of the proposed development, and that it is not compatible with the existing community. Ms. Chiculete also

expressed concern that emergency vehicles may have difficulty accessing the proposed development, that there is no affordable housing units being proposed, that there is no parkland, that there are only two commercial parking spaces, and that there are limited community amenities. Ms. Chiculete suggested that proposed development should not be greater than 6 to 8 floors in height.

3. Ashley Zhlyue, representing Fitzgerald Avenue Residents in Unionville, spoke in opposition to the proposed development application due to safety concerns, its density, the traffic congestion it will create, and the pressure it will put on existing infrastructure. Ms. Zayou did not support high density in this area of Unionville.
4. Brian Li spoke in opposition to the proposed development. Li expressed concern that the proposed development will create traffic congestion on Ferrah Street, and on Highway 7. Mr. Li presented an alternative proposal where part of Ferrah Street remains closed off, which would still permit for the connectivity staff are trying to achieve. Mr. Li also expressed concern that his property would become a corner lot when Ferrah Street is opened up and that the permitted set-backs for his property may change. Mr. Li questioned if any special allowance could be permitted for his property, so that he does not lose usable space on his property.

The Committee provided the following feedback relative to the proposed development:

- Questioned if there is an opportunity to connect the proposed development to the cycling and pedestrian trail that goes to Unionville GO Station in an effort not to overwhelm the existing traffic network;
- Asked staff to investigate the road alignment proposed by Brian Lee;
- Requested the shadow study results from December and June;
- Expressed concern that there will be a constant shadow in the proposed community amenity space located in the middle of the U shaped buildings;
- Suggested the proposed development should include more open space;
- Suggested that the developer of the adjacent detached homes should advise buyers that an 11 storey building is being built adjacent to their detached homes;
- Expressed concern that existing parks will become overcrowded, and that there will be no new park for future residents to enjoy;

- Expressed concern that there is no transit that goes directly to the Unionville GO station from the proposed development;
- Questioned if the building was designed to be on a 45 degree angular plane from adjacent properties;
- Expressed concern regarding the proposed angular plane on the east side of the proposed development;
- Expressed concern regarding the height and density of the proposed development;
- Noted that there will be a lot of parkland on the other side of Highway 7 by the valley lands.

The following responses were provided to inquiries from the Committee and public:

Stephen Lue, Manager of Development, Central District, advised that staff are investigating the opportunity to include a pedestrian connection to the Unionville GO Station, noting that a separate environmental assessment would be required to complete this work. Mr. Lue further advised that staff continue to work with the applicant to refine the design of the building. Mr. Lue noted that it is his understanding that the developer of the adjacent lot is advising potential home buyers that their homes will front on to a 11 storey building. Mr. Lue clarified that staff support the opening of Ferrah Street, as it will help fire and emergency vehicles manoeuver, and traffic to flow.

Mr. Pereira agreed to provide Councillor Karen Rea with the Shadow Study results from June and December. Mr. Pereira was confident that there would be sufficient sunlight in the community amenity space located in the middle of the proposed U shaped buildings. Mr. Pereira confirmed that a 45-degree angular plane has been applied on the west side of the proposed development, but has not been applied on the east side of the proposed development, as it is a mid-rise structure and a 45-degree angular plane is typically applied to high-rise developments. Mr. Pereira suggested that the signalization at William Meleta Drive and Highway 7 will help manage the added density in the area, but noted that he is still waiting to receive staffs transportation comments.

Staff were directed to reach out to Brian Li to find out more information on the alternative route he was proposing.

Moved by Councillor Reid McAlpine
Seconded by Deputy Mayor Don Hamilton

1. That the deputations by Jeffrey Taylor, Daniela Chiculete, Ashley Zhlyue, and Brian Li regarding, Scardred 7 Company Limited, Applications for Official Plan and Zoning By-law Amendment to permit a residential mixed-use development located at 4038 and 4052 Highway 7 East (Ward 3), File No. PLAN 21120023”, be received.
2. That the written submission by Adrian Ilie, Fitzgerald Residents, Jie Fan, Ashley Ahiyue He, Jimmy Yuanji Wang, Shelly Li, Yanhai Liu, Iris Liu, John Yun Jie Cai, Queena Jia, Janet Shuk Vinh Yeung, Ray Zheng, Xueying Lin, Chen Lin, Chi-sang Yu, Tom Zigomanis, Daniela Chiculete, Tony Dongyi He, Karen Gillason, Fitzgerald and Village Parkway Residents regarding, Scardred 7 Company Limited, Applications for Official Plan and Zoning By-law Amendment to permit a residential mixed-use development located at 4038 and 4052 Highway 7 East (Ward 3), File No. PLAN 21120023”, be received.
3. That the Development Services Commission report titled “PRELIMINARY REPORT, Scardred 7 Company Limited, Applications for Official Plan and Zoning By-law Amendment to permit a residential mixed-use development located at 4038 and 4052 Highway 7 East (Ward 3), File No. PLAN 21120023”, be received.
4. That the Record of the Public Meeting held on November 30, 2021 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment, be received.
5. That the applications by Scardred 7 Company Limited. for a proposed Official Plan Amendment and Zoning By-law Amendment (PLAN 21120023), 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

**3.3 PRELIMINARY REPORT REGIONAL MUNICIPALITY OF YORK
APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND SITE
PLAN CONTROL TO FACILITATE THE DEVELOPMENT OF A ROAD
OPERATIONS AND SNOW MANAGEMENT FACILITY AT 10988 AND
10990 WARDEN AVENUE (WARD 2)**

FILE NO.: PLAN 21 119856 (10.5)

The Public Meeting this date was called to consider a Zoning By-law Amendment application, submitted by the Regional Municipality of York. The application applies to lands located at 10988 and 10990 Warden Avenue.

The Committee Clerk advised that 19 notices were mailed on November 10, 2021, and that the Public Meeting sign was posted on November 3, 2021. No written submissions were received regarding this proposal.

Daniel Brutto, Senior Planner gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

There were no comments from the audience with respect to this application.

Amy Shepherd, IBI Group, provided a presentation on the proposed development.

Committee provided the following feedback on the proposed development:

- Questioned if the proposed snow management facility will be serving both Richmond Hill and Markham;
- Questioned if the proposed snow management facility will be replacing the Richmond Hill site;
- Questioned if there were any other development applications received for this area to date;
- Suggested that staff should investigate the possibility of the city taking over the ownership of the valley lands on the west side of the property;
- Questioned if fuel would be kept onsite;
- Suggested the proposed development should include a mix of deciduous and coniferous landscaping buffering along the north property line and an urban appearance.

The following responses were provided to inquiries from the Committee:

Joseph Petrungaro, Director Roads and Traffic Operations, York Region, advised that the subject lands will be used to store salt and snow plow trucks and that it does not include a hazardous waste facility. Mr. Petrungaro further advised that the facility could potentially store up to 38 snowplow trucks in the future and that the facility will support Markham's other snow management facility. Mr. Petrungaro clarified that the facility is not being built to replace the Richmond Hill snow management facility and that York Region is hoping to keep both facilities.

Mr. Petrungaro advised the snow domes will be used to house salt, but that the use could change in the future. Mr. Petrungaro noted that the proposed new permanent building will be offices for the work yard staff. Mr Petrungaro confirmed that the site will contain above ground fuel facilities on site and that facilities are being designed so that they can be removed if the snowplow fleet becomes electric in the future.

Ms. Shepherd noted that York Region plans to plant new trees on the subject lands creating a solid row of trees on the northern border of the property.

Mr. Brutto confirmed that this is the first development application received in the immediate area and that the Secondary Plan for the Victoria Glen community, west of the subject lands had been recently approved by Council.. Mr. Brutto confirmed that staff would require the valleylands to be conveyed to the City, as has been requested with other development applications in the Future Urban Area.

Moved by Councillor Amanda Collucci

Seconded by Councillor Alan Ho

1. That the Development Services Commission report titled “PRELIMINARY REPORT Regional Municipality of York, Application for a Zoning By-law Amendment to facilitate the development of a road operations and snow management facility at 10988 – 10990 Warden Avenue (Ward 2), File No. PLAN 21 119856”, be received.
2. That the Record of the Public Meeting held on November 30, 2021 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment, be received.
3. That the applications by the Regional Municipality of York for a proposed Zoning By-law Amendment (PLAN 21 119856), be referred back to staff for a report and a recommendation.
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

4. ADJOURNMENT

Moved by Mayor Frank Scarpitti

Seconded by Councillor Karen Rea

That the Development Services Public meeting adjourn at 10:02 PM