



MINUTES
DEVELOPMENT SERVICES PUBLIC MEETING

MAY 22, 2012 - 7:00 p.m.

Council Chamber

Meeting No. 5

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Don Hamilton

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

Sabrina Bordone, Planner
Dennis Flaherty, Director, Communications &
Community Relations
Regan Hutcheson, Manager, Heritage Planning
Biju Karumanchery, Senior Development Manager
Richard Kendall, Manager, Central District
Tom Villella, Senior Project Coordinator
Kitty Bavington, Council/Committee Coordinator

The Development Services Public Meeting convened at 7:02 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair.

DISCLOSURE OF PECUNIARY INTEREST – None Declared

- 1. SERRA HOMES LIMITED
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENT – 8 TOWNHOUSES
23 WATER STREET, MARKHAM VILLAGE (10.3, 10.5)**
[Report](#)

The Public Meeting this date was to consider an application submitted by Serra Homes Limited for Official Plan and Zoning By-law amendment to permit 8 Townhouses at 23 Water Street, Markham Village (ZA 12-132315).

The Committee Clerk advised that 103 notices were mailed on May 2, 2012, and a Public Meeting sign was posted on May 1, 2012. No written submissions were received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

There were no comments from the audience with respect to this application.

The Ward Councillor advised that the area residents are generally supportive, and concerns that have been identified are being addressed by staff.

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

- 1) That the Development Services Commission report dated May 1, 2012, entitled "Preliminary Report Serra Homes Limited Applications for Official Plan and Zoning By-law Amendment – 8 Townhouse – 23 Water Street, Markham Village" be received; and,
- 2) That the Record of the Public Meeting held on May 22, 2012, with respect to the proposed amendments be received; and further,
- 3) That the application by Serra Homes Limited to amend the Official Plan and the Zoning By-law be referred back to staff for a report and recommendation.

CARRIED

**2. MILLIKEN DEVELOPMENT CORPORATION
AND MON SHEONG FOUNDATION
35, 67 & 73 OLD KENNEDY ROAD AND
4550 & 4576 STEELES AVENUE
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT,
ZONING BY-LAW AMENDMENT AND SITE PLAN APPROVAL
TO PERMIT FOUR SENIORS BUILDINGS RANGING IN HEIGHT
FROM 6 – 24 STOREYS
(OP, ZA & 11 124399 & SC 12 119834) (10.3, 10.5 & 10.6)
[Report Attachment](#)**

The Public Meeting this date was to consider an application submitted by Milliken Development Corporation and Mon Sheong Foundation for Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval to permit four seniors buildings at 35, 67 & 73 Old Kennedy Road and 4550 and 4576 Steeles Avenue (OP, ZA & 11 124399 & SC 12 119834).

The Committee Clerk advised that 287 notices were mailed on May 2, 2012, and a Public Meeting sign was posted on May 1, 2012. Twenty-one written submissions were received regarding this proposal. Presentations and written statements were received during the Public Meeting.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues. Staff are continuing to review site plan matters and technical studies and noted the City of Toronto has jurisdiction over Steeles Avenue and will be providing comments.

The Committee discussed several issues:

- revisions to the design with respect to separation of the buildings
- the large amount of glass being used, which is not a sustainable choice
- bird strike mitigation
- parking for visitors and residents, and whether seniors will require as much parking
- the potential increase in height to 24 storeys for all the sections of the building
- the future use of the remaining parcel of land within the block; entire block should be developed collectively
- potential additional uses that would require the excess parking of 40 spaces
- use of an individual property for auto storage and possible contamination issues
- correction of Thelma Avenue street name
- staff were asked to demonstrate shadowing comparison for tower and slab sections and to look into illumination issues
- suggested the applicant work with the Town Architect to refine the design

Eldon Theodore, MHBC Planning Limited, representing the applicant, introduced Tim Kwan of Mon Sheong and several members of the Foundation and technical and consulting team in attendance. Mr. Theodore made a presentation and provided the following information:

- background of the foundation, currently operating four state-of-the-art facilities in GTA
- details of the proposal and modifications to the original plans, height issues, and transportation solutions
- additional density is being requested to meet the high demand for long term care, assisted living, and independent living units for seniors
- remainder of land in the block will be owned separately by Milliken Development Corp. and the use has not been determined. The three remaining undeveloped properties fronting on Old Kennedy Road have separate ownership
- shadowing and traffic studies have been submitted and are being reviewed
- pedestrian connections include an underground tunnel, but no bridge
- parking requirements are exceeded by 40 spaces and there are no plans for additional uses
- the units will be life lease purchase, and subsidized long-term care and assisted living
- the policy is for a large percentage of the units to accommodate Markham residents.

Staff advised:

- the location of the extension of Midland Avenue on east side of the site has not been determined
- the green space section on the east side of the site, illustrated on photos, will be mostly removed by the Midland Avenue extension; much of it has already been removed for the adjacent condo development
- staff will work with the applicant to reduce the amount of glass

Priti Sehgal stated that the residents of Milliken Mills and Ward 8 welcome the Foundation to the area, but are concerned about the change in height to 24 floors, and the resulting increase in staff and impacts to surrounding residences. Concerns included on-street parking, traffic congestion, pedestrian safety, illumination, and the proximity to the railway with respect to effective emergency evacuation, if required.

Roberto Vinluan, representing the Milliken Mills East Ratepayers, provided a presentation addressing the staff report and Official Plan policies. Mr. Vinluan expressed concern that the facility will not be used for Markham residents; the complex is not physically compatible to the surrounding community and will impact the quality of life for existing residents; the shuttle bus for staff is not realistic; and, charging visitors for parking will result in on-street parking.

Rochelle Vinluan made a presentation regarding the shadow study and demonstrated the extent of potential shadowing throughout the day and seasons. Ms. Vinluan noted that the Town does not have a comprehensive shadowing policy.

Mary Brawley spoke of concerns for privacy issues and requesting a mature garden along the boundary line and increased setback.

Eileen Liasi addressed the traffic study and suggested there are unanswered questions regarding turning lanes, necessary road improvements, traffic signals, and noise attenuation from the traffic with respect to the impacts on the seniors living in the facility. Staff advised that they will submit Ms. Liasi's presentation to the Engineering Department for a response.

The Committee pointed out that most of the written submissions are from non-Markham residents, and it was confirmed that a large portion of the units will be available to Markham residents, with the understanding that the admission process is under the jurisdiction of York Region. Discussions included paid parking, on-street parking, peak visiting times, emergency response and evacuation, lack of outdoor amenity space, and shadowing.

The Committee indicated support for the facility in Markham, citing the aging population and a great need in the community.

Moved by: Mayor Franks Scarpitti
Seconded by: Councillor Alex Chiu

- 1) **That correspondence regarding the applications by Milliken Development Corporation and Mon Sheong Foundation, 35, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue, from: Kenneth Lai, Bernice Chan, The Milliken Mills East Ratepayers Association, Catherine Ingram, Roberto Vinluan, Anneliese Rao, Stephen Ma, Florence S. W. Wong, Bob YM Tang, Chi Banh & the Banh Family, Margaret Hon, Tom Lo, Anne Cheung, Irene Wong, W. Yang, Betsey Wai, Pauline Ma, Rebecca Tao, Elwin Law, Residents of Mon Sheong Court Scarborough (26 signatures) and Petition (6 names), be received; and,**
- 2) **That the deputations regarding the applications by Milliken Development Corporation and Mon Sheong Foundation, 35, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue, from Priti Sehgal, Roberto Vinluan, representing the Milliken Mills East Ratepayers, Rochelle Vinluan, Mary Brawley, and Eileen Liasi, be received; and,**
- 3) That the Development Services Commission report dated April 24, 2012, entitled "Preliminary Report, Milliken Development Corporation and Mon Sheong Foundation, 35, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue, Applications for Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval to permit four seniors buildings ranging in height from 6 – 24 storeys," be received; and,
- 4) That the Record of the Public Meeting held on May 22, 2012 with respect to the proposed Official Plan and Zoning By-law amendments, be received; and,
- 5) That the applications by Milliken Development Corporation and Mon Sheong Foundation for proposed Official Plan and Zoning By-law amendments (OP/ZA 11 124399), be referred back to staff for a report and a recommendation; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**3. PRELIMINARY REPORT
PROPOSED AMENDMENTS TO ZONING BY-LAW 28-97, AS AMENDED,
RESPECTING PARKING PROVISIONS IN THE TOWN OF MARKHAM
ZA 12 107844 (10.0)**
[Report](#)

The Public Meeting this date was to consider proposed amendments to Zoning By-law 28-97, respecting Parking Provisions in the Town of Markham and to correct the definition of "Worship Area Capacity" in By-law 28-97 and By-law 2004-196 (ZA 12 107844).

The Committee Clerk advised that notice was published in the Markham Economist and Sun, Markham Page on May 3, 2012. Two written submissions were received. Additional written submissions and documents were received during the Public Meeting.

Staff gave a presentation regarding the background of the Parking Provisions, and the proposed amendments relating to Worship Area Capacity for places of worship with no fixed seats. In response to questions, staff advised that the Place of Worship at 6232 16th Avenue meets the parking space requirements of the proposed Parking By-law Amendment and would not be impacted, and explained the net floor area calculations of the facility.

Peeter Vankor noted concerns for access and traffic at peak worship times with respect to a specific Place of Worship.

Rose Mittelholzer referred to the Building Code Act and questioned if a review of proxy sites had been fulfilled for a specific Place of Worship. Ms. Mittelholzer provided photos of on-street parking for a Place of Worship on Denison Street and suggested that based on her observations, the parking study assumption of four persons per vehicle would be inaccurate.

Remon Sheileib spoke of traffic and safety concerns, and referred to a specific Place of Worship.

Donna Bush referred to the 2003 Places of Worship By-law and the calculation of gross floor area and net floor area, and questioned the requirements for a mortuary. Ms. Bush made reference to a specific Place of Worship, enquiring if an Environmental Study had been done.

Joyce Ramer spoke of parking restrictions on Regional Roads, and referred to a specific Place of Worship.

Phil Richardson, President of Markham Residents for Responsible Community Planning (MRRCP), referred to the 2003 Place of Worship report and by-law and suggested that four persons per vehicle is not accurate, and that places of worship should be assessed similar to assembly halls. Mr. Richardson referred to a specific Place of Worship.

Karen Rea submitted the Town of Markham's 2003 Places of Worship study for the Committee's review, and discussed the net floor area definition and on-street parking concerns, requesting that parking be strictly enforced on high holidays. Ms. Rea had several questions that were submitted to staff for response, and referred to a specific Place of Worship, questioning how many facilities had been considered under the incorrect provisions.

Staff responded that one other Place of Worship has been approved since 2003 under the subject provisions.

Susan Zila spoke to the error in the by-law and referred to a specific Place of Worship.

Annette Cacorovski spoke to the error in the by-law and referred to a specific Place of Worship.

Bhupen Karia spoke to the definition of worship areas.

The Committee noted that this Public Meeting is to address an amendment to the by-law, not for a specific Place of Worship. Clarification was provided regarding the zoning, parking provisions, traffic study, worship area, and buffering for the Place of Worship at 6232 16th Avenue, and policies of the Town of Markham.

Discussions involved preventing overflow parking problems for all Places of Worship, and providing a commitment to enforce parking.

The Committee requested the following information from staff, to be provided when this matter goes forward to Council, if possible:

- a detailed illustration of prior and proposed parking requirements for the Place of Worship at 6232 16th Avenue, and is there a capacity limit on the building.
- verify the photographs submitted by Ms. Mittelholzer with respect to permitted parking on the Denison Street and Middlefield Road, and determine if there have been any complaints from the plaza
- compare the size of Denison Street and 16th Avenue Places of Worship and their respective parking provisions
- status of the additional parking agreement, and site plan revisions for 6232 16th Avenue
- the possibility of no parking/permit parking in this area, and potential improvements to the intersection of Fincham Avenue and 16th Avenue

There was discussion regarding a temporary Place of Worship on Highway 48.

The Committee requested the by-law amendment be brought to Council as soon as possible and that the information requested be provided at that time, where possible.

Moved by: Mayor Frank Scarpitti

Seconded by: Deputy Mayor Jack Heath

- 1) **That the written submissions by Ray Menzies and Peter K. MacLeod, and presentations made at the Public Meeting regarding the proposed amendments to Parking Provisions be received; and**
- 2) **That the depositions by Peeter Vankor, Rose Mittelholzer, Remon Sheileib, Donna Bush, Joyce Ramer, Phil Richardson, President of MRRCP, Karen Rea, Susan Zila, Annette Cacorovski, and Bhupen Karia regarding the proposed amendments to Parking Provisions be received; and**
- 3) That the Development Services Commission report dated February 21, 2012 entitled “PRELIMINARY REPORT – Proposed Amendments to Zoning By-law 28-97, as amended, Respecting Parking Provisions in the Town of Markham, ZA 12-107844” be received; and,
- 4) That the record of the Public Meeting held on May 22, 2012, with respect to the proposed Zoning By-law Amendment to correct the definition of “Worship Area Capacity” in By-law 28-97 and By-law 2004-196 (ZA 12-107844-001) be received; and,

- 5) That the Zoning By-law Amendment application (ZA 12-107844-001) to amend Zoning By-laws 1229, 1442, 1507, 1767, 1914, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, as amended by 28-97, as amended, and 2004-196, as amended, be approved; and further,
- 6) That the proposed amendment to Zoning By-laws 1229, 1442, 1507, 1767, 1914, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, as amended by 28-97, as amended, and 2004-196, as amended, be enacted without further notice.

CARRIED

ADJOURNMENT

The Development Services Public Meeting adjourned at 11:50 PM.

Alternate formats for this document are available upon request.
