



DEVELOPMENT SERVICES COMMITTEE MINUTES

OCTOBER 9, 2012

Meeting No. 21

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

12:00 noon – 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
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Alan Brown, Director of Engineering
Catherine Conrad, Town Solicitor
Geoff Day, Senior Planner
Scott Heaslip, Senior Project Coordinator
Brian Lee, Senior Manager, Development Engineering & Transportation
Dave Miller, Manager, East District
Rino Mostacci, Director of Planning and Urban Design
Stacia Muradali, Planner II
Bill Snowball, Fire Chief
Kitty Bavington, Council/Committee Coordinator

The Development Services Committee convened at the hour of 12:07 p.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair

DISCLOSURE OF PECUNIARY INTEREST

Councillor Valerie Burke disclosed an interest with respect to Agenda Item #9, the Site Plan application by Bell Canada at 7 Harlech Court, by nature of family members owning a business in the area, and did not take part in the discussion of or vote on the question of the approval of this matter.

1. GERMAN PIONEERS DAY PRESENTATION (12.2.6)

Mr. Lorne Smith, Official Historian will provide a brief history of the "German Pioneers Day" and the contribution of the early German pioneers to the culture, social and economy of Markham, representing the following organizations:

Markham Berczy Settlers Association
York Chapter, Pennsylvania German Folklore Society of Ontario
Markham Historical Society
Reesor Family in Canada
Reaman Family in Canada

Council has proclaimed October 9, 2012 as "German Pioneers Day" in the City of Markham and the German flag will be raised at the Anthony Roman Markham Civic Centre. The Committee was provided with booklets entitled "A Story of the Markham Berczy Settlers, 210 Years in Markham, 1794-2004", and copies of the Remember Markham Newsletter and the Berczy Settlers Gazette.

The Committee acknowledged the significant contributions of the Berczy Settlers in the evolution of Markham. Staff was requested to provide an update on the use of settlers' names for new streets in Unionville.

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

That the presentation by Mr. Lorne Smith, Official Historian, regarding "German Pioneers Day" and the contributions of the early German pioneers to the cultural, social and economic evolution of Markham, be received.

CARRIED

**2. DEVELOPMENT SERVICES COMMITTEE MINUTES
- September 25, 2012, Part A and B (10.0)**

[Minutes](#)

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

That the minutes of the Development Services Committee meeting, Part A and B, held September 25, 2012, be confirmed.

CARRIED

**3. DEVELOPMENT SERVICES PUBLIC MEETING MINUTES
- September 24, 2012 (10.0)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Gord Landon

That the minutes of the Development Services Public Meeting, held September 24, 2012, be confirmed.

CARRIED

**4. CYCLING AND PEDESTRIAN ADVISORY
COMMITTEE (CPAC) MINUTES
-June 14, 2012 (16.34)**

[Minutes](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Gord Landon

That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held June 14, 2012, be received for information purposes.

CARRIED

**5. PRELIMINARY REPORT
MACKENZIE BUILDERS AND DEVELOPERS LTD.
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND ZONING BY-LAW AMENDMENT
SOUTHWEST CORNER OF MINGAY AVENUE
AND MAJOR MACKENZIE DRIVE
(SU.12-130894 AND ZA.12-130894) (10.7, 10.5)**

[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Gord Landon

- 1) That the report dated October 9, 2012, entitled “Preliminary Report, Mackenzie Builders and Developers Ltd., Applications for Draft Plan of Subdivision and Zoning By-law Amendment , Southwest corner of Mingay Avenue and Major Mackenzie Drive, File Numbers: SU.12-130894 and ZA.12-130894” be received; and,
- 2) That Staff be authorized to schedule a statutory Public Meeting to consider the proposed Draft Plan of Subdivision and 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

**6. 2012 THIRD QUARTER UPDATE
OF THE STREET NAME RESERVE LIST (10.14)**
[Report](#)

Moved by: Councillor Alex Chiu

Seconded by: Regional Councillor Gord Landon

That the updated Street Name Reserve List for the second quarter of 2012, attached as Appendix 'A' to the October 9, 2012 staff report titled '2012 Second Quarter Update of the Street Name Reserve List', be received.

CARRIED

**7. RECOMMENDATION REPORT
STARGRANDE CUSTOM HOMES
REZONING AND SITE PLAN APPLICATIONS
TO PERMIT A TOWNHOUSE DEVELOPMENT
AT 6330 16TH AVENUE (NORTH-EAST CORNER OF
WILLIAMSON ROAD AND 16TH AVENUE)
(ZA 11 119446 & SC 11 119447) (10.6)**
[Report](#)

The Ward Councillor requested deferral of this matter to allow the residents an opportunity to review the application.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Don Hamilton

- 1) That the application by Stargrande Custom Homes, Rezoning and Site Plan applications to permit a townhouse development at 6330 16th Avenue (north-east corner of Williamson Road and 16th Avenue), File Nos: ZA 11 119446 & SC 11 119447", be deferred for one month.**

CARRIED

**8. RECOMMENDATION REPORT
ONTARIO MUNICIPAL BOARD APPEAL
ARYEH CONSTRUCTION LIMITED
8293 WARDEN AVENUE
APPLICATION FOR SITE PLAN APPROVAL
FOR A HIGH DENSITY RESIDENTIAL DEVELOPMENT
(SC 10 131755) (10.6)
[Report](#)**

Jim Baird, Commissioner of Development Services, provided some background on this matter, advising that the Zoning application for this development was approved by the OMB, and site plan details are now before the Development Services Committee, prior to consideration by the OMB on October 25, 2012. The Ward Councillor requested to be involved in discussions on this development.

Peter Swinton of PMG Planning Consultants, representing the applicant, gave a presentation with the site plan details and renderings of the proposal.

The Committee discussed several issues relating to the Heritage house and Mr. Swinton confirmed the following: the heritage house will face onto Warden Avenue and be under private ownership by the condo corporation; the Heritage Easement Agreement will be amended to reflect the new location; the house will be rebuilt according to the original design with no additions or changes, and the applicant will be working with Heritage Markham on the details. The Committee agreed to a condition that the Heritage house be completed in a timely manner in concurrence with the development, and requested that the applicant ensure the building is secured over the winter.

The Committee also discussed parkland development and locations, cycling and pedestrian connections, fencing, parking ratio for residents and visitors, the transportation analysis, proximity to transit, the colour of the exterior brick, Section 37 issues, bird strike mitigation, and storm water management.

Concern was expressed for the timing of construction of the Clegg Road extension east of Warden Avenue, with respect to coordinating the needs of Markham District Energy. The Committee endorsed the recommendation and directed that this matter be brought forward to Council on October 16, 2012, for an update from staff on the coordination with MDE.

Moved by: Deputy Mayor Jack Heath
Seconded by: Councillor Don Hamilton

- 1) That the staff report dated October 9, 2012 titled “Recommendation Report, Ontario Municipal Board Appeals, Aryeh Construction Limited, 8293 Warden Avenue, Application for site plan approval for a high density residential development, File No. SC 10 131755” be received; and,.

- 2) That the City Solicitor or her designate and all necessary staff be directed to attend the OMB hearing to support the approval of site plan application SC 10 131755 on the basis of:
 - a) The following plans, subject to the provisions of Clause 3, below:
 - i. Site Plan, Drawing SPA-101, prepared by E.I. Richmond Architects Ltd., Plot Date: August 28, 2012
 - ii. East Elevation, Drawing SPA-401, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - iii. West Elevation, Drawing SPA-402, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - iv. South Elevation, Drawing SPA-403, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - v. North Elevation, Drawing SPA-404, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - vi. South Interior Elevation and Section, Drawing SPA-405, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - vii. North Interior Elevation and Section, Drawing SPA-406, prepared by E.I. Richmond Architects Ltd., Plot Date: August 27, 2012
 - b) The conditions attached as Appendix 'A' to the October 9, 2012 staff report, and,
- 3) That the Commissioner of Development Services be delegated the authority to approve revisions to the conditions of site plan approval referenced in Appendix "A" of this staff report, and to approve revisions to the site plan and elevation drawings referenced in Recommendation 2 of this staff report, including updating the plot dates on such plans and drawings; and,
- 4) That Part of Block 7, Plan 65M-4294, Town of Markham, Regional Municipality of York, designated as Part 1 on Plan 65R-33837 be declared surplus to City purposes in accordance with By-law 178-96 and conveyed to Aryeh Construction Limited under the terms and conditions set out in this report, including a purchase price of \$405,000; and,
- 5) That the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale between the City and Aryeh Construction Limited in a form and content satisfactory to the City Solicitor and Chief Administrative Officer with respect to the sale of the said lands to Aryeh; and,
- 6) That Council authorize the Mayor and Clerk to enter into a Section 37 Agreement with Aryeh Construction Limited to secure a Section 37 contribution in the amount of \$1,333 per unit; and,
- 7) That the Mayor and Clerk be authorized to execute the necessary documentation to give effect to the forgoing resolution; and,
- 8) That conditional 2015 servicing allocation for 340 units be granted from the Regional allocation when it becomes available to Markham, subject to written confirmation from the Trustee of the Markham Centre Landowners Group; and,

- 9) **That the Heritage house be completed in a timely manner and constructed in concurrence with the development by Aryeh Construction Limited; and further,**
- 10) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**9. RECOMMENDATION REPORT
APPLICATION FOR SITE PLAN APPROVAL
BY BELL MOBILITY INC. TO PERMIT
A 40 METRE HIGH FLUSHMOUNT STYLE
TELECOMMUNICATIONS TOWER WITHIN
A 48 M² FENCED COMPOUND AT 7 HARLECH COURT
(SC 11 129769) (10.6)
[Report](#) [Presentation](#)**

Councillor Valerie Burke disclosed an interest with respect to Agenda Item #9, the Site Plan application by Bell Canada at 7 Harlech Court, by nature of family members owning a business in the area, and did not take part in the discussion of or vote on the question of the approval of this matter.

The internet petition and emails as outlined in the staff report dated September 25, 2012, and addendum submissions dated October 9, 2012, were received by the Committee.

Jim Baird, Commissioner of Development Services, introduced this application, noting the City is a commenting agency while Industry Canada is the approval authority. Mr. Baird discussed the location in an industrial area, the extensive public input, and the proponent's redesign of the tower in response to public concerns.

Morteza Alabaf, Municipal Relations Specialist, Altus Group, and Duane Lovelace, representing the applicant, gave a presentation regarding the proposed telecommunications tower. The presentation outlined the need for cell towers, the site selection process including consideration of other sites in the area, Health Canada and Safety Code 6 standards, and the proposed tower details.

The Committee recommended deferral until the Thornhill Revitalization Study is finalized, and suggested alternate technology options be pursued. Other potential locations were considered; however, Mr. Lovelace advised that they were not able to obtain agreement from the property owners. The Ward Councillor agreed to assist the applicant in pursuing possible options for a more suitable site.

Arthur Donin, area resident, spoke in objection to the tower with respect to the proximity to the residences and the impacts on property values and neighbourhood improvement efforts. Mr. Donin suggested a more suitable location be found.

Moved by: Councillor Howard Shore

Seconded by: Deputy Mayor Jack Heath

- 1) **That the internet petition and emails as outlined in the staff report dated September 25, 2012, and the submissions in the addendum agenda dated October 9, 2012, regarding Application for Site Plan Approval by Bell Mobility Inc. for a telecommunications tower at 7 Harlech Court, be received; and,**
- 2) **That the deputation by Arthur Donin regarding the Application by Bell Mobility Inc. for a telecommunications tower at 7 Harlech Court, be received; and,**
- 3) That the presentation by Morteza Alabaf, Municipal Relations Specialist with the Altus Group, and Duane Lovelace regarding the proposed telecommunications tower, be received; and,
- 4) That the Application for Site Plan Approval by Bell Mobility Inc. to permit a 40 metre high flushmount style telecommunications tower within a 48 m² fenced compound at 7 Harlech Court, File SC 11 129769”, be **deferred until the completion of the Thornhill Revitalization Study; and,**
- 5) **That the Ward Councillor assist the applicant in pursuing possible options for a more suitable alternate site; and further,**
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

10. IN-CAMERA MATTER (10.12)

Moved by: Councillor Alex Chiu

Seconded by: Councillor Carolina Moretti

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

- 1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

Moved by: Councillor Alex Chiu

Seconded by: Councillor Colin Campbell

That the Development Services Committee rise from in-camera session (2:25 p.m.).

CARRIED

ADJOURNMENT

The Development Services Committee meeting adjourned at 2:25 p.m.

Alternate formats for this document are available upon request.