

December 9<sup>th</sup> 2012

To: The Mayor, Regional Councilors, Ward Councilors, Development Services Committee of Markham

I Colin Padgett, owner of  
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hereby strongly oppose the Recommendation Report dated Dec 11, 2012 recommending the enactment of a by-law to introduce Site Plan Control to the "Hughson Drive Community" (Hughson, Ankara, Lunar). The purpose of extensive study and consultation facilitated by the passing and renewal of the interim control by-law over a 2 year period was to guide future development. The adoption of by-law 2012-13 successfully introduced updated development standards for the subject neighborhood. Furthermore, even during this entire process including the Unionville sub committee meetings and including the presentation of sub-committee results to council prior to the passing of the new by-law, there was no mention from any source including the planning department or council about possibly enacting site plan control to the area. It was only at the time of adoption that council directed for site plan control. Prior to this time, there was no special or heritage designation for this area, however to the contrary this entire process was clearly borne in response to an application for provisional consent to sever brought forward by 10 Hughson Drive. (This was the first application of its kind since 1986 which represents almost a quarter century). The argument made by the planning department that this community requires special development control above and beyond an updated by-law with current development standards by the planning department was clearly rejected by the Ontario Municipal Board in its decision and order dated August 13, 2010. Therefore with updated guidelines for development, we do not need or agree with site plan control. In the event that council should adopt the recommendation, we as a community will pursue this matter by any and all legal means available including, but not limited to addressing this with the Ombudsman of Ontario.

Signature: 

Hi Kitty

Thanks for the notice but I won't be attending this meeting. However, I would like to pass on the following as my position on the use of site plan control for the neighbourhood.

It would come as no surprise to the Unionville subcommittee that I am in favour of seeing a level of control on development that would allow new homes to develop without interfering with the use of existing homes. This appears to be a part of the intent of this control. To that, the first premise is that not all sites are suitable for severance. Some are uniquely suited for some type of severance based on how they are sited. Several homes have already been built on the basis of instruction from city on proper use of their sites and developed whole existing sites consistent with what Pre existed in the neighbourhood. These and adjacent homes should remain consistent, meaning their investment should not be taken lightly by the city nor the fact that these neighbours acted on the city's guidance to develop. Lots adjacent and across should represent this consistency in site plan control. Adjacent and nearby development should reflect similar site setback considerations, meaning that it may be appropriate for some site to have reduced setbacks as allowed by the bylaw But not all. Site plan control can allow for protection of the intended growth pattern restrictions demanded by the city for sites that have already been developed as they existed. The city needs to be respectful of their previous requirements and the impact to those neighbours and those surrounding them.

The value of this neighbourhood was and is based on the existing homes and those newly developed on whole lots. The only home allowed to develop and by OMB decision as a severed lot was disrespectful of what site plan control would allow for as it offended the setbacks and saw the destruction of the bulk of older growth on the property. Areas that are separated by some distance in the neighbourhood should not be allowed to be impacted further and site plan control can avoid this by respecting the existing lots, homes and growth. These features are inherent to the value of this neighbourhood. Site plan control can allow for setbacks to be maintained where it is consistent with neighbouring development.

And finally , I noticed a comment in text somewhere about the replacement of trees. The premise is backward. Its not about tree replacement but preservation. These lots are inherently large enough that even with more dense building growth trees can easily be preserved. These large older growth trees are directly representative of character in the neighbourhood. Its why people stay here, rebuild here and buy here. To allow people to tear down trees to accommodate homes that conflict with the existing growth would be an affront to the site plan control intent which allows for harmonious development adjacent to existing use.

I am not proposing stagnation of growth or significant restriction in creative development but this should not become yet another subdivision. Whether a home has one car or a four car garage is not the concern if it is done tastefully, likewise there can be two storey home development where it does not offend existing uses and this type of consistency happens with maintenance of setbacks as building height grows such that existing homes or their features such as pools are not overshadowed by a new building.

Thanks

Michael and Jacqueline Baranowsky

**From:** Anne Chang  
**Sent:** January-21-13 5:21 PM  
**To:** Bavington, Kitty  
**Cc:** Ho, Alan  
**Subject:** Re: Unionville Subcommittee - Hughson Drive Site Plan Control

Hi Kitty ,

Thank you for the notification regarding the Unionville Subcommittee meeting on Wednesday, January 23, 2013. Unfortunately, I am unable to attend. However, I would like to add my full endorsement of Michael Baranovsky's submission to the Subcommittee the need to establish controls in the site plan for the Hughson Drive Community in order to preserve the character of this unique community. This is so very important for those who have built their homes according to the guidelines from the city and for those homeowners of existing homes who plan to continue living in the community.

I am not against development if it's done tastefully without negative impact on the homes that currently exist and without destruction to our beautiful mature trees.

Thank you

Anne Chang

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**Subject:** Hughson Drive Site Plan control considerations (In light of Toronto's Adoption of reformed Site Plan control practices)  
**Attachments:** Agenda Item History - June2012.PG14.pdf

**From:** Jeremy Tio

**Sent:** January-27-13 9:33 PM

**To:** Scarpitti, Frank; Jones, Jim; Ho, Alan; Bavington, Kitty; Al Ladha; Antonoglou, Marina; Baird, Jim; Bordone, Sabrina; Gallyot, Marlene; Hamilton, Don; Harris, Donna; Jeremy Tio; Karumanchery, Biju; Kendall, Richard; Lau, Fiony; Mostacci, Rino; Ulisse Torelli; Heath, Jack; Chiu, Alex; Landon, Gord; Li, Joe; [burke@markham.ca](mailto:burke@markham.ca); Shore, Howard; Moretti, Carolina; Kanapathi, Logan; Campbell, Colin;

**Subject:** Hughson Drive Site Plan control considerations (In light of Toronto's Adoption of reformed Site Plan control practices)

Dear Honorable Members of the City Council,

Included for your consideration is a City of Toronto Agenda associated with the adoption of the 2012 reformed Site Plan Control by-law.

A recent highlighted PDF document was sent to you detailing Toronto's 2012 city-wide site plan control.

please note page 5 of that PDF document :

- Toronto specifically EXEMPTS single dwelling properties from Site Plan Control. (Both new buildings and additions to buildings)
- With regards to the consent to sever, Toronto has made it clear that "lots created by consent" are left included among the EXEMPTIONS of Site Plan Control. The recently reformed 2012 Toronto-wide-SPC by-law even goes so far as to repeal North York's former position of not exempting "lots created by consent" from Site Plan Control.

Thank you once again for you willingness to consider our situation more deeply before coming to a decision.

We look forward to further discussion with Councillor Ho and Jones and the rest of the Unionville Sub-committee.

We are optimistically hopeful that we can reach an agreement that will address the concerns of both the neighborhood and the City through further deliberations and cooperation.

Thank you.



## Tracking Status

- City Council adopted this item on June 6, 2012 with amendments.
- This item was considered by Planning and Growth Management Committee on May 17, 2012 and was adopted with amendments. It will be considered by City Council on June 6, 2012.
- See also By-laws 774-2012, 775-2012

## City Council consideration on June 6, 2012

PG14.1	ACTION	Amended		Ward:All
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## City-wide Site Plan Control By-law

### City Council Decision

City Council on June 6, 7 and 8, 2012, adopted the following:

1. City Council enact the Site Plan Control By-law substantially in accordance with the draft included as Attachment 1 to the supplementary report (June 4, 2012) from the Acting Chief Planner and Executive Director, City Planning and thereby amend Chapter 415 - Development of Land by adding Article V, "Site Plan Control".
2. City Council enact a by-law repealing the previous site plan control by-laws, substantially in accordance with the draft By-law included as Attachment 2 to the report (May 1, 2012) from the Acting Chief Planner and Executive Director, City Planning.
3. City Council authorize staff to make stylistic and technical changes to the draft Site Plan Control By-law and the By-law to repeal the previous site plan control by-laws as may be required.
4. City Council request the Acting Chief Planner and Executive Director, City Planning to submit a report, through the Planning and Growth Management Committee to Council, addressing the following:
  - a. how the resulting revenue loss will be addressed without loss of service;
  - b. a protocol for addressing issues previously covered through site plan by staff reports on severance applications before the Committee of Adjustment; and
  - c. assurance that sufficient staff resources will be available to address Part 4b above.
5. City Council direct the General Manager, Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, monitor the implementation of the Site Plan Control By-law and report to Council.

and Growth Management Committee, no later than May 2013, on:

- a. the effect of the By-law on any type of development of detached houses, semi-detached houses, and duplexes on lots that abut or include any ravine and that do not currently require development permits under the Conservation Authorities Act administered by the Toronto and Region Conservation Authority (TRCA); and
- b. any smaller scale developments on particular ravine lots that will benefit from the site plan approval process,

such report to include recommendations that address any issues identified during the monitoring process.

### **Background Information (Committee)**

(May 1, 2012) Report from the Acting Chief Planner and Executive Director, City Planning on City-wide Site Plan Control By-law

(<http://www.toronto.ca/legdocs/mmis/2012/pg/bqrd/backgroundfile-47029.pdf>)

### **Background Information (City Council)**

(June 4, 2012) Supplementary report from the Acting Chief Planner and Executive Director, City Planning on the City-wide Site Plan Control By-law (PG14.1a)

(<http://www.toronto.ca/legdocs/mmis/2012/cc/bqrd/backgroundfile-48132.pdf>)

### **Communications (Committee)**

(May 11, 2012) E-mail from William R. Barber (PG.New.PG14.1.1)

(May 15, 2012) E-mail from Steven H. Heuchert, MCIP, RPP, MRTPI, Senior Manager, Development Planning and Regulation, Planning and Development, Toronto and Region Conservation Authority (PG.New.PG14.1.2)

(May 16, 2012) E-mail from Paul H. Scrivener, Director of External Affairs, The Toronto Industry Network (PG.New.PG14.1.3)

(May 16, 2012) E-mail from Susan E. Keir, MCIP, RPP, Principal, Keir Corp. (PG.New.PG14.1.4)

(May 16, 2012) E-mail from Steven Heuchert, Senior Manager, Development Planning and Regulation, Planning and Development, Toronto and Region Conservation Authority (PG.New.PG14.1.5)

### **Motions (City Council)**

*1 - Motion to Amend Item (Additional) moved*

*by Councillor Mary-Margaret McMahon (Carried)*

That

1. City Council direct the General Manager, Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, City Planning, to monitor the implementation of the Site Plan Control By-law and report to the Planning and Growth Management Committee, no later than May, 2013, on:
  - a. the effect of the By-law on any type of development of deta

semi-detached houses, and duplexes on lots that abut or include any ravine and that do not currently require development permits under the Conservation Authorities Act administered by the Toronto and Region Conservation Authority (TRCA); and

- b. any smaller scale developments on particular ravine lots that will benefit from the site plan approval process;

such report to include recommendations that address any issues identified during the monitoring process.

**Vote** (Amend Item (Additional))

Jun-07-2012 7:48 PM

<b>Result: Carried</b>	Majority Required - PG14.1 - McMahon - motion 1
Yes: 33	Ana Bailão, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Vincent Crisanti, Glenn De Baeremaeker, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Doug Ford, Mary Fragedakis, Doug Holyday, Norman Kelly, Mike Layton, Gloria Lindsay Luby, Josh Matlow, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio, John Parker, Gord Perks, Anthony Perruzza, David Shiner, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam
No: 0	
Absent: 12	Paul Ainslie, Maria Augimeri, Gary Crawford, Janet Davis, Mike Del Grande, Rob Ford, Mark Grimes, Chin Lee, Giorgio Mammoliti, Ron Moeser, James Pasternak, Jaye Robinson

**2 - Motion to Amend Item (Additional) moved by Councillor John Filion (Carried)**

That:

1. City Council request the Acting Chief Planner and Executive Director, City Planning to submit a report, through the Planning and Growth Management Committee to Council, addressing the following:
  - a. how the resulting revenue loss will be addressed without loss of service; and
  - b. a protocol for addressing issues previously covered through site plan by staff reports on severance applications before the Committee of Adjustment
  - c. assurance that sufficient staff resources will be available to address Part b above.

**Vote** (Amend Item (Additional))

Jun-07-2012 7:48 PM

<b>Result: Carried</b>	Majority Required - PG14.1 - Filion - motion 2
Yes: 34	Ana Bailão, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Vincent Crisanti, Janet Davis, Glenn De Baeremaeker, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Doug Ford, Mary Fragedakis, Doug Holyday, Norman Kelly, Mike Layton, Gloria Lindsay Luby, Josh Matlow, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio, John Parker, Gord Perks, Anthony Perruzza, David Shiner, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam

No: 0	
Absent: 11	Paul Ainslie, Maria Augimeri, Gary Crawford, Mike Del Grande, Rob Ford, Mark Grimes, Chin Lee, Giorgio Mammoliti, Ron Moeser, James Pasternak, Jaye Robinson

**3 - Motion to Amend Item moved by Councillor Peter Milczyn (Carried)**

That City Council delete Planning and Growth Management Committee Recommendation 1:

Recommendation to be deleted:

1. City Council enact the Site Plan Control By-law substantially in accordance with the draft included as Attachment 1 to the report (May 1, 2012) from the Chief Planner and Executive Director, City Planning, and thereby amend Chapter 415 - Development of Land by adding Article V, "Site Plan Control".

and instead, adopt the following Recommendation 1 from the supplementary report (June 4, 2012) from the Acting Chief Planner and Executive Director, City Planning [PG14.1a]:

1. City Council enact the Site Plan Control By-law substantially in accordance with the draft included as Attachment 1 and thereby amend Chapter 415 - Development of Land by adding Article V, "Site Plan Control".

**Vote (Amend Item)**

Jun-07-2012 7:49 PM

<b>Result: Carried</b>	Majority Required - PG14.1 - Milczyn - motion 3
Yes: 32	Ana Bailão, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Vincent Crisanti, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Doug Ford, Mary Fragedakis, Doug Holyday, Norman Kelly, Mike Layton, Gloria Lindsay Luby, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio, John Parker, Gord Perks, Anthony Perruzza, David Shiner, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam
No: 2	Frank Di Giorgio, Josh Matlow
Absent: 11	Paul Ainslie, Maria Augimeri, Gary Crawford, Mike Del Grande, Rob Ford, Mark Grimes, Chin Lee, Giorgio Mammoliti, Ron Moeser, James Pasternak, Jaye Robinson

**Motion to Adopt Item as Amended (Carried)**

**Vote (Adopt Item as Amended)**

Jun-07-2012 7:50 PM


<b>Result: Carried</b>	Majority Required - PG14.1 - Adopt the item as amended
Yes: 32	Ana Bailão, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Vincent Crisanti, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Doug Ford, Mary Fragedakis, Doug Holyday, Norman Kelly, Mike Layton, Gloria Lindsay Luby, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio, John Parker, Gord Perks



	Perruzza, David Shiner, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam
No: 2	Frank Di Giorgio, Josh Matlow
Absent: 11	Paul Ainslie, Maria Augimeri, Gary Crawford, Mike Del Grande, Rob Ford, Mark Grimes, Chin Lee, Giorgio Mammoliti, Ron Moeser, James Pasternak, Jaye Robinson

### Planning and Growth Management Committee consideration on May 17, 2012

Source: Toronto City Clerk at [www.toronto.ca/council](http://www.toronto.ca/council)

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