



## **DEVELOPMENT SERVICES COMMITTEE MINUTES**

NOVEMBER 20, 2012, 9:00 a.m. to 3:00 p.m.

Council Chamber

Meeting No. 24

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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 Joe Li  
Councillor Valerie Burke  
Councillor Howard Shore  
Councillor Don Hamilton  
Councillor Carolina Moretti  
Councillor Colin Campbell  
Councillor Alan Ho  
Councillor Logan Kanapathi  
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer  
Jim Baird, Commissioner of Development Services  
Trinela Cane, Commissioner of Corporate Services  
Brenda Librecz, Commissioner of Community & Fire  
Services

Ronji Borooah, Town Architect  
Alan Brown, Director of Engineering  
Stephen Chait, Director, Economic Development  
Catherine Conrad, Town Solicitor  
Dennis Flaherty, Director Communications and  
Community Relations

Regan Hutcheson, Manager, Heritage Planning  
Linda Irvine, Manager, Parks and Open Space  
Development

#### **Regrets**

Regional Councillor Gord Landon

Biju Karumanchery, Senior Development Manager  
Richard Kendall, Manager, Central District  
Joel Lustig, Treasurer  
Sepideh Majdi, Senior Development Engineer  
Dave Miller, Manager, East District  
Rino Mostacci, Director of Planning and Urban Design  
Stacia Muradali, Planner II  
Don Taylor, Manager, Executive Operations  
Alida Tari, Council/Committee Coordinator  
Mark Visser, Senior Manager Financial Strategy &  
Investment  
Kitty Bavington, Council/Committee Coordinator

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. Councillor Alan Ho assumed the Chair for Transportation item No. 2; Councillor Don Hamilton assumed the Chair for a portion of item No. 10 and in-camera matters.

The Committee recessed from 3:15 to 4:00 p.m. and from 7:23 to 7:24 p.m.

Councillor Howard Shore advised of new business in-camera, in accordance with Section 239 (2) (b) and (e) of the *Municipal Act*, regarding: Personal matters about an identifiable individual, including municipal or local board employees; and litigation or potential litigation.

## **1. STAFF RECOGNITION (12.2.6)**

Jim Baird, Commissioner of Development Services, introduced staff members receiving milestone awards, Ronji Borooah, Town Architect, and Linda Irvine, Manager, Parks and Open Space Development, and provided background information of their career achievements. Mayor Frank Scarpitti congratulated Mr. Borooah and Ms. Irvine, and acknowledged their achievements and contributions on behalf of Council.

Mr. Ronji Borooah was recognized for reaching an important milestone of being a Member of the Ontario Professional Planners Institute for 25 years. Ronji was recognized at the Institute's Annual General Meeting on September 21st, 2012.

Ms. Linda Irvine was recognized for becoming a Fellow of the Canadian Society of Landscape Architects. Linda was recognized at the CSLA Investiture Ceremony at Congress 2012 on Friday, September 14<sup>th</sup>, 2012 in Halifax, Nova Scotia.

## **2. 2013 ANNUAL SERVICE PLAN (5.12)** [Presentation](#)

Adrian Kawun, York Region Transit, gave a presentation regarding the 2013 Annual Service Plan. The presentation provided an overview of YRT/Viva today and outlined the realignment phase; 2012 Annual Service Plan; performance indicators; municipal and public consultation; 2013 service initiatives, and upcoming projects. Next steps include meeting with the local Council; marketing and communicating the 2013 service changes to customers and residents; begin implementing the 2013 service changes in April; and begin the 2014 Annual Service Plan process.

The Committee requested public consultation not occur in the month of July and the Ward 4 Councillor requested to work with YRT on notification and consultation with area residents. Ward Councillors requested to be notified when local public consultation meetings are arranged.

Discussions included bus service to Markham-Stouffville Hospital with respect to idling and blocking corner visibility on side roads; modification to the transit service at Markham District

High School; service routes along Highway 7; outreach and consultation with high schools; expanding the GO bus shuttle service in the north-east area; and subsidies and service options to lower-density areas. It was suggested that private operator servicing may be an option. Staff will be reporting to the Committee at a future meeting, on Traffic Demand Management options.

Moved by: Councillor Carolina Moretti  
Seconded by: Councillor Colin Campbell

That the presentation by Adrian Kawun, York Region Transit, entitled "2013 Annual Service Plan" be received.

CARRIED

**3. STRATEGIC PLAN FOR MAIN STREET UNIONVILLE (10.0)**  
[Presentation](#)

Rob Kadlovski and Christie Day from the Unionville Business Improvement Area gave a presentation regarding the Strategic Plan for Main Street Unionville. The presentation provided an overview of the UBIA goals and vision for Unionville as the “jewel” of Markham. Discussions included the challenges and opportunities, including a proposal to develop a Master Plan that takes into account all the components of a vibrant heritage village. The presenters requested endorsement of the project by the Committee, funding of approximately \$250,000, and establishment of a Main Street Unionville Committee.

The Committee discussed up-dating the by-laws and risks experienced by Main Street Unionville. In response to questions from the Committee, Mr. Kadlovski confirmed that development of the proposed Markham Sports, Entertainment and Cultural Centre would benefit the community in many ways.

The Committee members indicated support for the Master Plan project and directed that staff report to General Committee on the funding request and terms of reference for the new committee. It was suggested that other heritage areas in Markham may benefit from similar initiatives at an appropriate time. The Ward 1 and Ward 2 Councillors agreed to meet with the Mayor and Council representatives from the City of Vaughan, in this regard.

Moved by: Councillor Don Hamilton  
Seconded by: Councillor Carolina Moretti

That the presentation provided by Mr. Rob Kadlovski and Ms. Christie Day from the Unionville Business Improvement Area entitled "Strategic Plan for Main Street Unionville" be received; and,

**That the Strategic Vision funding request by the Unionville Business Improvement Area, and terms of reference for establishing a Main Street Unionville Committee, be referred to staff for a report back to General Committee early in the new year.**

CARRIED

**4. DEVELOPMENT SERVICES COMMITTEE MINUTES**

**- November 6, 2012, Part A and B (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

That the minutes of the Development Services Committee meeting, Part A and B, held November 6, 2012, be confirmed.

CARRIED

**5. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES**

**- November 6, 2012 (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

That the minutes of the Development Services Public Meeting, held November 6, 2012, be confirmed.

CARRIED

**6. PRELIMINARY REPORT**

**KYLEMORE COMMUNITIES (WEST VILLAGE) LTD.**

**9 AND 15 STOLLERY POND CRESCENT**

**ANGUS GLEN WEST VILLAGE**

**APPLICATIONS FOR ZONING BY-LAW AMENDMENT**

**AND SITE PLAN APPROVAL TO PERMIT**

**TWO CONDOMINIUM APARTMENT BUILDINGS**

**(ZA/SC 12 109301) (10.5, 10.6)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

- 1) That the report entitled “Preliminary Report, Kylemore Communities (West Village) Ltd., 9 and 15 Stollery Pond Crescent, Angus Glen West Village, Applications for Zoning By-law Amendment and Site Plan Approval to permit two condominium apartment buildings, File No.: ZA/SC 12 109301”, dated November 20, 2012, be received; and,

- 2) That a Public Meeting be held to consider the applications submitted by Kylemore Communities (West Village) Ltd. for Zoning By-law Amendment and Site Plan Approval for lands municipally known as 9 and 15 Stollery Pond Crescent; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**7. PRELIMINARY REPORT  
WISMER COMMONS DEVELOPERS GROUP  
APPLICATION FOR ZONING BY-LAW AMENDMENT  
TO PERMIT RESIDENTIAL USES  
NORTH OF FRED MCLAREN BLVD.  
SOUTH OF HAMMERSLY BLVD.  
WEST OF ROY RAINEY AVENUE  
(ZA.12-113883) (10.5)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

- 1) That the report dated November 20, 2012, entitled “PRELIMINARY REPORT, Wismer Commons Developers Group, Application for Zoning By-law Amendment to permit residential uses, North of Fred McLaren Blvd., south of Hammersly Blvd., west of Roy Rainey Avenue, File Number: ZA.12-113883”, be received; and,
- 2) That Staff be authorized to schedule a statutory Public Meeting to consider the proposed Zoning By-law Amendment; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**8. INFORMATION ON THE POTENTIAL REMOVAL OF  
HERITAGE EASEMENT AGREEMENTS  
FROM HERITAGE PROPERTIES (16.11)**

[Report](#)

The Committee discussed concerns regarding the program. The City Solicitor provided clarification regarding the purpose of the contract between the municipality and the property owners, and Heritage staff explained the various circumstances where an easement agreement may be provided.

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

- 1) That the staff report entitled "Information on the Potential Removal of Heritage Easement Agreements from Heritage Properties", dated November 20, 2012, be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**9. RECOMMENDATION REPORT  
STARGRANDE CUSTOM HOMES  
REZONING AND SITE PLAN APPLICATIONS  
TO PERMIT A TOWNHOUSE DEVELOPMENT  
AT 6330 16<sup>TH</sup> AVENUE (NORTH-EAST CORNER OF  
WILLIAMSON ROAD AND 16<sup>TH</sup> AVENUE)  
(ZA 11 119446 & SC 11 119447) (10.6)**

[Report](#)

On November 6, 2012, Development Services Committee deferred consideration of the above subject matter to allow Mayor Frank Scarpitti, Committee Chair Regional Councillor Jim Jones, Ward Councillor Colin Campbell, the applicant's representatives, ratepayer representatives, and residents, to meet and determine the parameters and objectives for the development of the site and that an update be provided at the meeting this date.

Jim Baird, Commissioner of Development Services introduced this matter. Staff provided an update on a recent meeting involving the City, the applicant and residents, and reported that there had been no progress on the issues.

Anthony Martelli of Greenpark Homes, representing the applicant, gave a presentation providing an overview of the proposal, the site plan, product details, and environmental issues. Mr. Martelli provided a written response to correspondence from Brenda Ni Nallo.

The Committee discussed traffic on Williamson Road and 16<sup>th</sup> Avenue, the location of the intersections, queuing, and signalization, as well as protection of the wildlife corridor and tree preservation. Staff confirmed that there are no wetlands on the property and responded to questions regarding traffic issues. The applicant and staff indicated that refinements to the plan can be considered.

William Lam spoke in opposition to the proposal, suggesting there have been no changes since it was previously before the Committee, and discussed traffic congestion, queuing, density, and green space issues.

Phil Richardson, President of the Markham Residents for Responsible Planning (MRRCP), spoke in opposition to the proposal. Mr. Richardson suggested that the entrance and traffic impacts of the proposed mosque had not been included in the Traffic Study. The results of a resident survey were reviewed, indicating opposition to the proposal.

Rose Mittelholzer spoke in opposition to the proposal and discussed traffic concerns including car headlights shining into a house at an intersection.

Annette Cocorovski spoke in opposition and discussed the peer review of the Environmental Impact Study. Staff provided clarification on the process and timeframe for the independent review and also explained the separate study process for environmental liabilities for conveyed lands as noted in Clause 9 of the recommendation.

Mr. Martelli responded to comments regarding the EIS, green space and public amenity areas, and displayed an aerial photo comparing the proximity of the Amica building and the subject development to Swan Lake. He noted that the development will enhance the public use of the lake.

The Committee received clarification regarding density on the east and west sides of Williamson Road, and confirmation that the Traffic Study included all surrounding uses including the proposed mosque and projected traffic increases to a 25 year horizon. The potential outcome of an OMB hearing was discussed, and the Committee identified issues for further discussion, particularly the increase of green space. Mr. Martelli agreed to discuss the request with the applicant.

Moved by: Councillor Carolina Moretti

Seconded by: Councillor Don Hamilton

- 1) **That the deputations and written submissions by Anthony Martelli of Greenpark Homes, William Lam, Phil Richardson, President of the Markham Residents for Responsible Planning (MRRCP), Rose Mittelholzer, Annette Cocorovski, Brenda Di Nallo, and Debbie, regarding the application by Stargrande Custom Homes at 6330 16<sup>th</sup> Avenue, be received; and,**
- 2) That the report dated October 9th, 2012 titled “RECOMMENDATION REPORT, Stargrande Custom Homes, Rezoning and Site Plan applications to permit a townhouse development at 6330 16<sup>th</sup> Avenue (north-east corner of Williamson Road and 16<sup>th</sup> Avenue), File Nos: ZA 11 119446 & SC 11 119447”, be received; and,
- 3) That the record of the Public Meeting held on October 11<sup>th</sup>, 2011 regarding the application submitted by Stargrande Custom Homes (ZA 11 119446) to amend Zoning By-law 304-87, as amended, be received; and,

- 4) That the application (ZA 11 119446) submitted by Stargrande Custom Homes to amend Zoning By-law 304-87, as amended, to permit a townhouse development at 6330 16<sup>th</sup> Avenue, be approved, **in principle and be brought forth once the issues identified are incorporated including completion of a peer review of the Environmental Impact Study and any necessary changes to the plan as a result; and,**
- 5) That the Site Plan application (SC 11 119447) submitted by Stargrande Custom Homes to facilitate a townhouse development at 6330 16<sup>th</sup> Avenue be endorsed in principle, subject to the conditions attached as Appendix 'A'; **and including:**
  - **Receiving the results from EIS Peer review,**
  - **Inclusion of additional green space located within the central townhouse block indicated in blue on the site plan, or comparable options,**
  - **Review of methods to prevent overflow parking onto Maple Ridge and Willow Trail,**
  - **Increased tree preservation along 16<sup>th</sup> Avenue,**
  - **Improvements to the intersection at 16<sup>th</sup> Avenue and Fincham Road; and,**
- 6) **That staff report back on advancing the development of the parklands to the north of the subject lands to match the occupancy of the development; and,**
- 7) **That staff report back on the relocation of the Williamson Road intersection to the north opposite Willow Trail, and signalization of the intersection; and,**
- 8) That Site Plan Approval (SC 11 119447) be **brought back to Development Services Committee for approval; and,**
- 9) That the acceptance of any lands to be conveyed to the City for walkways, parks and open space areas be to the satisfaction of the CAO and City Solicitor, and free of any environmental liabilities, cost or encumbrances; and,
- 10) That 2011/2012 servicing allocation for 160 townhouses be assigned to the proposed development, subject to written confirmation from the Landowners Group that servicing allocation is available from the 2011/2012 sewer and water allocation previously assigned to Swan Lake; and,
- 11) That the Town reserves the right to revoke or reallocate the servicing allocation should development not proceed in a timely manner; and further,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Councillor Don Hamilton assumed the Chair for this portion of the meeting. The acceptance of the following motion was appealed by a member of the Committee and the ruling of the Chair to accept the motion was sustained by the Committee.



Moved by: Councillor Howard Shore

Seconded by: Councillor Alan Ho

**That the Development Services Committee consents to new business in-camera brought forward by Councillor Howard Shore relating to a personal matter and litigation or potential litigation; and,**

**That, in accordance with Section 239 (2) (b) (e) of the Municipal Act, Development Services Committee resolve into an in-camera session to discuss the following confidential matter:**

- 1) Personal matters about an identifiable individual, including municipal or local board employees;**
- 2) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.**

CARRIED

Moved by: Councillor Carolina Moretti

Seconded by: Councillor Colin Campbell

That the Committee rise from in-camera and report out at 4:48 p.m.

CARRIED

Regional Councillor Jim Jones assumed the Chair.

**10. RECOMMENDATION REPORT  
APPLICATION FOR SITE PLAN CONTROL APPROVAL  
GTA CENTRE L.P. ON BEHALF OF THE REMINGTON GROUP  
PROPOSED MARKHAM SPORTS, ENTERTAINMENT  
AND CULTURAL CENTRE  
EAST SIDE OF TRIBUTARY 4, SOUTH OF ENTERPRISE BOULEVARD  
311 ENTERPRISE BOULEVARD,  
MARKHAM CENTRE  
(SC 12 124727) (10.6)  
[Report](#)**

On November 6, 2012, Development Services Committee deferred consideration of the above subject matter to the meeting this date.

Randy Pettigrew of the Remington Group read a letter from Rudy Bratty of the Remington Group, in reaction to recent events and discussions concerning the Markham Sports, Entertainment and Cultural Centre (MSECC).

Norman Manara spoke in opposition to the financial participation and noted the link between the site plan and financial framework.

The City Solicitor responded to questions regarding liability, and advised of the risk of an appeal to the OMB and that there is no liability to the City if the site plan proceeds and the financial framework does not, stating that the decision on the site plan should be based on planning principles.

Norm Pemberton spoke in opposition with respect to the financial arrangements.

Mike Gannon, Unionville Ratepayers Association, spoke in objection to the financial framework and supports proceeding with the Markham Centre Secondary Plan.

Karen Rea spoke in opposition and had questions relating to the road network, parking, the financial framework, the Secondary Plan, public consultation, and transparency. Ms. Rea displayed photos from other developments in Markham.

Toinett Bezant of the Bayview Glen Ratepayers Association, spoke in opposition to the site plan with respect to the financial framework, environmental and infrastructure issues, and the Secondary Plan.

Gord Walter of the Sherwood Amber Glen Ratepayers Association advised that the majority of their members are opposed to the project with respect to the financial involvement.

Jim Kwan spoke in opposition to the financial framework.

Donna Bush, representing the Markham Village City Ratepayers Association, spoke in opposition to the financial framework and the cost of special roads. Ms. Bush discussed the arena orientation and the road network and suggested an updated Secondary Plan is required.

The Committee discussed the involvement of the Markham Centre Advisory Committee, a citizen and stakeholder group, in developing the Secondary Plan. Staff explained that the current Secondary Plan provides a flexible framework that envisioned development such as the arena proposal.

Graham Dewar spoke in opposition and, referring to the letter from Mr. Bratty, discussed business and construction risks.

Joyce Ramer spoke in opposition and discussed the financial framework and the site plan, and requested more public consultation and a Secondary Plan.

Annette Cocorovski spoke in opposition to the proposal and discussed the financial framework and parking issues.

Marilyn Ginsburg, Grandview Area Residents Association, suggested the financial framework be cancelled and that the site plan application be withdrawn.

The Mayor explained the site plan process and recommended that the site plan be referred to a Special Council meeting in the new year along with the Memorandum of Understanding. Some Committee members considered that more information is needed before the difficult decisions can be made.

Councillor Colin Campbell and Councillor Valerie Burke put forward a motion to “Rescind the Financial Framework for the proposed GTA Sports, Entertainment and Cultural Centre”. The acceptance of the motion was appealed by a member of the Committee. The City Solicitor confirmed that the motion is not related to the item on the agenda and is not appropriate for this Committee. The Procedural By-law specifies that financial matters are dealt with by General Committee, and the Development Services Committee has jurisdiction over Planning and development matters. The ruling of the Chair to accept the motion was not sustained by the Committee, and Councillor Colin Campbell agreed to withdraw the motion.

Deputy Mayor Jack Heath put forward a motion to remove the site plan condition of the financial framework so that the applicant pursues site plan approval at his sole cost and risk. The motion did not receive a seconder.

Staff gave a brief overview of the arena orientation and the road network, and Randy Peddigrew provided comments regarding the road grading in relation to the building.

The Committee recessed briefly at 7:23 to commence the Council meeting.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Logan Kanapathi

That Development Services Committee Recess briefly to commence the Council meeting.

CARRIED

The Development Services Committee reconvened at 7:24 and discussions resumed.

Councillor Carolina Moretti and Mayor Frank Scarpitti brought forward a motion to “Receive the Recommendation Report and defer the site plan to a Special Council meeting with the MOU once the public has had an opportunity to provide input and with full disclosure.

Councillor Don Hamilton assumed the Chair for the remainder of the meeting.

Regional Councillor Joe Li and Regional Councillor Jim Jones brought forward a motion to “Complete the Markham Live Vision and Update the Downtown Markham Centre Secondary Plan”. This motion could not be considered until the previous motion was disposed of.

The Committee debated whether to continue to examine the proposal, and deferral of the site plan application.

Moved by: Councillor Carolina Moretti

Seconded by: Mayor Frank Scarpitti

- 1) That the Recommendation Report titled “Application for Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group” be received; and,
- 2) **That the deputations and written submissions be received; and,**

- 3) **That until such time as the Financial Framework, site plan, and MOU are ready and the public have had an opportunity to provide input and that full disclosure is provided, that the site plan is deferred to a Special Council meeting.**

LOST by a tie vote

The Committee considered that any further motions would be tied, and that all members of the Committee should be in attendance when a decision is made.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Alex Chiu

- 1) **That the Recommendation Report titled “Application for Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group” be received; and,**
- 2) **That the deputations and correspondence by Randy Pettigrew of the Remington Group, Norman Manara, Norm Pemberton, Mike Gannon, Unionville Ratepayers Association, Karen Rea, Toinett Bezant, Bayview Glen Ratepayers Association, Gord Walter, Sherwood Amber Glen Ratepayers Association, Jim Kwan, Donna Bush, representing the Markham Village City Ratepayers Association, Graham Dewar, Joyce Ramer, Annette Cacorovski, and Marilyn Ginsburg, Grandview Area Residents Association regarding the Site Plan Control Approval, GTA Centre L.P. on behalf of The Remington Group, be received.**

CARRIED

## **11. DEVELOPMENT FEE AND BUILDING FEE BY-LAWS UPDATE (2013) (10.0)**

[Presentation Report](#)

Jim Baird, Commissioner of Development Services provided a brief overview of the updated Development Fee and Building Fee By-law.

Moved by: Mayor Frank Scarpitti

Seconded by: Deputy Mayor Jack Heath

- 1) That the Report titled “Development Fee and Building Fee By-laws Update (2013)”, dated November 6, 2012 be received; and,
- 2) That the amendment to the “Tariff of Fees for Processing Planning Applications,” By-law 211-83, substantially in the form attached as Attachment "A", be enacted; and,
- 3) That the By-law come into force and take effect on January 1, 2013; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**12. RECOMMENDATION REPORT  
CWH MARKHAM DEVELOPMENTS INC.  
117 MINGAY AVENUE  
DRAFT PLAN OF SUBDIVISION 19TM-11004  
FOR SINGLE DETACHED, SEMI-DETACHED AND TOWNHOUSES  
(SU 11 131035) (10.7)**  
[Report](#)

The Committee had brief comments regarding the connection of the playground and the pathway.

Moved by: Deputy Mayor Jack Heath

Seconded by: Mayor Frank Scarpitti

- 1) That the report titled “RECOMMENDATION REPORT, CWH Markham Developments Inc., 117 Mingay Avenue, Draft Plan of Subdivision 19TM-11004 for single detached, semi-detached and townhouses, File No. SU 11 131035 ”, dated November 20, 2012, be received; and,
- 2) That the record of the Public Meeting held on June 19, 2012, regarding the application for approval of Draft Plan of Subdivision be received; and,
- 3) That the Mayor and Clerk be authorized to enter into a No Presale Agreement with the Owner of Plan 19TM-11004 which agreement shall be registered on title, committing the Owner to:

Not enter into any agreements of purchase and sale with end users for the lands (residential unit purchasers), until such time as:

- a. the City of Markham approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or,

- b.
  - i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Southeast Collector Trunk Sewer and,
  - ii. The Council of the City of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

- c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Markham allocates the capacity to this development;

AND

Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Markham, which agreement shall be registered on title, committing the new Owner to the same terms as set out in items a, b and c above; and,

- 4) That draft plan of subdivision 19TM-11004 submitted by CWH Markham Developments Inc, be draft approved subject to the conditions outlined in Appendix 'A'; and,
- 5) The Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'A' as may be amended by the Director of Planning and Urban Design; and,
- 6) That the draft plan approval for plan of subdivision 19TM-11004 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**13. RECOMMENDATION REPORT  
SERRA HOMES LIMITED  
OFFICIAL PLAN AMENDMENT  
REZONING AND SITE PLAN APPLICATIONS  
TO PERMIT A TOWNHOUSE DEVELOPMENT  
23 WATER STREET, MARKHAM  
(OP 12 132315, ZA 12 132315 AND SC 12 132315) (10.3, 10.5, 10.6)  
[Report](#)**

Moved by: Councillor Carolina Moretti  
Seconded by: Councillor Colin Campbell

- 1) That the report dated November 20, 2012 titled "RECOMMENDATION REPORT, Serra Homes Limited, Official Plan Amendment, Rezoning and Site Plan applications to permit a townhouse development, 23 Water Street, Markham, File Nos: OP 12 132315, ZA 12 132315 and SC 12 132315", be received; and,
- 2) That the record of the Public Meeting held on May 22, 2012 regarding the applications submitted by Serra Homes Limited to amend the Official Plan and Zoning By-law 1229, as amended, be received; and,
- 3) That the application (OP 12 132315) submitted by Serra Homes Limited to amend the Official Plan (Revised 1987), as amended, and the Main Street Markham Secondary Plan (PD 1-14) for the Markham and Unionville Planning District (Planning District 1), to permit a townhouse development at 23 Water Street, Markham, be approved and the draft By-law attached as Appendix 'B' be finalized and enacted without further notice; and,

- 4) That the application (ZA 12 132315) submitted by Serra Homes Limited to amend Zoning By-law 1229, as amended, to permit a townhouse development at 23 Water Street, Markham, be approved, and the draft By-law attached as Appendix 'C' be finalized and enacted without further notice; and,
- 5) That the Site Plan application (SC 12 132315) submitted by Serra Homes Limited to facilitate a townhouse development at 23 Water Street, Markham be endorsed in principle, subject to the conditions attached as Appendix 'A'; and,
- 6) That Site Plan Approval (SC 12 132315) be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director, or designate, has signed the site plan; and,
- 7) That 2011-2012 servicing allocation for 8 townhouse units be assigned to the proposed development; and,
- 8) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**14. 2012 MARKHAM SMALL BUSINESS  
CENTRE MARKETING PLAN (10.16)**  
[Report](#)

This matter was deferred to the next meeting, and it was requested that it be scheduled first on the agenda.

Moved by: Councillor Carolina Moretti  
Seconded by: Councillor Colin Campbell

- 1) That the report entitled "2012 Markham Small Business Centre Marketing Plan" be received; and,
- 2) 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 8:35 PM.

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