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**DEVELOPMENT SERVICES COMMITTEE  
NOVEMBER 20, 2012  
EXTRACT**

To: Manager of Development, Central District (R. Kendall)

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**10. RECOMMENDATION REPORT  
APPLICATION FOR SITE PLAN CONTROL APPROVAL  
GTA CENTRE L.P. ON BEHALF OF THE REMINGTON GROUP  
PROPOSED MARKHAM SPORTS, ENTERTAINMENT  
AND CULTURAL CENTRE  
EAST SIDE OF TRIBUTARY 4, SOUTH OF ENTERPRISE BOULEVARD  
311 ENTERPRISE BOULEVARD,  
MARKHAM CENTRE  
(SC 12 124727) (10.6)  
Report**

On November 6, 2012, Development Services Committee deferred consideration of the above subject matter to the meeting this date.

Randy Pettigrew of the Remington Group read a letter from Rudy Bratty of the Remington Group, in reaction to recent events and discussions concerning the Markham Sports, Entertainment and Cultural Centre (MSECC).

Norman Manara spoke in opposition to the financial participation and noted the link between the site plan and financial framework.

The City Solicitor responded to questions regarding liability, and advised of the risk of an appeal to the OMB and that there is no liability to the City if the site plan proceeds and the financial framework does not, stating that the decision on the site plan should be based on planning principles.

Norm Pemberton spoke in opposition with respect to the financial arrangements. Mike Gannon, Unionville Ratepayers Association, spoke in objection to the financial framework and supports proceeding with the Markham Centre Secondary Plan.

Karen Rea spoke in opposition and had questions relating to the road network, parking, the financial framework, the Secondary Plan, public consultation, and transparency. Ms. Rea displayed photos from other developments in Markham.

Toinett Bezant of the Bayview Glen Ratepayers Association, spoke in opposition to the site plan with respect to the financial framework, environmental and infrastructure issues, and the Secondary Plan.

Gord Walter of the Sherwood Amber Glen Ratepayers Association advised that the majority of their members are opposed to the project with respect to the financial involvement.

Jim Kwan spoke in opposition to the financial framework.

Donna Bush, representing the Markham Village City Ratepayers Association, spoke in opposition to the financial framework and the cost of special roads. Ms. Bush discussed the arena orientation and the road network and suggested an updated Secondary Plan is required.

The Committee discussed the involvement of the Markham Centre Advisory Committee, a citizen and stakeholder group, in developing the Secondary Plan. Staff explained that the current Secondary Plan provides a flexible framework that envisioned development such as the arena proposal.

Graham Dewar spoke in opposition and, referring to the letter from Mr. Bratty, discussed business and construction risks.

Joyce Ramer spoke in opposition and discussed the financial framework and the site plan, and requested more public consultation and a Secondary Plan.

Annette Cocorovski spoke in opposition to the proposal and discussed the financial framework and parking issues.

Marilyn Ginsburg, Grandview Area Residents Association, suggested the financial framework be cancelled and that the site plan application be withdrawn.

The Mayor explained the site plan process and recommended that the site plan be referred to a Special Council meeting in the new year along with the Memorandum of Understanding. Some Committee members considered that more information is needed before the difficult decisions can be made.

Councillor Colin Campbell and Councillor Valerie Burke put forward a motion to “Rescind the Financial Framework for the proposed GTA Sports, Entertainment and Cultural Centre”. The acceptance of the motion was appealed by a member of the Committee. The City Solicitor confirmed that the motion is not related to the item on the agenda and is not appropriate for this Committee. The Procedural By-law specifies that financial matters are dealt with by General Committee, and the Development Services Committee has jurisdiction over Planning and development matters. The ruling of the Chair to accept the motion was not sustained by the Committee, and Councillor Colin Campbell agreed to withdraw the motion.

Deputy Mayor Jack Heath put forward a motion to remove the site plan condition of the financial framework so that the applicant pursues site plan approval at his sole cost and risk. The motion did not receive a seconder.

Staff gave a brief overview of the arena orientation and the road network, and Randy Peddigrew provided comments regarding the road grading in relation to the building.

The Committee recessed briefly at 7:23 to commence the Council meeting.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Logan Kanapathi

That Development Services Committee Recess briefly to commence the Council meeting.

**CARRIED**

The Development Services Committee reconvened at 7:24 and discussions resumed.

Councillor Carolina Moretti and Mayor Frank Scarpitti brought forward a motion to “Receive the Recommendation Report and defer the site plan to a Special Council meeting with the MOU once the public has had an opportunity to provide input and with full disclosure.

Councillor Don Hamilton assumed the Chair for the remainder of the meeting.

Regional Councillor Joe Li and Regional Councillor Jim Jones brought forward a motion to “Complete the Markham Live Vision and Update the Downtown Markham Centre Secondary Plan”. This motion could not be considered until the previous motion was disposed of.

The Committee debated whether to continue to examine the proposal, and deferral of the site plan application.

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Moved by: Councillor Carolina Moretti

Seconded by: Mayor Frank Scarpitti

- 1) That the Recommendation Report titled "Application for Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group" be received; and,
- 2) **That the deputations and written submissions be received; and,**
- 3) **That until such time as the Financial Framework, site plan, and MOU are ready and the public have had an opportunity to provide input and that full disclosure is provided, that the site plan is deferred to a Special Council meeting.**

LOST by a tie vote

The Committee considered that any further motions would be tied, and that all members of the Committee should be in attendance when a decision is made.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Alex Chiu

- 1) **That the Recommendation Report titled "Application for Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group" be received; and,**
- 2) **That the deputations and correspondence by Randy Pettigrew of the Remington Group, Norman Manara, Norm Pemberton, Mike Gannon, Unionville Ratepayers Association, Karen Rea, Toinett Bezant, Bayview Glen Ratepayers Association, Gord Walter, Sherwood Amber Glen Ratepayers Association, Jim Kwan, Donna Bush, representing the Markham Village City Ratepayers Association, Graham Dewar, Joyce Ramer, Annette Cacorovski, and Marilyn Ginsburg, Grandview Area Residents Association regarding the Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group, be received.**

CARRIED