

## Development Services Public Meeting Minutes

**Meeting Number: 8**  
**May 9, 2023, 7:00 PM - 9:00 PM**  
**Live streamed**

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Michael Chan	Councillor Karen Rea
	Regional Councillor Jim Jones	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Councillor Alan Ho	Councillor Juanita Nathan
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Ritch Lau	
Staff	Andy Taylor, Chief Administrative Officer	Clement Messere, Manager, Development – West District
	Arvin Prasad, Commissioner Development Services	Stephen Lue, Senior Manager, Development
	Trinela Cane, Commissioner, Corporate Services	Brad Roberts, Manager, Zoning and Special Projects
	Giulio Cescato, Director of Planning & Urban Design	Hailey Miller, Planner II, West District
	Darryl Lyons, Deputy Director, Planning & Urban Design	Rajeeth Arulanantham, Assistant to Council/Committee
		Erica Alligood, Election and Committee Coordinator
		Laura Gold, Council/Committee Coordinator

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### **1. CALL TO ORDER**

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

## 2. **DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

## 3. **DEPUTATIONS**

Deputations were heard with the respective item.

## 4. **REPORTS**

### 4.1 **PUBLIC MEETING INFORMATION REPORT, TH (WARDEN) DEVELOPMENTS (BT) INC. APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT A NEW MIXED USE RESIDENTIAL COMMUNITY CONSISTING OF TOWNHOUSE UNITS, MEDIUM DENSITY AND HIGH DENSITY BLOCKS, A PARTIAL SCHOOL BLOCK, A PARK BLOCK, AND A DUAL USE PARK/STORMWATER MANAGEMENT FACILITY BLOCK AT 10506 AND 10508 WARDEN AVENUE (WARD 2), FILE NO. PLAN 22 265291 (10.3, 10.5, 10.7)**

The Public Meeting this date was to consider applications submitted by the applicant Emily Grant of Malone Given Parsons Ltd. for the owner TH (WARDEN) DEVELOPMENTS (BT) INC.

The Committee Clerk advised that 28 notices were mailed on April 19, 2023 and a Public Meeting sign was posted on February 9, 2023. There were no written submissions received regarding this proposal.

Stephen Lue, Senior Manager, Development, introduced the item.

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

Hayden Poon provided a deputation suggesting that there should be more retail near the secondary school, as the students like to go to lunch with their friends. Mr. Poon also noted that this area is not currently supported by transit, and that transit will be needed to support the density.

The Committee provided the following feedback on the proposed development:

- Pleased to see that the application includes a secondary school, a long term care facility, and a variety of housing types;
- Suggested the Applicant consider including duplexes and triplexes, purpose built rental units, and dog park to the proposed development;
- Questioned how Bill 23 affects the parkland in the proposed development;

- Questioned if the Mon Sheong component of the development application could be expedited.

Emily Grant advised that she will take back the request to include triplexes and duplexes to the Applicant for their consideration, noting there is minimum density requirement for this application. Ms. Grant advised that the Applicant's objective is to provide all of the units for less than a million dollars. Ms. Grant noted that York Region Transit has plans to expand its transit services to serve this area to support growth in the area. Ms. Grant clarified that the retail location will be determined through the site plan approval process.

Staff advised that they will work on expediting the application, but that it needs to come forward as whole. Staff noted that they are currently working with the Applicant on the parkland dedication for the proposed development.

Moved by Councillor Ritch Lau  
Seconded by Councillor Andrew Keyes

1. **That the deputation by Hayden Poon with respect to the proposed applications for Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment to permit a mixed use residential community at 10506 and 10508 Warden Avenue, File No. PLAN 22 265291 (Ward 2), be received; and,**
2. That the Record of the Public Meeting held on May 9, 2023, with respect to the proposed applications for Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment to permit a mixed use residential community at 10506 and 10508 Warden Avenue, File No. PLAN 22 265291 (Ward 2), be received; and,
3. That the applications by Severo Construction Inc., applications for Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment, File No. PLAN 22 265291, be referred back to Staff for a report and a recommendation; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

#### **4.2 COMPREHENSIVE ZONING BY-LAW PROJECT, FILE NO. PR 13 128340 (10.5)**

The Public Meeting this date was to consider an application submitted by the City of Markham.

The Committee Clerk advised that City Wide Notice was circulated in the local Markham Economist newspaper on April 13, 2023, and 19 notices were mailed out on April 14, 2023 to external agencies. There were 14 written submissions received regarding this proposal.

Stephen Lue, Senior Manager, Development, introduced the item.

Brad Robert, Manager, Zoning and Special Projects, provided a presentation on Markham's Draft Comprehensive By-Law.

The following Deputations were provided on Markham's Draft Comprehensive By-Law:

### **Deputations on Short Term Accommodation Rentals**

Borhan Rounhani, Leva Rounhani, and Sima Hedayati provided deputations on short term rental provisions, providing the following feedback on the matter:

- Advocated that short-term rentals should be permitted in Markham;
- Spoke of the benefits of permitting short term rentals, including helping businesses grow, helping residents pay their mortgages or bills by generating extra income, and supporting tourism;
- Explained that short-term rentals are often preferred over long-term rentals, as ones circumstances may change overtime;
- Noted that many of the neighbouring towns or cities permit short-term rentals;
- Suggested that prohibiting short-term rentals may result in some residents being forced to relocate to cities or town's with more progressive by-laws;
- Advocated that Council listen to their constituents needs in regards to permitting short-term rentals in Markham.

### **Deputations on Parking of Recreational Vehicles (RVs) on ones Driveway**

Sandra Lee, Faye Van Der Vooren, Tony van Der Vooren, Robert France, Jinzi Hang, Julie Glandfied, Lucy Li, Tim Sally, Camillo Alarcon, Aaron Ng, Brigitte Hochradal, Edward Wang, Mark Scarrow, Pantea Sahevddivani, Edgar DeSouza, and David Smith, provided deputations in opposition to Section 5.11.2 – Parking of Recreational Vehicles of the proposed Comprehensive By-Law, providing the following feedback on the matter:

- Advised that Section 5.11.2 – Parking of Recreational Vehicles is impractical to RV owners, suggesting there are more practical and fair ways to address RVs;
- Suggested possibly having a permit or licensing system for RVs;
- Spoke about how restricting the number of days their RV can be parked on their driveway to 14 days per year impedes on their lifestyles, and on the financial investment they have made when purchasing an RV, as it makes it not feasible to own a RV;
- Advocated to be permitted to park RVs on their driveways for the summer months;
- Advocated to be able to park RVs on driveways for longer durations of time or all year around with guidelines;
- Felt it was reasonable to require RVs to be parked with a 3 meter setback from curb and one meter setback from the sidewalk to ensure sightlines are not being blocked;
- Suggested Markham should have guidelines for parking RVs on driveways rather than restrict the use to 14 days per year;
- Spoke about the benefits of camping and travelling with an RV, including being able to explore and enjoy nature, spending time with family and friends, and making travel more affordable for families;
- Spoke about how their RV makes travel accessible for them, such as RVs can be equipped with a raised toilet seat and an accessible shower;
- Noted that shorter trips in ones RV would not be feasible if the Comprehensive By-Law was passed in its current format;
- Noted that it is not financially feasible for many families to store their RVs at a storage facility nor is it convenient, as there are no Markham storage facilities that store RVs in Markham at this time;
- Noted that it would be difficult to prepare your RV for a trip or clean it after a trip if you have to store it at a storage facility;
- Suggested that rules regarding parking RVs should not be changed based on a small number of complaints;
- Noted that their neighbours have never complained about their RVs, and they questioned if the City has received a lot of complaints regarding RVs parked on driveways;
- Suggested that other large vehicles or containers that are allowed to parked or placed on ones driveway should be treated the same way as RVs;
- Questioned how the by-law would be enforced with respect to the parking of RVs on driveways, as homes with RVs would constantly need to be monitored;

- Expressed concern that a 14 day annual limit to park your RV on your driveway is not reasonable;
- Expressed gratitude that the City is going through a democratic process with respect to creating the Comprehensive By-Law;
- Noted that it is challenging to apply the same rules with respect to the parking of RVs for all housing type, as it is quite reasonable to park an RV at a house with larger frontage and lots of landscaping, but it may not be reasonable to park an RV at house with little frontage;
- Suggested that residents should be more concerned with noise pollution rather than vision pollution.
- Suggested Staff should work with RV owners to come up with a more reasonable alternative to what is being proposed in the draft Comprehensive By-law.

### **Deputations on Parking of Boats on Ones Driveway**

John Sipko, and Mark Oge spoke in opposition to Section 5.11.2 – Parking of Recreational Vehicles of the proposed Comprehensive By-Law, providing the following feedback on the matter in relation to the parking of boats on ones driveway:

- Spoke of the benefits of having a boat as a recreational vehicle, including spending time with family, Friends, and clients on the water;
- Advised that he uses his boat for most of the year;
- The by-law would require storing the boat offsite, which is not possible in Markham;
- Advocated for no limits on the number of day you can park your boat on your driveway per year;
- Understood that residents would not want to look at a boat in disrepair and noted the responsibility of the boat owner to maintain their boat;
- Suggested that the 3 to 7 % of Markham resident's own a boat, and 7 to 15% of Markham resident's own a RV, all of which will be impacted by this change in legislation;
- Questioned the intent of the legislation and what problem it is trying to solve;
- Suggested that the legislation would make it financially not feasible for many to own a boat.

Agnes Machura registered to speak with respect to RV parking, but did not speak.

### **Deputation on Parking Camper Vans on Ones Driveway**

Alex Murray made a deputation in regards to placing limits on when he is able to park his camper van on his driveway, providing the following feedback:

- Explained that he uses his camper van all year long, advising that in the summer months it is used as a recreational vehicle and in the winter months the air conditioner is removed from the top of the van and it is used as a second vehicle;
- Questioned what problem the City is trying to resolve by imposing a 14 day parking limit per year for recreational vehicles;
- Advocated for year round parking of recreational vehicles be permitted on ones driveway.

### **Parking Limit for Low-Rise Developments**

Hayden Poon spoke in opposition to requiring one parking space per low rise unit, suggesting that the City should not assume that people living in low density housing require a car. Mr. Poon noted that he does not have an issue with RVs being parked on driveways as long as they do not obstruct site lines or block the sidewalk.

### **Deputations on Protecting Existing Communities**

Elizabeth Brown, representing Markham Village Sherwood Conservation Residents Association, made a deputation on the importance of the Comprehensive By-Law protecting existing low-rise communities by respecting the pattern and character of the adjacent existing development. The By-Law should also recognize that Markham's established communities are unique, therefore, should be treated differently rather than the same. Particular concern was expressed regarding section 9.14.2 of the draft Comprehensive By-Law, which deals with the size and massing of new dwellings, or additions to existing dwelling. The main concern was that massive houses would be permitted to be built on large lots in her community due to there being no reference to net lot area. Concern was also expressed that staff may not be able to uphold the By-Law, and that there is no clear definition of what is considered minor in regards to minor variances. Ms. Brown also asked question in regards to Section 3.1, specifically how the height of an accessory building is measured.

Christine Bergauer-Free spoke in regards to the urgency of making the draft Comprehensive By-Law law to protect established neighbourhoods, and the need

to speed-up the updating of the City's complimentary Tree By-Law. Ms. Bergauer-Free spoke about the need to include legislation on protecting the greenery of Markham in the Comprehensive By-Law, providing examples where Markham's natural habitat has been harmed. Ms. Bergauer-Free noted that the Committee of Adjustment and all builders should be required to adhere to the City's Comprehensive By-Law once passed, and that infill development should be double checked to ensure it is in adherence with the By-Law. Ms. Bergauer-Free suggested there should also be recourse for builders that build a structure illegally that is not in compliance with the By-Law. Ms. Bergauer-Free spoke of some of the issues with RVs being parked on ones driveway, such as illegally renting it out while it is parked on their driveway.

Ian Free made a deputation applauding the content of the Draft Comprehensive By-Law on existing communities and heritage communities. Mr. Free suggested that proposed provisions in this area will help prevent monster homes from being built, bring back a family and community feel to existing neighbourhoods, and possibly make them more affordable. Mr. Free noted that all of his previous concern regarding the Draft Comprehensive By-Law have been addressed. Mr. Free suggested that implementing the new Comprehensive By-Law will require a lot of training to ensure that it is followed. Mr. Free noted that the main thing that is missing from this By-Law is the protection of trees and greenery, which he understands will covered under the new Tree Preservation By-Law.

### **Deputations on Employment Zone Provisions and other Development Related Matters**

Maria Gatzios, Gatzios, provided a deputation on behalf of her clients. Ms. Gatzios expressed the following concerns:

- 1) That her client's already submitted development applications will be held-up due to changes in the by-laws. Therefore, she requested her clients applications continue to progress under the by-laws that were in affect when the applications were submitted;
- 2) That existing commercial sites will be re-zoned as mixed use development under the Draft Comprehensive By-Law, but may not be interested in building a mixed use development on their site;
- 3) That a 10% cap is being proposed on additional commercial use on these sites, which may be problematic for larger properties. Consequently, her concern is that uses being permitted today are being taken away from her clients, which may limit their opportunity to intensify;
- 4) That one by-law will not be followed in the Future Urban Area;



5) That public use of infrastructure is not being permitted in the greenway when there is public uses are already being proposed in these areas.

Ms. Gatzios advised that she will also be submitting written comments.

Bill Tam, KLM Planning, provided a deputation on behalf of E Manson Investments Limited and Zureit Holdings Limited. Mr. Tam advised that most of his clients concerns have been addressed to date. However, his clients have expressed concern that a cap is being placed on the net floor area, and that usage permissions will be taken away for commercial buildings located within existing employment zones Mr. Tam was told that the change was being proposed to address legally non-conforming building, but he was afraid that it would also affect the uses of legally conforming buildings. Mr. Tam requested that staff revisit these clauses, and that he be notified of future meetings on this subject matter.

Nick Pileggi, Macaulay Shiomi Howson Ltd., provided a deputation on behalf of Wayne's Auto Group, and Miller Waste and Transit. Mr. Pileggi expressed concern motor vehicle sales are not a permitted use within the proposed employment zoning when the use is currently permitted. Mr. Pileggi was also concerned that the usages for Miller's properties were being restricted, and that this could impact the quality and efficiency of their services in the future. Mr. Pileggi was further concerned that a 10% cap is been placed on his clients ability to expand, which does not provide enough flexibility for future renovations and expansions of his clients properties. Mr. Pileggi advised that he would also be submitting written comments expressing his concerns.

### **Deputation on Intensification of Existing Communities**

Peter Miasek spoke about the need to permit for gentle intensification of existing low-rise communities, and questioned if the draft Comprehensive By-Law permits for triplex, which are now are now allowed in all low-rise communities under the authority of Bill 23.

### **Deputation on Agricultural and Farming**

Kim Empringham, spoke on behalf of York Region Federation of Agriculture. Ms. Empringham noted that the City's 2014 Official Plan protects Markham's agricultural lands, and that it supports many agriculture practices by protecting these lands. In 2023, these policies remain. However, there are new updated policies and practices from the Province, York Region, and other municipalities that should also be included in Markham's Comprehensive By-Law, such as the Province's agriculture system approach, Provincial Policy to protect agriculture from adjacent non-agricultural uses, OMAFA and Provincial Policies allowing for

accommodation of full time farmworkers, Provincial Policies that protect and promote farms of all sizes for agricultural uses, and a definition of the policies surrounding the use of bunk houses for foreign agriculture workers. Ms. Empringham suggested that greenway policies should also be updated to permit for a full range of existing and new agricultural buildings and structures. Furthermore, policies that help streamline approvals for agriculture related uses, such as allowing some agricultural uses as of right subject to specific criteria. A written submission supporting this deputation will be submitted to the City.

### **Deputation on Property Standards and Enforcement of the By-Law**

Jack Heath provided the following feedback on the Draft Comprehensive By-Law:

- 1) That there should be provision regarding fence sizes for the back, front, and side of a houses that are tied to the size of the property under the property standards provisions;
- 2) That more work needs to be done on the linking of parks with public area;
- 3) The importance of having enough By-Law Officers to be able to successfully enforce the By-Law; and,
- 4) That property uses where the owner is not occupying the building be prohibited without a license, and that this be added to the list of prohibited uses;
- 5) That the Comprehensive By-law be reviewed every 5 years;
- 6) The importance of being able to have the Comprehensive By-Law available when discussing property standards with Parks Canada, as it addresses matters such as prohibiting cannabis growing.

Mr. Heath suggested potentially forming a Special Committee to address the RV issues, and advised that he will submit the rest of his comments in a written submission.

### **General Deputation on the Draft Comprehensive By-Law**

Mark Newton asked when the new Draft Comprehensive By-Law will be enacted. Mr. Newton asks which current zoning by-laws apply to the Leslie and John area.

The Committee provided the following feedback on the Draft Comprehensive By-Law:

- Questioned if the City has been receiving a lot of complaints on the parking of RVs;
- Suggested that staff consider the licensing of RVs as one way of addressing any issues related to parking them on ones driveway

- Questioned if there were any safety issues related to the parking of RVs or ones driveway;
- Suggested that RVs should be treated similarly to other larger vehicles, or bins residents may park or have on their driveways;
- Questioned why the Draft Comprehensive By-Law proposes to eliminate automotive dealerships as a permitted use in employment zones, and why it restricts expansion of commercial properties in existing employment areas to 10%;

Staff responded and provided clarification to inquiries from the public and the Committee. Staff advised that the purpose of this evening meeting is to obtain feedback from the public, and that the public's feedback will be taken into consideration. Staff noted that they will try to accommodate site specific concerns by making them legal non-conforming properties. Staff also agreed to look into the volume of complaints being received on the parking of RV vehicles on ones driveway.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. **That the deputations by Borhan Rounhani, Leva Rouhani, Sima Hedayati, Sandra Lee, Faye Van Der Vooren, Tony Van Der Vooren, Robert France, Jinzi Hang, Julie Glandfield, Lucy Li, Tim Sally, Camillo Alarcon, Aaron Ng, Brigitte Hochradal, Edward Wang, Mark Scarrow, Pantea Sahevdivani, Edgar DeSouza, David Smith, Mark Newton, John Spiko, Mark Orge, Alex Murray, Hayden Poon, Elizabeth Brown, Christine Bergauer-Free, Ian Free, Maria Gatzios, Bill Tam, Nick Pileggi, Peter Miasek, Kim Empringham, and Jack Heath, with respect to the proposed City-initiated Comprehensive Zoning By-law, be received; and,**
2. **That the written submissions by Hayden Poon, Tony and Faye Van Der Vooreen, Ian Franklin, Robert MacFarlane, Jenna Thibault, Marshall Smith, Ron Hendrix, Philip Stewart, Linda Esho & David McKay, Jonathan Sipko, Jesse Davis, Bill Tam, and Elizabeth Howson, with respect to the proposed City-initiated Comprehensive Zoning By-law, be received; and,**
3. That the record of the Public Meeting held on May 9, 2023 with respect to the proposed City-initiated Comprehensive Zoning By-law (File No. PR 13 128340), that establishes a new Zoning By-law affecting the majority of the City be received;
4. That the City-initiated Comprehensive Zoning By-law, be referred back to staff for a final report and recommendation; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**5. ADJOURNMENT**

The Development Services Public Meeting adjourned at 11:58 PM.