



Development Services Committee Minutes

November 30, 2015, 9:00 AM to 3:00 PM

Council Chamber

Meeting No. 23

All Members of Council

Development Services

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

Economic Development

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

Transportation Issues

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

Attendance

Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Don Hamilton
Councillor Karen Rea
Councillor Colin Campbell
Councillor Logan Kanapathi
Councillor Alex Chiu

Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community & Fire
Services
Sabrina Bordone, Senior Planner
Ronji Borooah, City Architect
Alan Brown, Director of Engineering
Catherine Conrad, City Solicitor
Biju Karumanchery, Director of Planning and
Urban Design
Brian Lee, Deputy Director of Engineering
Michael Sraga, Streetscape Coordinator
Andrea Wilson-Peebles, Assistant City Solicitor
Kitty Bavington, Council/Committee Coordinator

Regrets

Mayor Frank Scarpitti
Regional Councillor Nirmala Armstrong
Councillor Alan Ho
Councillor Amanda Collucci

The Development Services Committee convened at the hour of 9:07 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Councillor Alex Chiu assumed the Chair for Economic Development item No. 1.

DISCLOSURE OF PECUNIARY INTEREST – None Declared

**1. SRRA MARKHAM RENEWAL
(STRATEGIC REGIONAL RESEARCH ALLIANCE) (10.16)**
[Presentation](#)

Glenn Miller and Iain Dobson of the Strategic Regional Research Alliance gave a presentation entitled "SRRA Markham Renewal". The presentation reviewed the projects undertaken over the past year, with Markham's support:

- Produce *The Nodal Study*
- Review the Growth Plan in detail
- Commence new research regarding transit and intensifying employment lands
- Attract more support, new partners from province and private sector

Discussions with the Committee included:

- Identifying and labeling the region and area
- Ensuring established policies are followed
- First and last mile transit factors and solutions
- Residential intensification to support transit
- Affordable and accessible transit, encouraging commuters to get out of their cars
- Potential private bus and Uber-type services as transit solutions
- Potential tolls (congestion fees) for regional roads
- Getting involved in Toronto's SmartTrack project – this might be accomplished by approaching the City of Toronto
- Council members and City staff attending SRRA meetings were requested to provide updates to the Committee
- The projected increase in office employment jobs and the impact on existing industrial employment lands - the existing uses are critical to incubate new businesses and job growth
- Locating industrial and office buildings in areas that have the appropriate transportation support systems (truck corridors vs. public mass transit)
- SRRA is a not-for-profit organization, funded equally by its partners

The SRRA is requesting \$30,000 from Markham in funding support for research projects in 2016 that include: a regional overview report on the GTHA, aggregated from many sources similar to the recent assessment of the infrastructure and transportation in the London, U.K. region for the next 50 years.

Moved by: Regional Councillor Jim Jones

Seconded by: Councillor Logan Kanapathi

- 1) That the presentation provided by Glenn Miller and Iain Dobson of the Strategic Regional Research Alliance entitled "SRRA Markham Renewal" be received; and,
- 2) That the request by Strategic Regional Research Alliance for \$30,000 in funding for research projects in 2016 be referred to the Budget Sub-Committee.

CARRIED

2. DEVELOPMENT SERVICES COMMITTEE MINUTES

- November 16, 2015 (10.0)

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Committee meeting held November 16, 2015, be confirmed.

CARRIED

3. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES

- November 16, 2015 (10.0)

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Public Meeting held November 16, 2015, be confirmed.

CARRIED

4. HERITAGE MARKHAM COMMITTEE MINUTES

- November 11, 2015 (16.11)

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Heritage Markham Committee meeting held November 11, 2015, be received for information purposes.

CARRIED

**5. CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES**

- October 15, 2015 (16.34)

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held October 15, 2015, be received for information purposes.

CARRIED

**6. MAIN STREET MARKHAM COMMITTEE MINUTES
- October 21, 2015 (16.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

That the minutes of the Main Street Markham Committee meeting held October 21, 2015, be received for information purposes.

CARRIED

**7. INTENTION TO DESIGNATE A PROPERTY UNDER
PART IV OF THE ONTARIO HERITAGE ACT
NAME: WILLIAM MERGEN HOUSE
ADDRESS: 10855 KENNEDY ROAD (16.11.3)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That as recommended by Heritage Markham, the William Mergen House at 10855 Kennedy Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
- 2) That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
- 3) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
- 4) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**8. REQUEST FOR DEMOLITION
DETACHED ACCESSORY BUILDING
329 MAIN ST. N., MARKHAM VILLAGE (16.11, 10.13)**
[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the staff report entitled “Request for Demolition –Detached Accessory Building, 329 Main Street North”, dated November 30, 2015 be received; and,
- 2) That Council endorse the demolition of the detached accessory building at 329 Main Street North located within the Markham Village Heritage Conservation District, subject to the support of Heritage Markham and the applicant advertising the building for relocation or salvage in the local newspapers for two weeks; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution;

CARRIED

**9. REQUEST FOR DEMOLITION
SINGLE DETACHED DWELLING
41 DEANBANK DRIVE, THORNHILL (16.11, 10.13)**
[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That the staff report entitled “Request for Demolition – Single Detached Dwelling, 41 Deanbank Drive, Thornhill ”, dated November 30, 2015 be received; and,
- 2) That Council endorse the demolition of the non heritage dwelling at 41 Deanbank Drive located within the Thornhill Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**10. REPORT ON INCOMING PLANNING
APPLICATIONS FOR THE PERIOD OF
SEPTEMBER 2, 2015 TO NOVEMBER 1, 2015 (10.0)**
[Report](#)

The application for 73 Main Street S. was corrected to a proposal for 14 townhomes. The application for 123 Main Street N. was corrected to 123 Main Street S.

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) That Committee receive the report entitled “Report on Incoming Planning Applications for the period of September 2, 2015 to November 1, 2015” and direct staff to process the applications in accordance with the approval route outlined in the report; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**11. TRIBUTE (UNIONVILLE) LIMITED
SITE PLAN APPLICATION TO PERMIT
A MIXED-USE, COMMERCIAL-RESIDENTIAL BUILDING
AT 20 FRED VARLEY DRIVE, FILE NO. SC 13 109695 (10.6)**

[Memo](#)

On November 16, 2015, Development Services Committee requested staff report back to the meeting this date regarding tree issues for the development at 20 Fred Varley Drive. A Staff Memorandum dated November 30, 2015, was provided.

Biju Karumanchery, Director of Planning and Urban Design, gave an overview of the proposal and revisions to the site plan with respect to tree issues identified at the November 16, 2015 Development Services Committee meeting. There are concerns with the potential impact of the underground garage on privately-owned trees on adjacent properties, and discussions have been ongoing to find a solution between the applicant and the residents. Staff advised that the trees on the Tribute site will be removed and replaced, and that the revised proposal is in compliance with the OMB approved zoning.

Residents in attendance displayed photos of the affected residences and trees. The Committee also viewed the site on Google Earth.

Maria Gatzios of Gatzios Planning and Development Consultants Inc., representing the applicant, displayed a site plan and identified the underground garage wall that has been re-located closer to the property line, and the trees and drainage swale along the southerly property line. The proposed tree replacement plan was outlined. Private trees would not be removed due to the drainage swale, however, in light of the concern for damage that may occur as a result of construction, the applicant will be meeting with the residents to discuss a tree protection and potential replacement plan. The replacement trees would be guaranteed for a period of time and would be chosen in consultation with a qualified arborist. Ms. Gatzios explained the raised planter system.

The City Solicitor provided legal advice and referred to the OMB ruling with respect to the minimum setback standards. The City Solicitor confirmed there is a regulation for the south wall of building above grade, but not for the underground garage. However, if the City has a significant objective, it can request the wall to be moved as a condition of site plan approval. This would need to be negotiated with the applicant and is subject to appeal to the OMB. Conditions pertaining to tree protection can also be incorporated into the site plan.

Reid McAlpine, representing the Unionville Ratepayers Association, the Unionville Villagers Association, and the Unionville BIA, displayed the cross-section drawing from the staff memorandum dated November 30, 2016, and discussed the buffers between the properties. Mr. McAlpine recommended that the City's tree preservation policies be strengthened and that the new Comprehensive Zoning By-law review the ability to build to the underground lot line.

Charles Deacon, representing the Unionville Ratepayers Association and the Unionville Villagers Association, discussed the recent revisions to the approved conceptual site plan approved by the OMB. Mr. Deacon recommended that the Hold provisions remain in effect until the tree issue can be resolved, and suggested that the underground parking be moved forward to the north instead of to the south, to save the existing swale and trees, the pending cost of tree replacement, and the impacts to adjacent properties. Mr. Deacon questioned the location of the swale, which appears to end on private property; how soon the replacement trees must be planted; and how the new trees will survive above the parking garage.

City staff explained the function of landscaping planted over the parking garage, and the engineered swale path.

Ms. Gatzios responded that subsequent to the conceptual plans submitted to the OMB, detailed site plan and engineering drawings have been submitted and reviewed by City staff. The underground parking garage is permitted to extend to the lot line on three sides, but is not permitted at the lot line adjacent to the park as a condition of the TRCA. Due to the requirements of the TRCA regarding the underground parking, refinements were made in consultation with the City to accommodate as many parking spaces as possible on one level, instead of two, which expanded the underground parking garage further south.

Andy Langer, property owner, spoke of the impacts to trees on private properties, including his cedar trees which have not been specifically identified in the arborists report, and the impact of the removal of trees on the Tribute property with respect to the residents' view, privacy, and noise mitigation. Mr. Langer questioned the need for more underground parking spots than required and suggested that long-term impacts need to be addressed. With respect to the proposed fencing, Mr. Langer requested that a higher fence than permitted by by-law be installed; however, he preferred to retain his existing fence rather than have it replaced by Tribute. Staff advised that it would be his choice which fence he would have.

Robert Fleischacker, representing the Unionville Ratepayers Association and the Unionville Villagers Association, discussed the subjective description of “fair to poor” condition of the trees, and requested consideration for a higher fence, possibly with a jog to save some of the trees. He also suggested that Section 37 funds could be used for plantings on additional private properties besides those directly adjacent to the Tribute property.

The Committee questioned the stated condition of the private trees and suggested that the impacts to the trees and the residents’ properties should be minimized by site plan revisions, if possible. Staff confirmed that the City’s Tree Preservation Technician has reviewed and confirmed the applicant’s Arborist’s report.

Ms. Gatzios summarized that the Zoning By-law permits the underground south wall setback, and that the site plan has been endorsed in principle. Although the By-law requires a minimum number of parking spaces, the market demand requires more. There is an issue of timing, as the hydrovac process has to occur before frost, and construction is scheduled to start in January.

Staff advised that further negotiations will be taking place before a final decision is made. Some Committee members expressed an interest in participating in the discussions. Ms. Gatzios indicated agreement with continued negotiations. The Committee requested a verbal update at next General Committee meeting.

Moved by: Councillor Don Hamilton

Seconded by: Deputy Mayor Jack Heath

- 1) **That the staff Memorandum dated November 30, 2015, entitled “Tribute (Unionville) Limited”, be received; and,**
- 2) **That the deputations by Reid McAlpine, Charles Deacon, Andy Langer, and Robert Fleischacker regarding the application by Tribute (Unionville) Limited, be received; and,**
- 3) **That the Site Plan application by Tribute (Unionville) Limited at 20 Fred Varley Drive, File No. SC 13 109695, be referred back to staff for continued negotiations with the applicant, Deputy Mayor Jack Heath, Councillor Don Hamilton, any other interested Committee members, and as many affected property owners as possible; and further,**
- 4) **That staff provide a verbal update at the next General Committee meeting.**

CARRIED

**12. HIGHWAY 7 RECONSTRUCTION
TOWN CENTRE BOULEVARD TO SCIBERRAS ROAD (5.10)**

This item was rescheduled to the General Committee meeting on December 8, 2015.

**13. NEW BUSINESS
INTERSECTION IMPROVEMENTS
MCCOWAN ROAD, SOUTH OF HIGHWAY 7 (5.10, 13.4)**

The Committee noted ongoing safety concerns at the access point from McCowan Road, south of Highway 7 into the plaza on the south-west corner on McCowan Road and Highway 7. The Committee directed that York Region be requested to review solutions and report back on this issue.

Moved by: Councillor Karen Rea

Seconded by: Councillor Don Hamilton

That York Region be requested to review the issues and solutions, and report back with respect to safety concerns regarding the accesses on McCowan Road, south of Highway 7.

CARRIED

**14. NEW BUSINESS
CEDARENA ICE SURFACE AND LOCUST HILL SCHOOL (10.0)**

The Committee was advised that the Cedarena ice surface will not be opening to the public this year. The TRCA has ownership of Cedarena and Locust Hill school house, and has been requested to consider giving Markham management rights. Funding and operating cost discussions are ongoing. This update was for information purposes.

15. IN-CAMERA MATTERS

Moved by: Councillor Valerie Burke

Seconded by: Councillor Logan Kanapathi

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

- (1) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES
- November 16, 2015 (10.0)
[Section 239 (2) (e)]

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (ONTARIO MUNICIPAL BOARD APPEAL - 3 TREELINE COURT -WARD 7) (8.0)
[Section 239 (2) (e)]
- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ONTARIO MUNICIPAL BOARD APPEAL - 160 SHERWOOD FOREST DRIVE - WARD 4) (8.0)
[Section 239 (2) (e)]

CARRIED

Moved by: Councillor Valerie Burke
Seconded by: Councillor Logan Kanapathi

That the Development Services Committee rise and report from the in-camera session 1:18 PM.

CARRIED

The following in-camera items were approved by Development Services Committee as follows:

- (1) DEVELOPMENT SERVICES COMMITTEE IN-CAMERA MINUTES
- November 16, 2015 (10.0)
[Section 239 (2) (e)]

Moved by: Councillor Karen Rea
Seconded by: Councillor Logan Kanapathi

That the minutes of the Development Services Committee in-camera meeting, held November 16, 2015, be confirmed.

CARRIED

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (ONTARIO MUNICIPAL BOARD APPEAL - 3 TREELINE COURT -WARD 7) (8.0)
[Section 239 (2) (e)]

This item has been forwarded to the December 15, 2015 Council meeting.

- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ONTARIO MUNICIPAL BOARD APPEAL - 160 SHERWOOD FOREST DRIVE - WARD 4) (8.0)
[Section 239 (2) (e)]

This item has been forwarded to the December 15, 2015 Council meeting.

ADJOURNMENT

The Development Services Committee meeting adjourned at 1:18 PM.

Alternate formats for this document are available upon request.
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