



Minutes
Development Services Public Meeting
February 4, 2014 - 7:00 PM
Council Chamber
Meeting No. 2

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Don Hamilton

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Colin Campbell
Councillor Alan Ho
Councillor Logan Kanapathi
Councillor Alex Chiu

Stephen Chait, Director, Economic Development
Scott Heaslip, Senior Project Coordinator
Huyen Hare, Senior Business Development Officer
Regan Hutcheson, Manager, Heritage Planning
Richard Kendall, Manager, Central District
Rino Mostacci, Director of Planning and Urban Design
Kitty Bavington, Council/Committee Coordinator

Regrets

Regional Councillor Gord Landon
Councillor Carolina Moretti

The Development Services Public Meeting convened at 7:00 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair.

Disclosure of Pecuniary Interest – None Declared

1. PRELIMINARY REPORT
2310601 ONTARIO INC.
3912 AND 3928 HIGHWAY 7
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENT AND
DRAFT PLAN OF SUBDIVISION TO PERMIT A
HIGH AND MEDIUM DENSITY RESIDENTIAL DEVELOPMENT
SU 13 113228, OP 13 113228 AND ZA 13 113228 (10.3, 10.5, 10.7)
[Report](#)

The Public Meeting this date was to consider an application submitted by 2310601 Ontario Inc. to amend the Official Plan (Revised 1987, as amended), Zoning By-law Amendment and for Draft Plan of Subdivision at 3912 and 3928 Highway 7, north side of Highway 7 between Village Parkway and Verclaire Gate (SU 13 113228, OP 13 113228 and ZA 13 113228).

The Committee Clerk advised that 167 notices were mailed on January 15, 2014, and a Public Meeting sign was posted on January 14, 2014. Fifteen written submissions were received regarding this proposal, and one additional submission was received at the meeting.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues: density comparison with OMB approvals for Peak Gardens, Lee and Times; School Board requirements; park requirements; compatibility with existing community; and, transportation.

The Committee discussed the transition of housing types in the community, density, road alignment and connections at Buchanan Drive, orientation of buildings, school requirements, the need for parkland, and the impact on the parking requirements for St. Justin Martyr Church. Discussions included the Planning application and consultation processes. The Committee requested a map indicating the approved densities in the area and it was suggested that a Master Plan for the area would be beneficial.

Michelle McCarthy and David Charezenka of Dillon Consulting Limited, and members of the consulting team representing the applicant, made a presentation providing additional details regarding the site plan, shadowing, and elevations. The applicant will work with the church, School Board, community, and staff to resolve issues.

Randy Thummel spoke in opposition to the proposal with respect to the proposed density increase that is not consistent with the OMB decision and the Official Plan, and the lack of parkland. Mr. Thummel provided a written copy of his statement.

David McBeth spoke in opposition with respect to the compatibility of the proposal with the existing dwellings, parking issues relating to the church, and snow removal/storage issues.

Ken Wightman spoke in opposition to the proposal with respect to the provision of parkland, School Board requirements, and increased density.

Chris Bergauer-Free spoke in opposition to the proposal with respect to School Board and recreation facility requirements, and preservation of trees and the environment.

Nalin Khosia spoke in opposition to the proposal with respect to the provision of parkland, the density, and the lack of improvements to the plan since the community meeting.

Mansourali Kara spoke in opposition to the proposal, having bought his property with the understanding the subject lands would be a park.

Ed Legere spoke in opposition to the proposal with respect to the lack of parkland, and traffic concerns.

Tupper Wheatley spoke in opposition to the proposal with respect to the provision of green space and parkland.

The Committee directed that staff prepare Master Plan concepts for Hildebrand, Peak Gardens, and Lee Developments, for a review by the Unionville Subcommittee. The Subcommittee will meet in the evening so that public can attend, and notice will be provided to anyone who makes a written request to be notified.

Moved by: Councillor Don Hamilton

Seconded by: Councillor Colin Campbell

- 1) **That written submissions from Karim Karmali, Emeka Okongwu, Peter Lee, Ken Wightman (2), Carol Lancefield, Alexander Tse, Karen Gullason, Tom Zigomanis, Paul Kerys, Mary Flynn-Guglietti of McMillan LLP (2), Winnifred Ng, Rev Joseph M. Singh of St. Justin, Martyr Parish, Ira T. Kagan of Kagan Shastri LLP, and Randy Thummel, regarding 2310601 Ontario Inc., 3912 and 3928 Highway 7, be received; and,**
- 2) **That the deputations by Randy Thummel, David McBeth , Ken Wightman, Chris Bergauer-Free, Nalin Khosia, Mansourali Kara, Ed Legere, and Tupper Wheatley regarding 2310601 Ontario Inc., 3912 and 3928 Highway 7, be received; and,**
- 3) That the staff report dated November 5, 2013 titled “PRELIMINARY REPORT, 2310601 Ontario Inc., 3912 and 3928 Highway 7, Applications for Official Plan and zoning by-law amendment and draft plan of subdivision to permit a high and medium density residential development, File NOS. SU 13 113228, ZA 13 113228 and SU 13 113228,” be received; and,
- 4) That the record of the Public Meeting held on February 4, 2014 with respect to the applications, be received; and,
- 5) That the applications be referred back to staff for a report; and,

- 6) **That staff prepare Master Plan concepts for Hildebrand, Peak Gardens, and Lee Developments for a review by the Unionville Subcommittee; and,**
- 7) **That appropriate parkland be achieved for this development; and further,**
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**2. REQUEST TO REMOVE RESTRICTIONS
ON THE APPROVAL OF ADDITIONAL RESTAURANT FLOOR SPACE
WITHIN THE COMMERCIAL CORE AREA OF
HISTORIC UNIONVILLE
UNIONVILLE BUSINESS IMPROVEMENT AREA (10.5)**

[Report](#)

The Public Meeting this date was to consider an application initiated by the City of Markham for amendment to the Official Plan (Revised 1987, as amended) and Zoning By-law Amendment to remove the restrictions on the approval of additional restaurant floor space within the commercial area of historic Unionville and to permit additional uses in the Core Area (OP 14 107181).

The Committee Clerk advised that 139 notices were mailed on January 15, 2014, and notice was published in the Markham Economist and Sun on January 16, 2014. Two written submissions were received during the meeting, regarding this proposal.

Staff gave a presentation regarding the proposal for policy changes that would permit additional restaurant floor space and additional uses within the commercial core area of historic Unionville; the location; and outstanding issues identified through public consultation and the Precinct Master Plan Study: the planned function of Main Street Unionville; limitation of number of restaurants; types of restaurants to be permitted; types of uses to be permitted; and building size restrictions. Options and recommended amendments to the Secondary Plan and Zoning By-law were reviewed.

Staff responded to several questions from the Committee with respect to definitions and identifying the types of establishments, particularly fast food vs. restaurant use, the types of permitted uses, and maintaining the unique character of Main Street.

Brian Brewer, representing the Unionville Ratepayers Association, advised that the Association has reviewed and supports the proposed changes, but cautioned against restaurants outnumbering retail uses, which will impact the character of Main Street. Mr. Brewer recommended that the Main Street Unionville Committee continue to monitor and provide annual status reports on restaurant uses, and that a marketing plan be established to create the vision. Mr. Brewer also noted that this proposal precedes the completion of the Precinct Master Plan study and may impact the study outcome. Mr. Brewer thanked staff for their work on this project and provided a written copy of his presentation.

Sharon Taylor Wood spoke in support of the proposal to amend the By-law and suggested the review of the 50/50 provision is overdue.

Reid McAlpine, President of the Unionville Villagers Association, noted that a committee of his Association has had an opportunity to review the proposal and will be seeking input from the full Association in the near future. Mr. McAlpine indicated the UVA committee has no objection, subject to clarification on several issues, including definitions for 'restaurant, fast food' and 'health centre'; the distinction between 'restaurant' and 'tavern/bar'; allowing ground floor business and professional offices; exclusion of 'adult goods'; and provisions for restaurant parking. The UVA encourages the development of a retail vision to improve the commercial health of Main Street. Mr. McAlpine provided a written copy of his presentation.

Robert Kadlovski spoke in support of this initiative, but expressed concerns for definitions, controls, and clarity for the gray areas, such as fast food restaurants. Mr. Kadlovski encouraged preserving the character of Main Street Unionville. He noted that the successful Distillery District maintains a 50/50 policy and suggested best practices such as: attracting other than 'local' businesses; an open-and-close / hours of operation by-law; enforcement of signage and building standards; additional patio seating; and hiring a specialist to bring the desired retail to the street.

Chris Bergauer-Free referred to the diversity of uses that used to operate on Main Street, and the intention to return to that variety. Ms. Bergauer-Free suggested the Crosby Arena and other facilities be included, to prevent the establishment of a supermarket at that location; that patios be permitted; and to create and a place for young people. Staff clarified options for variances through the Committee of Adjustment.

Doug Denby spoke of the uniqueness of Main Street Unionville, and challenges of modern businesses.

Mavis Smiley spoke of the successful aspects and businesses on Main Street and the desire to again attract local people to the street, and hoped it remained unique.

A representative of the Unionville BIA indicated 100% support of the Board for removal of the restrictions.

The Committee indicated support for **Option 3a – Removal of the Existing Policy/Addition of New Uses**, and any relevant sections of **Option 2a - Allow "Restaurants" associated with Retail Operations**, with clarification on the definitions from the Legal Department. The Committee directed that this matter come back to Development Services Committee on February 25, and to Council on March 5, 2014.

The Committee thanked the community for its feedback and the Ratepayer Associations for their presentations.

Moved by: Mayor Frank Scarpitti
Seconded by: Councillor Don Hamilton

- 1) **That the deputations by Brian Brewer, representing the Unionville Ratepayers Association, Sharon Taylor Wood, Reid McAlpine, Unionville Villagers Association, Robert Kadlovski, and Chris Bergauer-Free regarding the removal of restrictions on the approval of additional restaurant floor space within the Commercial Core Area of Historic Unionville, be received; and,**
- 2) **That the written submissions by Brian Brewer, representing the Unionville Ratepayers Association, and Reid McAlpine, President of the Unionville Villagers Association regarding the removal of restrictions on the approval of additional restaurant floor space within the Commercial Core Area of Historic Unionville, be received; and,**
- 3) That the Development Services Commission report dated December 3, 2013, titled “Request to Remove Restrictions on the Approval of Additional Restaurant Floor Space within the Commercial Core Area of Historic Unionville, File No. 14 107181” be received; and,
- 4) That the Record of the Public Meeting held on February 4, 2014 with respect to the proposed amendments to the Official Plan (Unionville Core Area Secondary Plan) and Zoning By-law 122-72, as amended, be received; and,
- 5) That the applications for a proposed Official Plan Amendment (OP14 107181) and Zoning By-law Amendment (ZA 14 107181) initiated by the City of Markham, be referred back to staff for a report and a recommendation **to Development Services Committee on February 25, for Option 3a and any relevant sections of Option 2a and clarification on the definitions from the Legal Department; and further,**
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

ADJOURNMENT

The Development Services Public Meeting adjourned at 11:15 PM.

Alternate formats for this document are available upon request.
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