



Development Services Committee Minutes

March 3, 2015, 9:00 AM to 3:00 PM

Council Chamber

Meeting No. 6

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

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 Colin Campbell
Councillor Amanda Collucci
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Ronji Borooah, City Architect
Catherine Conrad, City Solicitor
Anna Henriques, Senior Planner, Zoning and Special Projects
Christina Kakaflikas, Manager, Special Projects
Biju Karumanchery, Acting Director of Planning and Urban Design
Brian Lee, Deputy Director of Engineering
Tom Villella, Manager, Zoning and Special Projects
Kitty Bavington, Council/Committee Coordinator

Regrets

Mayor Frank Scarpitti
Deputy Mayor Jack Heath

The Development Services Committee convened at the hour of 9:08 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

Disclosure of Pecuniary Interest – None Declared

1. MARKHAM NEW COMPREHENSIVE ZONING BY-LAW PROJECT (10.5) [Presentation](#)

This presentation relates to agenda item #7, a staff information report entitled “Update on Markham’s New Comprehensive Zoning By-Law Project, Pr 13 128340”.

Tom Villella, Manager, Zoning and Special Projects, introduced this matter and provided brief background information on the New Markham Comprehensive Zoning By-law Project.

Anna Henriques, Senior Planner, Zoning and Special Projects, gave an overview of the purpose of the project: to implement the Official Plan; to review, consolidate, streamline, and update zoning by-laws into one comprehensive zoning by-law; and to develop innovative, user-friendly and web-based zoning by-laws. The project time lines and milestones were reviewed.

John Gladki of Gladki Planning Associates Inc. and members of the consulting team gave a presentation to review the following aspects and tasks:

- Guiding Principles and Parameters
- Review and Assessment of City's Official Plan, Guidelines, Policies and Plans
- Review and Assessment of Existing City Parent Zoning By-laws
- Review of Minor Variance Applications
- Review and Assessment GIS/ITS Capabilities and Requirements
- Next steps: presenting remaining studies to DSC in April and May; Public Open House and stakeholder meetings in late May or early June; and the Zoning Issues Analysis report to DSC targeted for June 16, 2015.

Discussions with the Committee included:

- The Committee of Adjustment cannot be eliminated as it is required by the Planning Act
- Affordable housing (Bill 140) will be addressed and will be included for discussions with the public
- Options are being considered to avoid developers pushing the relaxed building standards
- The interpretation of "minor" variances cannot be quantified, as the four tests established by legislation are deliberately vague to enable decision-making bodies to determine what is appropriate within the context of the area and the proposal. It was suggested that other policies such as maintaining the streetscape may be effective in controlling variances
- Add flexibility in commercial areas to allow uses such as coffee shops and unforeseen future uses
- Clarify permitted uses in agricultural areas
- Second suites and student housing will be reviewed, in consultation with By-law Enforcement staff, to ensure the zoning provisions can be enforced
- Single "family" dwelling definitions were questioned with respect to restricting second suites and rooming houses
- The City has three years following the adoption of the new Official Plan to implement the required revisions to the Zoning By-laws
- There are challenges to the new comprehensive by-law being able to capture the various characteristics of individual areas, such as heritage provisions
- Can the process time for zoning amendments be expedited, and will there be options for discretionary zoning? – the only options are re-zoning and Committee of Adjustment processes, in accordance with the provisions of the Planning Act
- There is no assurance that re-zoning of a neighbouring property will not occur, despite a property owner's due diligence prior to purchasing their property. The application would be subject to public consultation and Council approvals

- The comprehensive zoning by-law may need to be updated when the Official Plan is next updated
- Victoria Square and Cathedraltown residents have been requesting a community centre, stores, and a Main Street component – what are the options? Zoning is permissive and flexible, but requires a market demand and business interest for these uses
- Does the scope of study include a local appeal board for the Committee of Adjustment? No, the appeal board is a legal issue. It does not eliminate the C of A function, but would supersede the OMB function.

Regional Councillor Armstrong and Councillor Rea requested copies of the consultants' reports.

Moved by: Councillor Don Hamilton

Seconded by: Regional Councillor Nirmala Armstrong

That the presentation provided by Mr. John Gladki, Gladki Planning Associates Inc. entitled "Markham New Comprehensive Zoning By-law Project" be received.

CARRIED

2. DEVELOPMENT SERVICES COMMITTEE MINUTES
- February 17, 2015 (10.0)
[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Joe Li

That the minutes of the Development Services Committee meeting held February 17, 2015, be confirmed.

CARRIED

3. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES
- February 17, 2015 (10.0)
[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Joe Li

That the minutes of the Development Services Public Meeting held February 17, 2015, be confirmed.

CARRIED

4. HERITAGE MARKHAM COMMITTEE MINUTES
- February 11, 2015 (16.11)
[Minutes](#)

Moved by: Councillor Alex Chiu
Seconded by: Regional Councillor Joe Li

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

CARRIED

5. MAIN STREET MARKHAM COMMITTEE MINUTES
- January 21, 2015 (16.0)
[Minutes](#)

Moved by: Councillor Alex Chiu
Seconded by: Regional Councillor Joe Li

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

CARRIED

6. CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES
-January 15, 2015 (16.34)
[Minutes](#)

Peter Miasek and Elisabeth Tan, representing the Cycling and Pedestrian Advisory Committee (CPAC) gave a PowerPoint presentation to provide an explanation and context for the recommendation in the CPAC minutes regarding sidewalk cycling, and supported endorsement of the recommendation.

The Committee discussed appropriate speed limits, public education, and liabilities. Staff will consult with By-law Enforcement staff when they report back on this matter.

Moved by: Councillor Don Hamilton
Seconded by: Councillor Alan Ho

- 1) **That the deputations by Peter Miasek and Elisabeth Tan, representing the Cycling and Pedestrian Advisory Committee (CPAC) regarding the recommendation in the January 15, 2015 CPAC minutes, be received; and,**

- 2) That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held January 15, 2015, be received for information purposes; and,
- 3) That, as recommended at the January 15, 2015 Cycling and Pedestrian Advisory Committee meeting, the following be directed to staff to report back at a future Development Services Committee meeting:

"WHEREAS some arterial and major collector roads in Markham have heavy vehicle traffic and no cycling facility suitable for the "interested but concerned" cyclist

WHEREAS a complete cycling network is a goal of the City of Markham, and interim cost-effective measures on such roads are needed until a proper facility is in place

WHEREAS many sidewalks have few intersections, driveways and pedestrians

WHEREAS the Highway Traffic Act is silent on sidewalk riding, but will soon be amended to permit cycling next to crosswalks ("cross rides")

WHEREAS there is a Markham municipal bylaw prohibiting cycling on sidewalks

WHEREAS numerous Ontario cities have bylaws permitting cycling on sidewalks in select locations

WHEREAS many cyclists are already cycling on sidewalks today in Markham

BE IT RESOLVED THAT CPAC endorses the concept of sidewalk cycling in select locations in Markham subject to the following conditions:

- The posted speed limit for vehicular traffic is 50 kms per hour or higher
- Any other conditions as determined by City staff

AND URGES COUNCIL to pass an enabling bylaw amendment to bring this into force."

CARRIED

**7. INFORMATION REPORT
UPDATE ON MARKHAM'S NEW COMPREHENSIVE
ZONING BY-LAW PROJECT, PR 13 128340 (10.5)**

[Report](#) [Appendix A](#)

Note: Appendices B to F available on-line only.

[Appendix 'B'](#) - Task 1 – DRAFT Guiding Principles Discussion Paper

[Appendix 'C'](#) – Task 2 – DRAFT Official Plan Conformity Discussion Paper

[Appendix 'D'](#) – Task 3 – DRAFT Existing Zoning By-laws (format, layout, structure, mapping & methodology) Discussion Paper

[Appendix 'E'](#) – Task 4b – DRAFT Minor Variance Discussion Paper

[Appendix 'F'](#) – Task 6 - DRAFT GIS/ITS Discussion Paper

[Appendix 'G'](#) – Presentation by GPA

This report relates to agenda item #1, a presentation by staff and Gladki Planning Associates Inc., consultants, entitled "Markham New Comprehensive Zoning By-law Project".

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Joe Li

- 1) That the report entitled, "INFORMATION REPORT: Update on Markham's New Comprehensive Zoning By-law Project" dated March 3, 2015, be received.

CARRIED

**8. REPORT ON INCOMING PLANNING APPLICATIONS
FOR THE PERIOD OF JANUARY 10, 2015 TO JANUARY 23, 2015 (10.0)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Joe Li

- 1) That Committee receive the report entitled "Report on Incoming Planning Applications for the period of January 10, 2015 to January 23, 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

**9. PRELIMINARY REPORT
APPLICATIONS BY KING SQUARE LTD.
FOR AN OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENT TO PERMIT
AN INTEGRATED MIXED-USE CENTRE AT
9390 WOODBINE AVENUE
FILE NO.'S OP/ZA 14 129350 & OP 10 116596 (10.3, 10.5)
[Report](#)**

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Joe Li

- 1) That the report titled, "Preliminary Report - Applications by King Square Ltd., for an Official Plan and Zoning By-law Amendment to permit an integrated mixed-use centre at 9390 Woodbine Avenue File No.'s OP/ZA 14 129350& OP 10 116596", be received.

CARRIED

**10. RECOMMENDATION REPORT
YORK REGION DISTRICT SCHOOL BOARD
APPLICATION FOR SITE PLAN APPROVAL
FOR A PROPOSED THREE-STOREY SECONDARY SCHOOL
AT 100 DONALD SIM AVENUE
FILE SC 14 110102
[Presentation](#) [Report](#)**

Avinash Garde, of Snyder Architects Inc. gave a PowerPoint presentation on the Site Plan application for the proposed three-storey secondary school at 100 Donald Sim Avenue. The site plan elements, traffic flow, and elevations were displayed. A Minor Variance has been approved to reduce the parking requirement from 4 spaces to 2.9 spaces per classroom.

In response to questions from the Committee, Mr. Garde confirmed that bird-friendly measures and environmentally-friendly materials for the parking lot will be used, and that accessibility issues will be addressed. The traffic flow and congestion for student drop off were discussed. It was noted that the school has a track circle; whereas previous requests for other schools had not been supported by the School Board.

The Committee directed that this matter return to Development Services Committee prior to final approval.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Karen Rea

- 1) That the report dated March 3, 2015, entitled “RECOMMENDATION REPORT, York Region District School Board, Application for Site Plan Approval for a Proposed three-storey Secondary School at 100 Donald Sim Avenue, File No: SC 14 110102”, be received; and,
- 2) That the presentation by Avinash Garde, of Snyder Architects Inc. regarding the proposed three-storey secondary school, be received; and,
- 3) **That the Site Plan application (SC 110102) return to Development Services Committee prior to site plan endorsement to provide an update on the proposed school drop off configuration and other matters discussed by Development Services Committee; and,**
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

11. NEW BUSINESS
HYDRO LINES (5.0, 2.17)

Regional Councillor Jim Jones advised that he has received some preliminary information from PowerStream regarding under-grounding hydro lines in strategic areas, and will be meeting with York Region to discuss options. The rationale for burying hydro lines, and funding sources, such as up-fronting and recovering costs, were discussed. Staff will work with Regional Councillor Jim Jones in furthering this matter.

Staff will also review options for under-grounding the hydro lines in the Vinegar Hill area.

12. NEW BUSINESS
MAINTENANCE COST FOR VIVA ROUTES (5.14)

The Committee requested staff report back on the City’s costs for property maintenance along Viva routes - from property line to property line – including lawn maintenance, snow clearing, etc.

13. IN-CAMERA MATTER (8.0)

Moved by: Councillor Valerie Burke

Seconded by: Councillor Alan Ho

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) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (OMB - WARD 2) (8.0)
[Section 239 (2) (e)]

CARRIED

Moved by: Councillor Logan Kanapathi

Seconded by: Councillor Amanda Collucci

That the Development Services Committee rise from the in-camera session at 12:20 PM.

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 12:20 PM.

Alternate formats for this document are available upon request.
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