



Development Services Committee Minutes

February 26, 2018, 9:00 AM to 5:00 PM

Council Chamber

Meeting No. 3

All Members of Council

Development Services Issues

Chair: Regional Councillor Jim Jones
Vice-Chair: Councillor Don Hamilton

Economic Growth, Culture & Entrepreneurship Issues

Chair: Councillor Alex Chiu
Vice-Chair: Councillor Alan Ho

Transportation and Engineering Capital Projects Issues

Chair: Regional Councillor Joe Li
Vice-Chair: Regional Councillor Nirmala Armstrong

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Joe Li
Regional Councillor Nirmala Armstrong
Councillor Valerie Burke
Councillor Alan Ho
Councillor Don Hamilton
Councillor Karen Rea
Councillor Amanda Collucci
Councillor Logan Kanapathi
Councillor Alex Chiu

Regrets

Councillor Colin Campbell

Andy Taylor, Chief Administrative Officer
Biju Karumanchery, Acting Commissioner of
Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community & Fire
Services
Ron Blake, Acting Director of Planning and Urban
Design
Daniel Brutto, Planner 1, North District
Catherine Conrad, City Solicitor and Acting Director of
Human Resources
Brian Lee, Director of Engineering
Bryan Frois, Chief of Staff
Chris Alexander, Acting Manager of Regulatory Services
Adam Grant, Deputy Fire Chief
Chris Neering, Deputy Fire Chief
Robert Tadmire, Coordinator of Geomatics/GIS
Bradley Roberts, Manager, Zoning & Special Projects
Laura Gold, Council/Committee Coordinator

The Development Services Committee convened at the hour of 9:02 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

Development Services Committee recessed at 11:15 am and reconvened at 11:30 am.

Development Services Committee recessed at 12:30 pm and reconvened at 1:30 pm.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

APPROVAL OF PREVIOUS MINUTES

1. DEVELOPMENT SERVICES COMMITTEE MINUTES

- February 12, 2018 (10.0)

[Minutes](#)

Moved by Regional Councillor Joe Li

Seconded by Councillor Alex Chiu

That the minutes of the Development Services Committee meeting held February 12, 2018, be confirmed.

Carried

2. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES

- February 6, 2018 (10.0)

[Minutes](#)

Moved by Regional Councillor Joe Li

Seconded by Councillor Alex Chiu

That the minutes of the Development Services Public Meeting held February 6, 2018, be confirmed.

Carried

3. PRESENTATION OF SERVICE AWARDS (12.2.6)

City of Markham Staff:

Roger Pantin, Waterworks Operator II, Environmental Services, 30 years

Martin Barrow, Rec Coordinator Facilities and Allocations, Recreation Services. 20 years

Lily Ng, Cashier, Financial Services, 15 years

Jeremy Acton, Captain, Fire & Emergency Services, 15 years

Jeff Rahim, Provincial Offences Officer II, Legislative Services, 15 years

Wayne Webster, Firefighter, Fire & Emergency Services, 15 years

Kent Mortson, District Chief, Fire & Emergency Services, 15 years

Brad Evans, Captain, Fire & Emergency Services, 15 years

Glen Lindensmith, Captain, Fire & Emergency Services, 15 years

Jason Britton, Group Leader, Operations - Parks, 10 years

Aaron Gelling, Group Leader, Operations - Parks, 5 years

PRESENTATIONS - DEVELOPMENT SERVICES ISSUES

Chair: Regional Councillor Jim Jones
Vice-Chair: Councillor Don Hamilton

**4. ACTIVE DEVELOPMENT
APPLICATION DATABASE (10.0)**

Robert Tadmire, Coordinator of Geomatics/GIS was in attendance to provide a presentation on this matter.

Committee congratulated staff on the creation of the database and requested that the Rouge National Park be added to the map,

Staff advised they will update the map.

Moved by Regional Councillor Armstrong
Seconded by Deputy Mayor Jack Heath

That the presentation on the “Active Development Application Database” be received.

Carried

DEPUTATIONS

Deputations were made for the following Agenda Items:

- #6. Comprehensive Interim Report - Update on Phase 3a of Markham’s New Comprehensive Zoning By-Law Project Rooming Houses, Short-Term Accommodations
- #7. Recommendation Report Times Group Corporation, South Of Highway 7, East of Bayview Avenue, Block 45, Plan 65m-3226, Ward No. 8, Applications For Official Plan and Zoning By-Law Amendments and Site Plan Approval to Permit Two Condominium Apartment Buildings (37 And 34 Storeys), File No.’S: Op 13 131100, Za 14 131100 And Sc 17 137260 (10.3, 10.5 & 10.6)

Refer to the individual items for the deputation details.

COMMUNICATIONS

There were no communications.

PETITIONS

There were no petitions.

**5. CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES
-January 18, 2018 (16.34)
[Minutes](#)**

Councillor Don Hamilton spoke about the Vision Zero Principles and recommended that staff investigate and report back on the program.

Moved by Councillor Don Hamilton
Seconded by Councillor Alex Chiu

That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held January 18, 2018, be received for information purposes.

Carried

Moved by Councillor Hamilton
Seconded by Councillor Alex Chiu

That the Development Services Committee agree with zero fatalities in the Vision Zero principles, and that staff be requested to investigate, in partnership with York Region, the adoption of the Vision Zero principles at the City level or jointly with York Region; and,

That Staff report back on its findings in early 2019.

Carried

**6. COMPREHENSIVE INTERIM REPORT
UPDATE ON PHASE 3A OF MARKHAM'S
NEW COMPREHENSIVE ZONING BY-LAW PROJECT
ROOMING HOUSES, SHORT-TERM ACCOMMODATIONS
AND SECONDARY SUITES
FILE NO. PR 13 128340 (10.5)
[Presentation - Appendix 3](#) [Report](#) [Appendix 1](#) [Appendix 2](#)**

John Gladki, President, Gladki Planning Associates, was in attendance to provide a presentation on this matter.

Committee requested that a chart displaying the different types of housing being proposed (rooming houses, short term accommodations, and secondary suites) with all potential housing scenarios be presented at a future Development Services Committee (e.g. single detached home with a second suite, or single detached home with a second suite and two lodgers).

Rooming Houses

Committee asked for clarification on how many lodgers could stay in a homeowner's home without be considered a rooming house.

Mr. Gladki advised that residents would be permitted to have up to two lodgers staying at their home without being considered a rooming home, as long as the lodgers do not have a kitchen in their rooms. The homeowner would also be permitted to have one second suite in addition to the two lodgers without being considered a rooming house.

Committee asked for clarification regarding where rooming houses will be permitted.

Mr. Gladki advised that rooming houses will not be permitted by zoning, and that rezoning applications to permit the use would have to be consistent with the City's Official Plan, Staff are recommending that when considering an amendment to permit rooming houses that they only be permitted on arterial roads, which are major roads like Woodbine or Warden Avenue.

Committee suggested that there should be additional criteria with respect to where rooming houses can be located, like limiting the number of rooming houses within a certain proximity and not permitting them near schools. It also suggested that the wording in the by-law should clearly specify that rooming houses are only permitted on the properties fronting (not backing onto) the arterial road.

Mr. Gladki advised that staff have looked at the criteria for rooming houses, but decided not to add additional criteria, as people's human rights have to be considered when restricting where people can live. Staff agreed to review the criteria again and report back at a future Development Services Committee meeting. They also agreed to consider updating the wording in the by-law so that it is clear that the frontage of a rooming house must be on the arterial road.

A Committee Member asked if rooming houses could be licensed.

Mr. Gladki advised that Staff are recommending that rooming houses be prohibited, unless a resident submits a request for a zoning change, which would require Council approval. Therefore, rooming houses do not need to be licenced, as they will be prohibited unless there is site specific zoning.

Committee wanted to ensure that the change in zoning required to permit a rooming house would not be considered a minor variance, as it did not want the Committee of Adjustment approving variances that contradict Council's direction provided for in the Official Plan.

Staff agreed to look into this inquiry and report back at a future Development Services Committee meeting. They also noted that Council could approve the use on a temporary basis to see how the rooming house integrates into the neighbourhood prior to permanently approving the use.

Committee noted the importance of enforcing the by-law (if approved) to ensure illegal second suites and rooming houses are not occurring.

Short Term Accommodation

A Committee Member asked if short term accommodations can be licensed.

Mr. Gladki advised that Staff are recommending that short term accommodation be prohibited, unless a rezoning application is processed and approved. Therefore, there is no need to license these types of accommodations, as they will be prohibited unless there is site specific zoning.

A Committee Member inquired what will happen to existing AIRBNB rentals and how the City will prevent a legally permitted short term accommodations from being used as a party house.

Mr. Gladki advised that under the proposed by-law the owner can be charged if Council has not approved the operation of the unit as a short term accommodation. Council can also add restrictions or approve it as a temporary use when approving the use of the unit for short term accommodations.

Committee questioned if approving one short term accommodation will make it difficult to refuse another short term accommodation. It asked Staff to look into this and report back at a future Development Services Committee.

Committee suggested possibly adding criteria in regards to where the short term accommodations can be located. A Committee Member suggested only permitting them in “tourist” areas.

A Committee Member suggested that the City should try to make the short term accommodations legal in a manner that is acceptable to Council.

Committee inquired what the difference is between short term accommodations and bed and breakfasts.

Staff advised that bed and breakfasts are legally permitted on heritage main streets in the commercial zone. In contrast, short term accommodations are still being legally addressed, but it is being recommended that the City prohibit short term accommodations anywhere in Markham, unless rezoning approval is granted by Council.

Secondary Suites

Committee asked for clarification on where second suites will be permitted.

Mr. Gladki advised that second suites are currently only permitted in coach houses and in Markham Centre. Staff are recommending permitting second suites in all areas, except special policy areas. Permitting second suites will allow for a maximum of two dwellings per lot, for an example a home owner could not have a second suite in their coach house and in their basement.

Committee questioned how parking and expansion of driveways will be controlled if the City permits second suites.

Staff advised that homeowners may not widen their driveways without approval under the existing bylaw and that parking will only be available to the tenant if there is enough parking available on the property.

A Committee Member suggested permitting more duplexes, and semis in both new and established areas as an alternative to second suites. He also suggested that if second suites are legalized it should be done on a cost recovery basis.

A Committee Member suggested that the wording in the proposed by-law regarding second suites in coach houses should be stated in a positive rather than in a negative voice.

Next Steps

Staff advised that the next step is to present the Comprehensive Zoning By-Law Project – Rooming Houses, Short-Term Accommodations, and Secondary Suites at an evening Development Services Committee meeting being held on March 27, 2018. The final report on the matter will then be presented to the Development Services Committee on April 30, 2018.

Committee noted that it would like to see the financial report on the Comprehensive Zoning By-Law Project – Rooming Houses, Short-Term Accommodations, and Secondary Suites prior to the March 27, 2018 meeting. The Clerk's Office was requested to look into the possibility of scheduling a workshop to discuss the matter prior to the March 27 meeting if time permits.

Deputations

Deputation 1

Huga Barnsley spoke in favour of permitting second suites. He made the following points:

- There was a desperate need for more affordable housing in Markham and that the City cannot stagnate and accept the status quo;
- Need to permit second suites to provide more affordable housing;
- Need to start approving a greater variety of housing types in both existing areas and in new developments by accepting modified lot sizes (e.g. duplexes and semis);
- Need housing for different economic classes in Markham;
- Need rules and standards to ensure second suites are safe;
- Having the homeowner live in or nearby their rental property helps ensure property standards are met, but noted this may not always be possible.

Deputation 2

Geoff Pyne, Unionville Ratepayer Association (URA) provided a deputation on the URA's position on rooming houses, short term accommodations, and second suites. He made the following points:

Rooming Houses

- Supported staff's recommendation regarding rooming houses, but thought they should be permitted in intensification areas on arterial roads, rather than requiring applicant to apply for re-zoning;
- Rooming houses should be restricted to owner occupied buildings to reduce the risk of poor maintenance and appearance;
- Suggested that illegal rooming houses still need to be addressed;

Short Term Accommodations

- Questioned enforceability of short term accommodations;
- Recommended permitting short term accommodations in owner occupied residences;
- Suggested that no more than two rooms should be permitted to be used for short term accommodations;

Second Suites

- Supported second suites, but suggested that parking requirements should be considered when approving second suites;
- Suggested that the process to legalize second suites needs to expedited.

Deputation 3

Christine Beagauer-Free made a deputation on rooming houses, short term accommodation, and second suites. She made the following points:

- Suggested that there are already rooming houses and second suites in Markham;
- Suggested that many of the new homes in her area are being built so that they can be split into three living units;
- Thought that parking should be considered prior to permitting second suites;
- Suggested that houses with deep basements should not be permitted in areas that are at risk of flooding;
- Suggested that legalizing second suites would increase the number of second suites.

Staff advised that there is no evidence that there will be a surge of second suites if legalized.

Deputations 4

Alan Adams made a deputation on second suites. He made the following points:

- The City should permit second suites;
- The City must regulate second suites;
- Suggested that homeowners with second suites should pay higher property taxes;
- Suggested there should be a fine for homeowners with illegal second suites.

Moved by Councillor Rea
Seconded by Councillor Burke

- 1) That the report dated February 26, 2018 titled, “COMPREHENSIVE INTERIM REPORT: Update on Phase 3A of Markham’s New Comprehensive Zoning Bylaw Project – Rooming Houses and Short-Term Accommodations and Secondary Suites – File No. PR 13 128340” be received; and,
- 2) That the presentation titled, “Interim Report Rooming Houses, Short Term Accommodations and Secondary Suites” be received.

Carried

**7. RECOMMENDATION REPORT
TIMES GROUP CORPORATION
SOUTH OF HIGHWAY 7, EAST OF BAYVIEW AVENUE
BLOCK 45, PLAN 65M-3226
WARD NO. 8
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS AND
SITE PLAN APPROVAL TO PERMIT TWO
CONDOMINIUM APARTMENT BUILDINGS (37 AND 34 STOREYS)
FILE NO.’S: OP 13 131100, ZA 14 131100 AND SC 17 137260 (10.3, 10.5 & 10.6)
[Report](#)**

Lincoln Lo of Malone Given Parsons representing the owner provided a presentation on the site plan for two condominium apartment building.

It was noted that there has been extensive public consultation on the development and that both the Ward Councillor and staff are satisfied that the site plan being presented addresses the public feedback.

Discussion

A Committee Member asked if the wind and shadow studies had been reviewed.

Staff advised that the wind study is in the process of being reviewed and that no issues have been identified to date. The shadow study results showed that the configuration of the buildings did not create shadows/darkness.

Committee asked for more detail on a potential pedestrian underpass in the valley under Highway 407.

Staff advised that they would report back to Council with more detail on the pedestrian underpass.

Committee ask if the condominiums had any sustainability features.

Staff advised that the Times Corporation was aiming to achieve LEED Gold standard for the project.

A Committee Member asked if there was an opportunity to put a small library in the podium of the condominium.

Staff advised that this opportunity was explored, but it was determined that it was not an appropriate location to put a public library due to security and cleaning concerns. The condominium will have a private library for its residents. Staff are also exploring the possibility of putting a small public library in the plaza across the street or in the local school being built.

Committee asked how the condominiums will impact traffic on Highway 7.

Staff advised that this development is located on Highway 7 and is well served by the VIVA bus rapid transit, which makes transit more appealing for residents to take. A Committee Member mentioned that some of the traffic congestion on Highway 7 near Highway 404 will be relieved with the future Highway 404 mid-block flyover just north of Highway 7.

A Committee Member asked if the Times Corporation would consider donating one of the condominium units to 360 kids, which provides homeless youth with shelter.

Deputation

Fredrick Woo, spoke in favour of the site plan being proposed by the Times Group Corporation.

Moved by Councillor Alex Chi
Second by Mayor Frank Scarpitti

- 1) That the Staff report dated February 26, 2018 entitled “RECOMMENDATION REPORT, Times Group Corporation, South of Highway 7, east of Bayview Avenue, Block 45, Plan 65M-3226, Official Plan and Zoning By-law Amendment and site plan approval applications to permit two apartment buildings (37 and 34 storeys)” be received; and,
- 2) That Staff be authorized and directed to finalize for adoption by Council an amendment to the 2014 Official Plan to provide for two apartment buildings with maximum heights of 37 and 34 storeys respectively and a 7.65 Floor Space Index (FSI), and to secure a public elementary school site in the Leitchcroft community; and,
- 3) That Staff be authorized and directed to finalize for approval by Council an amendment to Zoning By-law 177-96, as amended, to permit the proposed apartment buildings; and,
- 4) That servicing allocation for 769 apartment units be assigned for the proposed apartment buildings; and,

- 5) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 6) That the Region of York be advised that servicing allocation for 769 apartment units has been confirmed; and,
- 7) That the proposed development concept plan be endorsed in principle and site plan endorsement and final approval be delegated to the Director of Planning and Urban Design; and,
- 8) That no further Public Meetings be required for the Official Plan and Zoning By-law applications; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

MOTIONS

There were no motions.

NOTICES OF MOTION

There were no notices of motion.

NEW/OTHER BUSINESS

**8. NEW/OTHER BUSINESS
STOP SIGN – SOUTHDALE DRIVE (5.12)**

Councillor Karen Rea asked if an additional stop sign could be added on Southdale Drive near McCowan and Conservation due to a speeding issue.

ANNOUNCEMENTS

There were no announcements.

9. CONFIDENTIAL ITEMS

Moved by Councillor Valerie Burke

Seconded by Councillor Don Hamilton

That, in accordance with Section 239 (2) of the Municipal Act, Development Services Committee resolve into a confidential session to discuss the following matters (2:55 pm):

(1) DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES

- February 12, 2018 (10.0)

[Section 239 (2) (f) (e) (f) (e) (e) (e) (e) (f) (f) (f) (e) and (e)]

Development Services Committee confirmed the February 12, 2018, Confidential, meeting minutes.

(2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINOR VARIANCE APPEAL, 8 TUSCAY COURT (WARD 3) (8.0)

[Section 239 (2) (e)]

Development Services Committee consented to having this item place on the March 20, 2018 Council meeting.

(3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD – MINOR VARIANCE APPEAL, 2815 14TH AVENUE (WARD 8) (8.0)

[Section 239 (2) (e)]

Development Services Committee consented to having this item place on the March 20, 2018 Council meeting.

Moved by Councillor Valerie Burke

Seconded by Councillor Amanda Collucci

That the Development Services Committee rise from the confidential session at 3:22 pm.

ADJOURNMENT

ADJOURNMENT

The Development Services Committee meeting adjourned at 3:23 PM.

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