

Special Development Services Public Meeting Minutes

Meeting Number: 13
September 18, 2023, 7:00 PM - 9:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Councillor Alan Ho	Councillor Keith Irish Councillor Ritch Lau Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci
Regrets	Councillor Reid McAlpine Councillor Juanita Nathan	Councillor Isa Lee
Staff	Arvin Prasad, Commissioner, Development Services Trinela Cane, Commissioner, Corporate Services Giulio Cescato, Director, Planning & Urban Design Stephanie DiPerna, Chief Building Official, Director, Building Standards Department Darryl Lyons, Deputy Director, Planning and Urban Design	Geoff Day, Senior Planner, Development Facilitation Office Brad Roberts, Manager, Development Facilitation Office Erica Alligood, Election and Committee Coordinator Laura Gold, Council/Committee Coordinator Chris Rickett, Director, Economic Development, Culture and Entrepreneurship

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1. CALL TO ORDER

The Development Services Public Meeting adjourned at 3:37 PM with Regional Councillor Joe Li in the Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest.

3. DEPUTATIONS

Deputation were heard with the respective item.

4. REPORTS

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

The Public Meeting on this date was to give the public the opportunity to make representations in respect of the Comprehensive Zoning By-law Project.

The Committee Clerk advised that notice was circulated in the local Markham Economist & Sun and Thornhill Liberal on August 24, 2023, and that 22 notices circulated on August 30, 2023. The Committee Clerk also advised that residents and business representatives registered to be notified on this item were emailed notice of the meeting on August 29, 2023.

Giulio Cescato, Director of Planning & Urban Design, introduced the item.

Brad Roberts, Manager, Development Facilitation Office gave a presentation regarding the Comprehensive Zoning By-Law Project.

The following depositions were made on the proposed development:

Deputation 1

Mike Everard, Augusta National Inc., spoke in opposition to the proposed zoning of the 10 ½ acres of land owned by the Holly Cross Cemetery. Mr. Everard noted that lands were being held for their last phase of the cemetery, and that the proposed zoning would make it more difficult to move forward with the last phase of the cemetery. Mr. Everard requested that the existing zoning remain for these lands, and the lands be excluded from the draft Comprehensive Zoning By-Law.

The following response to the deputation was provided:

Staff advised that the zoning is being changed to bring the subject lands in conformity with the 2014 Official Plan.

The Committee briefly discussed the history of the subject lands, including a Council resolution from 10 years ago that proposed looking for an alternative location for additional lands owned by the Catholic Cemeteries & Funeral Services-Archdiocese of Toronto, at 19th Avenue and Woodbine Avenue.

Deputation 2

John McDermott, McDermott & Associates Limited, representing 81 and 131 Telson Road, 7370 Woodbine Avenue, the Markham Heritage Centre located at 5990 16th Avenue, 277 14th Avenue, 185 Bullock Dive, 1 Laidlaw Boulevard, and 12 Heritage Road, advised that he had submitted a memo to staff outlining his clients concerns after the June Statutory Development Services Public meeting on the Comprehensive Zoning By-Law. Most of the concerns were related to parking standards, shared parking standards, off street parking, electrical vehicle charging stations, and bicycle use. Mr. McDermott requested a meeting with staff to seek clarification on these matters going forward, and to have an opportunity to review the final draft of the Comprehensive Zoning By-Law. Mr. McDermott inquired if there would be another Statutory Development Services Public Meeting on the Comprehensive Zoning By-Law. The following response to the deputation was provided:

Staff confirmed that the final draft of the Comprehensive Zoning By-Law will be made public, but noted that there would not be another Statutory Development Services Public Meeting on this matter.

Deputation 3

Matthew Cory, Malone Given Parsons, representing the Memory & Company, 100 Renfrew Drive, requested that the an adult daycare be a formally permitted use in this location in the new Comprehensive Zoning By-law. Mr. Cory noted that Oakville permits this use in employment areas with similar zoning, as an adult daycare provides elderly care functions like a daycare, with the exception that they provide occasional overnight care. Mr. Cory also requested that the usage not be limited to non-profit organizations, as there is no legislative requirement for this type of service to operate as non-profit. Mr. Cory advocated for the adult daycare to be a permitted use at 100 Renfrew Drive under the new Comprehensive Zoning By-Law.

The following response to the deputation was provided:

Staff advised that the Region's Official Plan, approved in November 2022 is very restrictive on the uses provided for in employment areas. The introduction of sensitive land uses into an employment area would require a municipal comprehensive review as neither the City's Official Plan nor the Region's Official support sensitive land uses in these designations.

The Mayor requested that staff review the use of an adult daycare relative to a traditional daycare, and the requirement for the daycare to be non-profit in employment zones. Staff agreed to look into this matter.

Deputation 4

Chris Rogge, resident, spoke about how infill housing in Unionville, Thornhill, and Markham are very different and should be treated uniquely. Mr. Rogge expressed concern that under the draft Comprehensive Zoning By-Law, larger infill homes may be built in Markham Village, which are out of character for this area.

The following response to the deputation was provided:

Staff advised that they are more concerned with having performance standards that protect existing communities than the actual square footage of the home, as this adapts well to different neighbourhoods and placing a cap on square footage can be more restrictive.

Deputation 5

Jack Heath suggested that the Comprehensive Zoning By-Law should be reviewed in one to two years to see how it is working. Mr. Heath recommend that under section 4.7 – Page 58 of the by-law, a section K be added, which requires the licensing of any low-rise residential unit or dwelling unit if the owner is not a resident of the property. Mr. Heath also suggested that farms with two lots – one for agricultural uses, and one for residential uses be addressed under section 4.7 of the draft Comprehensive Zoning By-Law, as this could create problems in the future. Mr. Heath advised that Staff have taken the right approach with respect to not mentioning the Rouge National Urban Park in the draft Comprehensive Zoning By-Law, as the Memorandum of Understanding (MOU) between the City and Parks Canada has not been signed yet. And a Committee has been proposed with representatives from Markham, York Region, and Parks Canada to discuss these types of matters after the MOU is signed. Mr. Heath spoke in support of prohibiting the parking or storage of trailers or commercial motor vehicles on vacant lots unless accessory outdoor storage is permitted on the lot in all zones. Mr. Heath suggested that section 5.3, point 7 be reviewed, as a parking space for each additional unit should not be required in the current housing crisis, as the City should not assume that one that rents a basement apartment has a car. Mr. Heath suggested resolving this by assigning the parking standard per property rather than per unit.

Deputation 6

Paul Cicchini, Chair of the Markham Village Business Improvement Area (MVBIA), and owner of the Duchess of Markham, advised that MVBIA wanted to ensure that music and dancing is permitted on patios in Markham in the new Comprehensive Zoning By-Law. Mr. Cicchini also wanted to ensure that patios would be permitted within 30 metres of newer higher density developments being built closer to the existing commercial districts. Mr. Cicchini requested that temporary tents on patios be permitted from April 1st to October 31st rather than for 12 weeks to justify the expense of having the tent, and to maximize the customer experience, as patrons are spending more time outside since the

pandemic. Mr. Cicchini noted that the MVBIA was not consulted on the draft Comprehensive Zoning By-Law.

The following response to the deputation was provided:

The Mayor suggested that staff meet with the MVBIA to discuss this section of the draft Comprehensive Zoning By-Law, and that final draft of the Comprehensive Zoning By-Law be brought back to the Development Services Committee prior to being presented at Council.

Deputation 7

Nick Pileggi, Macaulay Shiomi Howson Ltd. (MSH), representing the Miller Group and Wayne's Auto Group, advised that most of his clients concerns have been addressed. Mr. Pileggi noted that one remaining issue is that the Miller Group is looking to redevelop their properties located at 77, 81, and 405 Miller Avenue and that some of existing uses for these properties have been removed in the draft Comprehensive Zoning By-Law, such as permitting restaurants or fitness establishments on these properties. Mr. Pileggi requested that the existing uses for these properties be retained in the new Comprehensive Zoning By-Law.

The following response to the deputation was provided:

Staff advised that the objective is to bring these lands into conformity with the City's 2014 Official Plan.

Deputation 8

John Armstrong, Masonry Council of Ontario, representing contractors, manufacturers, distributors and laborers in the masonry industry, suggested that the draft Comprehensive Zoning By-Law should address the quality of new builds as well as the impact they have on existing communities.

The following response to the deputation was provided:

Staff advised that under the *Planning Act*, the City does not have the authority to direct the materials used in development.

Deputation 9

Elizabeth Brown provided a presentation expressing her concern with the impact the draft Comprehensive Zoning By-Law would have on infill development in the Markham Village area, suggesting that larger infill homes would be permitted under the new legislation. Ms. Brown suggested that the City consider using the bracket system, as this system would provide Markham Village with similar protection to what is in place today.

Deputation 10

Chris Zadel questioned if the draft Comprehensive Zoning By-Law would affect his grandmother's ability to sever her lot, and if a site plan would now be required.

The following response to the deputation was provided:

Staff clarified that a site plan is not required for the developments consisting of ten or less units. Staff encouraged the deputant to reach out to staff to discuss his property specific concerns.

Deputation 11

Laura Galati, President Markham Village Sherwood-Amberglan Ratepayers Association, explained that Markham Village is different from Thornhill, and Unionville. Ms. Galati expressed concern that draft Comprehensive Zoning By-Law would permit larger homes and more lot coverage in Markham Village. Ms. Galati was concerned that this change would lead to more flooding and other environmental issues.

Deputation 12

Evelin Ellison inquired if the draft Comprehensive Zoning By-Law protects the Carolinian Forest located in the Langstaff community.

The following response to the deputation was provided:

Staff advised that the subject lands are protected under the current Langstaff Secondary Plan, and are not part of the draft Comprehensive Zoning By-Law, as the Langstaff Secondary Plan is being updated.

Deputation 13

Donna Wiggmore, Old Markham Village Ratepayers Association, spoke in support of having a 10 foot rather than 5 foot buffer between commercial and residential properties. Ms. Wiggmore suggested this was required to be respectful to existing residents and due to climate change. Ms. Wiggmore recommended that the buffer should also include a mandatory 12 foot fence and row of cedars.

The following response to the deputation was provided:

Staff advised that they are not pre-zoning lands to permit commercial type uses as-of-right. A zoning application would be reviewed on a site-by-site basis.

At the conclusion of the deputations, the Committee thanked the deputants for attending the meeting and for their feedback.

Moved by Councillor Karen

Seconded by Councillor Andrew Keyes

1. **That the deputations by Mike Everard (Holly Cross Cemetery), John McDermott (representing 81, and 131 Telson Road, 7370 Woodbine Avenue, and the Markham Heritage Centre 5990 16th Avenue, 277 14th Avenue, 185 Bullock Dive, 1 Laidlaw Boulevard, and 12 Heritage Road), Matthew Cory**

(100 Renfrew Drive) , Christian Rogge, Jack Heath, Paul Cicchini, Nick Pileggi (representing the Miller Group and Wayne's Auto Group), John Armstrong, Elizabeth Brown, Chris Zadel, Laura Galati, Evelin Ellison, and Donna Wiggmore, with respect to the proposed City-initiated Comprehensive Zoning By-law, be received; and,

2. That the written submissions by James Koutsovitis on behalf of Angus Glen Village, Peter Maleganovski, Mitchell Robins, Maria Gatzios, Mike Everard, Mark Yarranton, Paul Lowes, John McDermott, Emma West & Ashley Pton, Kyle Gossen, Nazanin Nosshabadi, Dafne Gossen, Nazanin Nooshabadi, Dafne Gokeen, Jillian Sparrow, Nicholas Klymciw, David McKay, Patrick Duffy, Mark Flowers, Emily Grant, Evelin Ellison, Jessica Jakubowski & Katarzyna Sliwa, Sandra Patano, Kate Cooper, and Dafne Gokeen, with respect to the proposed City-initiated Comprehensive Zoning By-law, be received; and,
3. That the record of the Public Meeting held on September 18, 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 Draft Zoning By-law, be finalized and brought forward to a **future Development Services Committee**; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5. ADJOURNMENT

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

The Development Services Public Meeting adjourned at 9:43 PM.

Carried