



## **DEVELOPMENT SERVICES COMMITTEE MINUTES**

MAY 21, 2013, 9:00 a.m. to 3:00 p.m.

Council Chamber

Meeting No. 9

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### **All Members of Council**

#### **Development Services**

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

#### **Economic Development**

Chair: Councillor Carolina Moretti  
Vice-Chair: Councillor Alex Chiu

#### **Transportation Issues**

Chair: Regional Councillor Gord Landon  
Vice-Chair: Councillor Alan Ho

### **PART A & B**

#### **Presentations, Major Studies, and Issues Agenda**

#### **Report Agenda**

**9:00 a.m. – Council Chamber**

#### **Attendance**

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

Jim Baird, Commissioner of Development Services  
Brenda Librecz, Commissioner of Community & Fire Services  
Ronji Borooah, City Architect  
Alan Brown, Director of Engineering  
Sally Campbell, Senior Planner, Urban Design  
Stephen Chait, Director, Economic Development  
Catherine Jay, Manager, Urban Design  
Regan Hutcheson, Manager, Heritage Planning  
Biju Karumanchery, Senior Development Manager  
Tim Lambe, Manager, Policy and Research  
Rino Mostacci, Director of Planning and Urban Design  
Warren Rupnarain, Accessibility Coordinator  
Elizabeth Silva-Stewart, Senior Planner  
Andrea Wilson-Peebles, Assistant City Solicitor  
Marg Wouters, Senior Manager, Policy and Research  
Kitty Bavington, Council/Committee Coordinator

#### **Regrets**

Councillor Alex Chiu

The Development Services Committee convened at the hour of 9:05 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. The Committee recessed from 12:15 p.m. to 1:15 p.m.

## DISCLOSURE OF PECUNIARY INTEREST

Councillor Valerie Burke disclosed an interest with respect to Item # 1, Draft Official Plan 2012, specifically relating to the application by Condor Acquisitions (Thornhill) by nature of a family owned business in the Thornhill area, and did not take part in the discussion of, or vote on the question of the approval of this matter.

**1. DRAFT OFFICIAL PLAN 2012  
– EMPLOYMENT CONVERSION  
AND REDESIGNATION APPLICATIONS (10.0)**  
[Presentation](#) [Report](#) [App A](#) [Figure 1](#) [App B](#)

[Lindvest Presentation](#) [Neamsby Presentation](#) [Times Presentation](#)

[Box Grove Presentation](#) [Correspondence](#) [Petition](#)

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Jim Baird, Commissioner of Development Services provided an overview of the report noting the focus of this meeting is on applications for employment land conversions. Mr. Baird discussed the critical live/work balance with respect to ensuring any conversions will maintain a balanced build-out over an extended period of time. Any individual requests that are supported by the Committee would proceed through the normal process of public consultation and detailed technical studies. The new Official Plan employment targets still have to be met, regardless of any conversions, to sustain a diverse economy.

Marg Wouters, Senior Manager, Policy and Research provided an overview of the 12 requests for employment land conversions. The presentation included an explanation of the importance of protection of employment lands, the potential impacts on the employment land supply, and the applicants' rationale for the requests as well as the staff responses. Staff are recommending denial for all the requests, with the exception of the conversion by Condor Acquisitions Ltd. for the Canac site in Thornhill, for which Council has already provided direction.

The final Official Plan is targeted to be brought before Council in June, but may be rescheduled to the fall, in order to incorporate Council direction on the conversion/redesignation requests and to more closely align with the timing of the anticipated OMB decision for ROPA 3.

Stephen Chait, Director of Economic Development responded to questions regarding the Economic Development strategy with respect to maintaining a strong and competitive economy.

Location maps were displayed to identify the 12 conversion/redesignation applications, and deputations were made by the applicants in support of their requests.

The Committee requested a colour copy of the staff presentation, and requested the delegation presentations be provided.

**a) Lindvest Properties (Cornell) Ltd.**

Patricia Foran of Aird & Berlis, Tony Volpentesta of Bousfields Inc., and Doug Annand of UrbanMetrics, all representing Lindvest Properties (Cornell) Ltd., made deputations to request approval of their proposal. Mr. Volpentesta gave a presentation to outline the proposal details and planning principles. Mr. Annand spoke of job creation and fiscal benefits of the proposal.

**b) Neamsby Investments Inc.**

Paul Stagl of Opus Management Inc., and Jeffrey Seider of MMM Group, representing Neamsby Investment Inc. and Fulton Homes, referred to the history of this development and requested the application for conversion go forward. Randy Peddigrew of Remington Group and other principals were in attendance.

Mr. Seider spoke of the current employment lands conditions and land use conflicts which have resulted in a lack of actual development, and suggested an alternative plan that would achieve the objectives. The applicants discussed job forecasts, LEED standards and the advantage of employment lands in proximity to 400 series highways.

**c) Times Group Corporation**

Nick Pileggi of Malone Givens Parson Ltd., representing Times Group Corporation made a presentation regarding the Leitchcroft development and spoke of the deferral status of the Official Plan designations for one of two parcels. The developer is requesting a mixed use designation for residential, retail and office use.

Hashem Ghadaki, applicant, responded to questions from the Committee regarding the provision of school or community centre sites, stating that they are open to the possibility.

Staff advised that discussions on this issue have been ongoing with the developer, and if the request goes forward, the School Boards would be consulted. The Committee also commented on making better active use of existing buildings; the evolution of the Leitchcroft development towards residential use; and a prior request for additional streetscape improvements and tree plantings.

**d) Box Grove Hill Developments Inc.**

John Genest of Malone Given Parsons, representing Box Grove Hill Developments Inc. stated that he considers the sites in question to be stand-alone, and not part of an employment cluster. The proposal involves a banquet/conference hall and restaurant on Site A and live-work/townhouse residential use on Site B. Mr. Genest discussed the actions of other municipalities in similar circumstances. The Committee discussed provision of parkland, traffic issues, and the banquet facility.

Tom Farrar and Claudia Ferryman of the Box Grove Community Association spoke in support of the request by Box Grove Hill Developments Inc. with respect to the provision of parkland and the negative impacts of industrial uses. They referred to a petition with 469 signatures in support and submitted the petition for the record.

**e) Cathedral Town Ltd. (Cathedral)**

Bob Forhan, representing Cathedral Town Ltd., discussed the community design plan and architectural controls. Mr. Forhan advised that the majority of the lands would remain as employment lands and requested consideration of the application.

**f) Jolis Investments (Ontario) Ltd.**

Dagmar Teubner, representing Jolis Investments (Ontario) Ltd., spoke of a four-acre parcel created as part of a subdivision, and the constraints to development of the property.

**g) Wemat One Ltd.**

Dagmar Teubner, representing Wemat One Ltd., advised that this proposal is not a conversion application, as the proposal is for more jobs than currently provided for. Ms. Teubner spoke of the demographic impacts on future land use with respect to live-work-play multi-use environments. The Committee discussed the deletion of hotel use at this location.

**h) Holborn Properties**

A written submission was received from Vania Ottoborgo of Holborn Property Investments Inc, dated May 17, 2013, in support of the conversion request.

**i) Kings Square Ltd.**

Tony Volpentesta of Bousfields Inc. spoke on behalf of King Square Limited regarding the proposed commercial use at 9390 Woodbine Avenue. Mr. Volpentesta suggested that this would not be a conversion, as employment uses are not being removed, and requested the application be supported to go forward.

**j) Romandale Farms Ltd. (Future Employment Area)**

Bob Forhan, representing the Snider Farms proposal as part of the Romandale Farms Ltd. development, requested consideration of the application.

**k) Catholic Cemeteries, Archdiocese of Toronto**

Mike Everard of Augusta National Inc. Consulting, representing the Catholic Cemeteries, Archdiocese of Toronto, requested a cemetery designation or at least a deferral, and discussed the requirements of the Church to fulfill their responsibilities. Discussions included the space limitations and options available.

The Committee noted the ongoing discussions with Parks Canada and the issue of Reesor Road employment lands.

The Committee supported proceeding with the Canac site in Thornhill, and agreed to refer the other conversion applications to a Subcommittee of Development Services Committee for consideration over the next few months, with a report and recommendation to Development Services Committee in the fall.

Moved by: Councillor Howard Shore

Seconded by: Councillor Colin Campbell

That Committee confirm direction provided on March 19, 2013 for consideration of residential or mixed use development on the former Canac site in Thornhill (Condor Acquisition Ltd, File No. OP 13-108797, described in Appendix B) in light of the employment conversion analysis in this report.

CARRIED

Moved by: Deputy Mayor Jack Heath

Seconded by: Mayor Frank Scarpitti

- 1) **That the deputations, presentations, written submissions and petitions by Patricia Foran of Aird & Berlis, Tony Volpentesta of Bousfields Inc., and Doug Annand of UrbanMetrics representing Lindvest Properties (Cornell) Ltd.; Paul Stagl of Opus Management Inc., and Jeffrey Seider of MMM Group, representing Neamsby Investment Inc. and Fulton Homes; Nick Pileggi of Malone Givens Parson Ltd., and Hashem Ghadaki representing Times Group Corporation; John Genest of Malone Given Parsons, representing Box Grove Hill Developments Inc.; Tom Farrar and Claudia Ferryman of the Box Grove Community Association; Bob Forhan, representing Cathedral Town Ltd. and Snider Farms; Dagmar Teubner, representing Jolis Investments (Ontario) Ltd. and Wemat One Ltd.; Vania Ottoborgo of Holborn Property Investments Inc.; Tony Volpentesta of Bousfield Inc. spoke on behalf of King Square Limited; and Mike Everard of Augusta Consulting, representing the Catholic Cemeteries, Archdiocese of Toronto, regarding Employment Conversion and Redesignation Applications be received; and,**
- 2) That the report and staff presentation entitled “Draft Official Plan 2012 – Employment Conversion and Redesignation Applications” dated May 21, 2013, be received; and,
- 3) That Committee allow for deputations by applicants following the staff presentation, and prior to consideration of the staff report and recommendations; and,

- 4) That the following applications to redesignate employment lands to a non-employment land use, as described in Appendix B to this report, **be referred to a Subcommittee of Development Services Committee, consisting of Regional Councillor Jim Jones, Councillor Howard Shore, Councillor Alan Ho, Councillor Colin Campbell, and Councillor Logan Kanapathi, with Mayor Frank Scarpitti and Deputy Mayor Jack Heath as ex-officio members, for further consideration and a report and recommendation back to Development Services Committee in the fall of 2013:**
- a) Lindvest Properties (Cornell) Ltd – File No. OP 12-132870
  - b) Neamsby Investments Inc – File No. OP 13-108448
  - c) Times Group Corporation – File No. OP 13-131100
  - d) Box Grove Hill Developments Inc – File No. OP 13-108173
  - e) Cathedral Town Ltd (Cathedral) – File No. OP 13-114066
  - f) Jolis Investments (Ontario) Ltd – File No. OP 13-114950
  - g) Wemat One Ltd – File No. OP 13-113480
  - h) Holborn Properties – File No. OP 13-116651
  - i) Kings Square Ltd – File No. OP 10-116596
  - j) Romandale Farms Ltd (Future Employment Area) - File No. OP 13-114027
  - k) Catholic Cemeteries, Archdiocese of Toronto (Future Employment Area) – File No. OP 13-116842; and,
- 5) That any additional applications proposing conversion or redesignation of employment lands to non-employment uses received prior to Council adoption of the Official Plan, be considered by Committee within the context of the analysis in this report (i.e., the cumulative impact) prior to the adoption of the Official Plan; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**2. DEVELOPMENT SERVICES COMMITTEE MINUTES**  
**- May 7, 2013, Part A and B (10.0)**  
[Minutes](#)

Moved by: Deputy Mayor Jack Heath  
Seconded by: Councillor Valerie Burke

That the minutes of the Development Services Committee meeting, Part A and B, held May 7, 2013, be confirmed.

CARRIED

**3. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES  
- May 7, 2013 (10.0)**

[Minutes](#)

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Valerie Burke

That the minutes of the Development Services Public Meeting, held May 7, 2013, be confirmed.

CARRIED

**4. HERITAGE MARKHAM COMMITTEE MINUTES  
- May 8, 2013 (16.11)**

[Minutes](#)

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Valerie Burke

That the minutes of the Heritage Markham Committee meeting held May 8, 2013, be received for information purposes.

CARRIED

**5. MAIN STREET UNIONVILLE COMMITTEE MINUTES  
- April 24, 2013 (16.34)**

[Minutes](#)

Moved by: Deputy Mayor Jack Heath

Seconded by: Councillor Valerie Burke

That the minutes of the Main Street Unionville Committee meeting held April 24, 2013, be received for information purposes.

CARRIED

**6. PRELIMINARY REPORT  
GLOBAL UNIONVILLE DEVELOPMENT INC.  
(SYLMATT INVESTMENTS INC.)  
APPLICATIONS FOR OFFICIAL PLAN AND  
ZONING BY-LAW AMENDMENT TO PERMIT A  
HIGH DENSITY RESIDENTIAL DEVELOPMENT AT THE  
NORTHWEST CORNER OF MAIN STREET UNIONVILLE  
AND ENTERPRISE BOULEVARD  
28 MAIN STREET UNIONVILLE  
(OP/ZA 12 122739) (10.3, 10.5)  
[Report](#)**

Moved by: Deputy Mayor Jack Heath  
Seconded by: Councillor Valerie Burke

- 1) That the report titled “PRELIMINARY REPORT, Global Unionville Development Inc. (Sylmatt Investments Inc.), Applications for Official Plan and Zoning By-law Amendments to permit a high density residential development at the northwest corner of Main Street Unionville and Enterprise Boulevard, 28 Main Street Unionville, File Nos. OP/ZA 12 122739,” be received; and,
- 2) That a Public Meeting be held to consider the applications submitted by Global Unionville Development Inc. (Sylmatt Investments Inc.) for Official Plan and Zoning By-law Amendments; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**7. CITY INITIATED REVIEW OF  
POTENTIAL REGULATIONS TO  
PERMIT OUTDOOR PATIOS ON THE  
PUBLIC RIGHT OF WAY ALONG MAIN STREET MARKHAM  
AND ASSOCIATED DESIGN GUIDELINES (10.0)  
[Presentation](#) [Report](#) [App A](#) [App B](#) [App C](#) [App D](#) [App E](#) [App F](#)**

Correspondence was received from Brian Rowsell, area business owner, with comments.

Sally Campbell, Senior Planner, Urban Design, made a presentation regarding potential patio types, regulations and design guidelines that would permit outdoor patios to operate in the public right-of-way along Main Street Markham and throughout the City. The review included samples of regulations from other municipalities, constraints and issues for consideration, the extensive consultation process that has been undertaken, and the preferences expressed by individual business owners, as indicated in Appendix F to the staff report.



Three types were displayed, and the pros and cons were reviewed:

- **Type A** contains a seating area within the bump-out and maintains a 2m wide linear public walkway;
- **Type B** the sidewalk deviates to allow the seating immediately next to the establishment with an enclosed, manageable space that is better for servers;
- **Type C** can be accommodated where a small seating area can be located closest to the building without impacting the lineal path of the public walkway.

The staff recommendation is to revise the Road Occupancy By-law to incorporate provisions to permit outdoor patios in the public right of way, where appropriate, across the City of Markham. Staff advised that site specific approval would be required by Council, and discussed the application and administration processes.

Warren Rupnarian, Accessibility Coordinator, advised that Markham's Accessibility Advisory Committee prefers Options A or C for Main Street Markham, and these are the Coordinator's recommendations. Staff suggested that Option B may be appropriate in other parts of the City where existing boulevard width allows and boulevard reconstruction is not required. The Committee discussed Urban Braille issues. Staff advised of consultation with various groups and advised that the analysis considers safety and accessibility issues.

Peter Ross, a member of the Main Street Markham Committee and area resident, spoke of the Vision for Main Street and thanked Council and staff for their support over the past 15 years. Mr. Ross displayed photos and news articles from the beginning of the project and reviewed the efforts of the City and the Main Street Markham Committee for a pedestrian-friendly and rejuvenated Main Street.

Roger Clements, a business owner on Main Street Markham and a member of the Markham BIA, spoke of the proposed sidewalk configuration with respect to pedestrian traffic and requested consideration of a wrap-around style at his business location.

Paul Cicchini, representing a business on Main Street Markham, has worked in consultation with staff when obtaining temporary permits for a patio during festivals and he suggested that safety and accessibility issues have been addressed. Mr. Cicchini stated that his customers appreciated the patio experience.

Diane Kobelansky, representing the Markham BIA, suggested that businesses are looking forward to having patios, and stated her opinion that a wrap-around style seems logical. Ms. Kobelansky discussed the unique Heritage status, the limited street width, maximizing opportunities to attract visitors, and the temporary, seasonal nature of patios. Ms. Kobelansky requested to be involved in any subcommittee meetings on this issue.

Sonny Lavasani, representing some of the businesses on Main Street Markham, supports patios on bump-outs and requested to have his business included on Appendix F, as well as to be involved in any subcommittee meetings on this issue.

The Committee discussed the process of constructing sidewalks while patio applications are pending. Staff advised that the streetscape plan has been finalized with construction starting in July, and direction from the Committee is needed for any changes to the approved streetscape.

The Committee considered endorsing the policy on a City-wide basis, and referring the Main Street Markham patio requests to the Markham Subcommittee. The Accessibility Coordinator will participate in the review. A larger street map was requested as well as an indication of the specific locations and patio applications for a clearer understanding of the streetscape impacts.

Moved by: Regional Councillor Gord Landon

Seconded by: Deputy Mayor Jack Heath

- 1) **That the correspondence from Brian Rowsell, and the deputations by Peter Ross, Roger Clements, Paul Cicchini, Diane Kobelansky representing the Markham BIA, and Sonny Lavasani regarding outdoor patios, be received; and,**
- 2) That the report dated May 21, 2013, entitled “PRELIMINARY REPORT. City Initiated Review of Potential Regulations to Permit Outdoor Patios on the Public Right of Way along Main Street Markham and Associated Design Guidelines”, be received; and,
- 3) That the presentation entitled “Outdoor Commercial Patios in the Public Right of Way”, be received; and,
- 4) That Council adopt the three patio types (A, B and C) as potential layouts, where appropriate, for outdoor patios in the public right of way; and,
- 5) That the chart attached as Appendix “F” to the report, as it relates to Main Street Markham that recommends which patio type is considered appropriate for each business that has requested a patio, **be referred to the Markham Subcommittee for a review and recommendation to the Development Services Committee in June, 2013;** and,
- 6) That Staff revise the Road Occupancy By-law to incorporate provisions to permit outdoor patios in the public right of way, where appropriate, across the City of Markham; and,
- 7) That Staff implement the necessary application process and administrative procedures, including the provision of information on the City’s portal; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**8. RECOMMENDATION REPORT  
APPLICATION FOR VARIANCES TO THE  
SIGN BY-LAW RULAND PROPERTIES INC.  
(THE REMINGTON GROUP) MARKHAM CENTRE  
(SP 2013 111744) (2.16, 10.0)  
[Report](#)**

Moved by: Councillor Colin Campbell

Seconded by: Councillor Logan Kanapathi

- 1) That the report titled Application for Variances to the Sign By-law, Ruland Properties Inc. (the Remington Group), be received; and,
- 2) That the application for the proposed sign variances (SP 13 111744) be approved; and,
- 3) That staff be directed to report on possible amendments to the Sign By-law to delegate sign variances to the site plan approval stage for certain unique districts within the City; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**ADJOURNMENT**

The Development Services Committee meeting adjourned at 4:00 PM.

<b>Alternate formats for this document are available upon request.</b>
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