

DEVELOPMENT SERVICES COMMITTEE MINUTES

APRIL 9, 2013, 9:00 a.m. to 3:00 p.m. Council Chamber Meeting No. 6

All Members of Council

Development Services

Chair: Vice-Chair: Regional Councillor Jim Jones Councillor Don Hamilton Economic DevelopmentChair:Councillor Carolina MorettiVice-Chair:Councillor Alex ChiuIssuesChair:Regional Councillor Gord LandonVice-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 Colin Campbell Councillor Colin Campbell Councillor Alan Ho Councillor Logan Kanapathi Councillor Alex Chiu
- Andy Taylor, Chief Administrative Officer Jim Baird, Commissioner of Development Services Ronji Borooah, City Architect Stephen Chait, Director, Economic Development Catherine Conrad, City Solicitor Catherine Jay, Manager, Urban Design Christina Kakaflickas, Manager, Special Projects Biju Karumanchery, Senior Development Manager Rino Mostacci, Director of Planning and Urban Design Stacia Muradali, Senior Planner David Pearce, Manager, Real Property Tom Villella, Senior Project Coordinator Liz Wimmer, Senior Environmental Planner Marg Wouters, Senior Manager, Policy and Research Kitty Bavington, Council/Committee Coordinator

The Development Services Committee convened at the hour of 9:03 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair. Councillor Carolina Moretti assumed the Chair for Economic Development item, No. 2.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Valerie Burke disclosed an interest with respect to Item No. 10 regarding the draft Official Plan relating to Thornhill Revitalization, 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. The Committee recessed at 12:10 p.m. and reconvened at 1:10 p.m.

1. UPDATE ON THE REVIEW OF PARKLAND DEDICATION BY-LAW, POLICIES AND PRACTICES: RESPONSE TO QUERIES ARISING FROM DSC MEETING OF JANUARY 22, 2013 (10.0) Memo Appendix 1 - Presentation Revised Presentation Deputations

Jim Baird, Commissioner of Development Services, introduced this matter.

Tom Villella, Senior Project Coordinator, briefly reviewed the process to date and advised that today's discussion is in response to queries arising from the presentation to Development Services Committee on January 22, 2013. Mr. Villella noted that the Open House scheduled for April 11, 2013 on the Draft New Official Plan will include this issue, as well as the statutory Public Meeting for the draft Official Plan on April 23, 2013. All relevant information is available on the Markham website, and comments are invited. The final recommendation report will be presented in late spring.

Ron Palmer of The Planning Partnership, consultant for the City of Markham, gave a presentation to provide clarification regarding: the relationship among lot coverage, density and height; value of parkland conveyance reduction for high density scenarios; comparison to "no reduction" scenario; additional considerations related to reductions for high density; comparative analysis from other jurisdictions; overview of proposed parkland hierarchy; and miscellaneous issues and questions.

The Committee and staff discussed the following aspects:

- variations of urban vs. suburban areas with respect to land values for maximized potential development
- more detailed work is required on issues such as: destination parks that are not outside of City ownership and control; Milne Park; incorporating storm water management and landfill sites
- the proposed graduated approach is to provide an incentive for higher density development, and only the highest densities are reduced
- the policy must have regard for the developers' concerns to be defendable at the Ontario Municipal Board, and BILD is requested an even greater reduction
- Higher density development is needed to support transit and avoid urban sprawl
- Langstaff and Markham Centre were identified as the only urban growth areas that would be above 3.5 FSI
- Master Plans identify the amount of parkland, only the contribution amount is being debated
- an estimate of the total dollar value impact of the proposed reduction for Markham, was requested
- Council will decide on the best practice approach to achieve a balance

The Committee discussed correspondence that referred to exemptions for nursing homes. Staff explained that Council has chosen other options in some cases as an incentive to develop special needs housing. This does not impact landscaping or green space on site; it just exempts the applicant from paying additional cash-in-lieu for other park developments. Clarification on how it has been applied in the past and going forward, was requested.

Nick Pillegi of Malone Given Parsons Ltd., referred to the correspondence from BILD (Agenda Item # 11).

Karen Rea requested clarification on the graduated fees and discussed the health benefits of green space. Ms. Rea provided a written copy of her statement.

Donna Bush, representing the Markham Village City Ratepayers, spoke in opposition to the proposed graduated reduction, and discussed the benefits of green space. Ms. Bush provided a written copy of her statement.

Alena Gotz spoke in support of additional green space and questioned the balance of interests.

Moved by: Regional Councillor Gord Landon Seconded by: Councillor Alex Chiu

- 1) That the correspondence from Eileen Liasi, Karen Rea, and Donna Bush, representing the Markham Village City Ratepayers, regarding the Review of the Parkland Dedication By-law, be received; and,
- 2) That the deputations by Nick Pillegi, Karen Rea, Donna Bush representing the Markham Village City Ratepayers, and Alena Gotz, regarding the Review of the Parkland Dedication By-law, be received; and,
- 3) That the Memorandum entitled "Update on the Review of Parkland Dedication By-Law, Policies and Practices: Response to Queries Arising from DSC Meeting of January 22, 2013", be received for information purposes; and further,
- 4) That the presentation provided by Mr. Ron Palmer, The Planning Partnership entitled "Assessment of Sequential/Cumulative Rates for High Density Developments" be received.

2. MARKHAM BUSINESS MISSION TO INDIA, JANUARY 2-19, 2013: REPORT ON OUTCOMES AND ACTIVITIES (10.16) Presentation

Councillor Carolina Moretti, Chair of Economic Development, introduced this item.

Christina Kakaflikas, Manager, Special Projects, gave a brief overview of the Markham Business Mission to India, 2013, and focused on the key outcomes. Opportunities for Markham include signed agreements, over 600 business contacts, the pursuit of key partnerships, and MOU's with two universities. Follow-up activities were reviewed with respect to key contacts made and pending delegations.

With respect to a yardstick to measure success, Stephen Chait, Director of Economic Development, responded that an upcoming report will outline the tangible results and steps moving forward. Two successes were recognized as the opportunities achieved with Quansar and Novo Plastics.

The Chair of Economic Development and the Committee thanked staff for their work in preparing for the successful trip, and noted the contributions of the Council members involved.

Alena Gotz made a deputation and spoke on the impact of outsourcing jobs.

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

1) That the deputation by Alena Gotz regarding the Markham Business Mission to India, be received; and,

1) That the presentation provided by Christina Kakaflikas, Manager, Special Projects entitled "Markham Business Mission to India, January 2-19, 2013: Report on Outcomes and Activities" be received.

CARRIED

3. DEVELOPMENT SERVICES COMMITTEE MINUTES - March 19, 2013, Part A and B (10.0) <u>Minutes</u>

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

That the minutes of the Development Services Committee meeting, Part A and B, held March 19, 2013, be confirmed.

4. HERITAGE MARKHAM COMMITTEE MINUTES - March 13, 2013 (16.11) <u>Minutes</u>

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

That the minutes of the Heritage Markham Committee meeting held March 13, 2013, be received for information purposes.

CARRIED

5. PRELIMINARY REPORT 2223156 ONTARIO INC. (GABRIELE GROUP OF COMPANIES) ZONING AMENDMENT TO PERMIT A PRIVATE SCHOOL WITH A DAYCARE COMPONENT AS AN ADDITIONAL USE ON THE SUBJECT PROPERTY AND TO PERMIT A MINIMUM OF 245 PARKING SPACES TO ACCOMMODATE THE PROPOSED AND EXISTING USES (ZA 12-117562) (10.5) Report

The Committee requested that the Public Meeting be expedited, if possible, and that staff consult with the Ward Councillor when scheduling the meeting.

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

- 1) That the report titled "PRELIMINARY REPORT, 2223156 Ontario Inc. (Gabriele Group of Companies), Zoning Amendment to permit a private school with a daycare component as an additional use on the subject property and to permit a minimum of 245 parking spaces to accommodate the proposed and existing uses, File ZA 12-117562; be received; and,
- 2) That staff be authorized to hold a Public Meeting to consider the proposed Zoning Bylaw amendment application; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6. PRELIMINARY REPORT 8 STEELCASE HOLDING CORPORATION OFFICIAL PLAN AMENDMENT & ZONING AMENDMENT TO PERMIT A REAL ESTATE OFFICE USE AT 8 STEELCASE ROAD WEST (OP 13 130659 & ZA 13 130659) (10.3, 10.5) <u>Report</u>

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

- That the report titled "PRELIMINARY REPORT, 8 Steelcase Holding Corporation, Official Plan Amendment & Zoning Amendment to permit a real estate office use at 8 Steelcase Road West, File Nos. OP 13 130659 & ZA 13 130659", dated April 9, 2013, be received; and,
- 2) That a Public Meeting be held to consider the Official Plan Amendment & Zoning Amendment applications submitted by Gatzios Planning & Development Consultants Inc., on behalf of 8 Steelcase Holding Corporation, to permit a real estate office use on the subject lands; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution

CARRIED

7. DESIGN, CONSTRUCTION AND FINANCING OF TWO PARKS IN CORNELL BY WYKLAND ESTATES INC. (6.3) Report

The Committee received a revised Appendix 'D'.

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

- That the report dated April 9, 2013 to Development Services Committee, entitled "Design, Construction and Financing of Two Parks in Cornell by Wykland Estates Inc." be received; and,
- 2) That Council approve the request by Wykland Estates Inc.to finance the cost of design, construction, and contract administration of two parks identified as Block 199 (0.186 ha / 0.461 ac) and Block 200 (0.45 ha / 1.11 ac) in draft plan of subdivision 65M-4306, subject to the following conditions:

- A. That Wykland Estates Inc., finance the cost of the design, construction, and contract administration of these two parks to a minimum value of \$550,000.00 inclusive of all applicable taxes including HST; and,
- B. That, subject to compliance with these terms and conditions, the City of Markham reimburse Wykland Estates Inc., up to a maximum of \$550,000.00, towards this project from development charges for park development under the understanding that Wykland Estates Inc. may contribute additional funds above this amount which will not be reimbursable by the City, towards the development of these parks; and,
- C. That subsequent to collection of sufficient Development Charges for park development at the building permit stage for residential lots within the Cornell Community, the City shall reimburse Wykland Estates Inc., for invoices paid for approved costs associated with the design, construction, and contract administration, for park development. No interest on such invoices shall be payable by the City. Reimbursement terms are as follows:
 - a. Wykland Estates Inc. may only invoice the City for 80% of approved costs provided that:
 - i. at least 45 days from the date of publication of Substantial Performance has transpired;
 - ii. proof of publication has been submitted with the invoice;
 - iii. no liens have been registered in regard to this contract;
 - iv. the constructed work has reached Total Completion to the City's satisfaction after which the two year warranty period shall begin;
 - v. the landscape architect has issued to the City a Total Completion certificate.
 - b. the remaining 20% of City approved costs shall be retained by the City for a minimum of two years from Total Completion and shall be paid to the Developer upon the Developer invoicing the City for the remaining 20%, provided the following has occurred in the order listed here:
 - i. two years has passed from the date of Total Completion;
 - ii. that the two year warranty inspection has occurred with the City;
 - iii. that all noted deficiencies at the two year warranty inspection have been completed to the City's satisfaction to the point of Final Completion;
 - iv. that Final Acceptance has been granted by the City;
 - v. that the landscape architect has issued a certificate certifying the warranty period has expired and further that noted deficiencies have been completed in general conformance to the plans and specifications;
 - vi. that any liens registered in regard to the contract have been released and/or paid by the Developer;
 - vii. and further, that the two year maintenance obligations had been performed during the warranty period, failing which, the City shall use the remaining funds at its sole discretion to compensate for the unfulfilled obligations.

- c. or alternatively, Wykland Estates Inc. may invoice the City for 100% of approved costs two years after the date of Total Completion provided items b, i through vii, as listed above, have occurred to the City's satisfaction; and,
- D. That Owners/Developers within the Cornell Community, including Wykland Estates Inc. not receive any credit towards park development charges and continue to pay the park development charge at the building permit stage for all present and future development phases of this subdivision; and,
- E. That Wykland Estates Inc. hire a landscape architect who is a Full Member of the OALA having custody and use of the Association seal, approved by the City, to provide professional design, contract document, and contract administration services, to the satisfaction of the City as outlined in Appendix 'B'; and,
- F. That Wykland Estates Inc. follow the City's standard Park Development Process which includes development of several design concepts, holding community input meetings, presentation to selected Standing and Advisory Committees as applicable, as well as review and approval by the Planning and Urban Design Department in consultation with the Parks Operations Department; and,
- G. That Wykland Estates Inc. competitively tender out the construction of the park works to the satisfaction of the City including providing the City with a copy of all bids submitted within 24 hours of tender close. The successful bidder will be responsible to construct and maintain the park from the time park construction is begun until Final Acceptance by the City; and,
- H. That, notwithstanding the requirement noted above in Condition (G), Wykland Estates Inc. shall tender and award a maintenance contract for the park to City standards. The maintenance contract for the park must be tendered and awarded at the same time as the construction contract and cover a minimum period of 2 years detailed maintenance as outlined in Appendix 'C' ("Developer Obligations: Two Year Maintenance Activities") to the City's satisfaction and that maintenance of the park shall continue until Final Acceptance of the park. Costs for the 2 year (minimum) maintenance contract are the responsibility of Wykland Estates Inc. The City will not reimburse Wykland Estates Inc.for costs associated with this additional maintenance obligation for the parks; and,
- I. That these parks be included in the Urban Design, Development Services Commission, Capital Budget submission in 2014 identifying the total budget in the amount of \$599,500 which includes the amount to be reimbursed, the HST and the internal charges; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

8. PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A NEW MIXED USE BUILDING AT 369 MAIN ST. N. (JOHN BAIRD) (ZA 13 124510) (10.5) Report

Karen Rea made a deputation to enquire about the footprint of the original building and parking. Staff advised that the information will be provided at the Public Meeting.

Moved by: Councillor Alex Chiu Seconded by: Councillor Carolina Moretti

- 1) That the deputation by Karen Rea regarding the application for a Zoning By-law Amendment at 369 Main St. N. (John Baird), be received; and,
- 2) That the Report entitled "PRELIMINARY REPORT, Application for a Zoning By-law Amendment to permit a new Mixed Use Building at 369 Main St. N., (John Baird)", dated April 9, 2013 be received; and,
- 3) That a Public Meeting be held to consider the rezoning application by John Baird; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

9. RECOMMENDATION REPORT BRIARWOOD HOMES (MARKHAM) LTD. APPLICATIONS TO AMEND THE SECONDARY PLAN AND ZONING BY-LAW AND FOR SITE PLAN APPROVAL TO PERMIT A TOWNHOUSE DEVELOPMENT AT 2 HAVELOCK GATE (OP 09 113033, ZA 09 113040 & SC 113042) (10.3, 10.5 & 10.6) <u>Report</u>

Development Services Committee had deferred this matter on March 19, 2013, at the request of the Ward Councillor.

Jim Baird, Commissioner of Development Services introduced this matter and gave a brief history of the development applications for this property in the past.

John Bousfield, representing the applicant, gave a presentation displaying the elevations, architectural details, landscape plan, and site plan.

The Committee noted that this parcel will complete the community, and that this highly visible location that must compliment the existing neighbourhood. Another development at Bullock Drive and Highway 48 was recommended as an example of quality design. The Committee requested to see the colour of the brick, and made suggestions regarding the placement of the brick on the on south elevation of south building, and for elevations visible from 14th Avenue. Additional planting or screening was requested for the north side of the visitor parking area, to minimize visibility from 14th Avenue. A coloured rendering of a similar development by the applicant provided a better indication of the colour of the brick. Staff will provide material samples and revised drawings to the Committee members.

Issues of concern for the residents were discussed with respect to prohibiting parking on the west side of Halvelock Gate, and providing a right-in right-out turn on 14th Avenue and a right-turn lane on Havelock Gate, as well as a bus stop. Safety issues relating to the location of the playground adjacent to 14th Avenue were also noted. The Committee directed that the fence along Havelock Gate be of a decorative metal material, and be restricted to 5 feet in height. Staff will pursue a restrictive covenant for this item.

The Committee also discussed the snow storage location and the irregular configuration of the back yards for the southerly lots.

Debbie Wong, representing the Rouge Fairways Residents' Association, agreed that this development will complete the community. Ms. Wong discussed the residents concerns: ensure the density, quality, and value of the new houses are comparable to the existing community; a wrought iron fence is preferred along 14th Avenue and Havelock Gate; the play area location is not safe next to 14th Avenue; the location for snow storage; and provision of a turning lane.

Moved by: Councillor Logan Kanapathi Seconded by: Councillor Alex Chiu

- 1) That the correspondence and deputation by Debbie Wong on behalf of the Rouge Fairways Residents' Association regarding the applications by Briarwood Homes (Markham), be received; and,
- 2) That the report dated March 19, 2013 titled "RECOMMENDATION REPORT, Briarwood Homes (Markham) Ltd., Applications to amend the Secondary Plan and Zoning By-law and for Site Plan Approval to permit a townhouse development at 2 Havelock Gate, File Nos: OP 09 113033, ZA 09 113040 & SC 113042", be received; and,
- 3) That the record of the Public Meetings held on September 8th, 2009 and February 1st, 2011 regarding the applications to amend the Rouge North Secondary Plan (OP 09 113033) and to amend Zoning By-law 90-81, as amended (ZA 09 113040), submitted by Briarwood Homes (Markham) Ltd, be received; and,

- 4) That the application (OP 09 113033) submitted by Briarwood Homes (Markham) Ltd. to amend the Rouge North Secondary Plan (OPA 81), as amended, to permit a townhouse development at 2 Havelock Gate, be approved, and the draft Secondary Plan amendment attached as Appendix 'C' be finalized and adopted without further notice; and,
- 5) That the application (ZA 09 113040) submitted by Briarwood Homes (Markham) Ltd. to amend Zoning By-law 90-81, as amended, to permit a townhouse development at 2 Havelock Gate, be approved, and the draft Zoning By-law amendment attached as Appendix 'D' be finalized and enacted without further notice; and,
- 6) That the Site Plan application (SC 09 113042) submitted by Briarwood Homes (Markham) Ltd. to facilitate a townhouse development at 2 Havelock Gate be endorsed in principle, subject to conditions attached as Appendix 'A'; and,
- 7) That Site Plan Approval (SC 09 113042) be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement; and,

8) That a restrictive covenant be incorporated to ensure the fencing along Havelock Gate is of an appropriate material and a maximum of five feet in height; and,

- 9) That Pre-2011 servicing allocation for 25 townhouses be assigned to the proposed development; and,
- 10) That the City reserves the right to revoke or reallocate the servicing allocation should development not proceed in a timely manner; and further,
- 11) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

10. DRAFT OFFICIAL PLAN 2012 PUBLIC CONSULTATION OVERVIEW (10.0) Report Figure 1 Appendix A Appendix B Appendix C Appendix D Communications

Councillor Valerie Burke disclosed an interest with respect to Item No. 10 regarding the draft Official Plan relating to Thornhill Revitalization, 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.

Development Services Committee deferred this matter on March 19, 2013, for further discussion.

Jim Baird, Commissioner of Development Services introduced the update on the draft Official Plan.

Marg Wouters, Senior Manager, Policy and Research, gave a presentation regarding the public consultation program and correspondence/comments received to date. A Public Meeting has been scheduled for April 23, 2013, preceded by an Open House on April 11. Council adoption of the revised Official Plan is anticipated before the summer.

Outstanding matter such as parks and open space, parkland dedication, area and site specific policies, Thornhill Revitalization, and the proposed Rouge National Urban Park, were outlined. The Committee questioned issues relating to non-agricultural uses, the Green Belt Plan, the future urban area, the designation of the proposed Sports Park, the second flyover for Buttonville Airport, the Metrolinx Mobility Hub, and Rouge National Urban Park.

Discussions included the significant issue of Employment Land Conversions, which will be considered at Development Services Committee in May, 2013. A two-step process is proposed, whereas the onus is on the property owner to provide justification under the criteria of Places to Grow: if supported by Council, it would then proceed to the public consultation process. The Committee discussed the directions previously given regarding the Canac Kitchens property in this regard.

Nick Pillegi, on behalf of Times Group, discussed the proposal for mixed use employment by Galleria Development at Highway 7 and South Park Road. It was suggested by a member of the Committee that surrounding property owners are generally supportive.

Alena Gotz made a deputation on behalf of Aileen-Willowbrook Ratepayers Association, regarding the revitalization of the Thornhill industrial area and provided a copy of her statement. Ms. Gotz discussed the resolution of the Development Services Committee on March 19, 2013 regarding prohibition of auto body repair shops, the Community Improvement Plan, and compliance with the "no Certificate of Approval" clause. Staff responded that auto body repair shops and auto repair shops are interchangeable in intent; that the CIP could be noted in the new Official Plan but would be a separate process; and the Certificate of Approval issue will require developing protocols with the Ministry of the Environment. The Ward Councillor clarified that the CIP request had been withdrawn from the resolution of March 19, for staff review.

The Committee requested a summary of all the correspondence and comments, with responses from staff. A question was raised regarding the inclusion of the land area west of McCowan Road that is not currently included within the recommended Official Plan.

Moved by: Mayor Frank Scarpitti Seconded by: Deputy Mayor Jack Heath

- 1) That the following communications providing comments regarding the draft Official Plan be received:
 - 1. Matthew Cory, Malone Given Parsons Ltd.
 - 2. Patricia A. Foran, Aird & Berlis
 - 3. Alena Gotz, Aileen-Willowbrook Ratepayers Association; and,
- 2) That the deputations by Nick Pillegi on behalf of Times Group, and Alena Gotz on behalf of Aileen-Willowbrook Ratepayers Association, regarding the draft Official Pan be received; and,

- 3) That the report entitled "Draft Official Plan 2012 Public Consultation Overview" dated March 19, 2013, be received; and further,
- 4) That the correspondence relating to the Draft Official Plan attached in Appendix 'C' to this report, be received.

CARRIED

11. BILD COMMENTS ON THE REVIEW OF PARKLAND DEDICATION BY-LAW, POLICIES AND PRACTICES (10.0) <u>Correspondence</u>

Moved by: Regional Councillor Gord Landon Seconded by: Councillor Alex Chiu

That the correspondence dated April 1, 2013 from Danielle Chin, Senior Planner, Policy & Government Relations, Building Industry and Land Development Association (BILD) providing comments on the "Review of Parkland Dedication By-Law, Policies and Practices" be received.

CARRIED

12. IN-CAMERA MATTER (8.0)

The Committee consented to defer this matter to a later date.

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

 Personal matters about an identifiable individual, including municipal or local board employees. [Section 239 (2) (b)]"

ADJOURNMENT

The Development Services Committee meeting adjourned at 2:00 PM.

Alternate formats for this document are available upon request.