



DEVELOPMENT SERVICES COMMITTEE MINUTES

JANUARY 24, 2012, 9:00 a.m. to 12:30 p.m.

Canada Room

Meeting No. 2

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

Presentations, Major Studies, and Issues Agenda

9:00 a.m. – Canada Room

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
Rino Mostacci, Director of Planning and Urban Design
Dennis Flaherty, Director of Communication and
Community Relations
Anna Henriques, Senior Planner
Alida Tari, Council/Committee Coordinator

The Development Services Committee dealing with Transportation issues convened at the hour of 9:06 a.m. in the Canada Room with Regional Councillor Gord Landon. Regional Councillor Jim Jones assumed the Chair for item Nos. 4 & 5.

DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

1. BICYCLE FACILITY SELECTION GUIDE (10.0)

[Presentation](#)

Alan Brown, Director of Engineering provided some opening comments for the Committee regarding the Bicycle Facility Selection Guide.

Mr. Jay Cranstone, MMM Group delivered a PowerPoint presentation with respect to Bicycle Facility Selection Guide. The presentation included: the purpose of the selection guide; the three-step process and bikeway facility types.

Mr. Peter Miasek, Markham resident addressed the Committee and spoke in support of the proposed Bicycle Facility Selection Guidelines. He suggested that these guidelines be presented to York Region Council.

There was discussion regarding the need for intersection improvements. The Committee suggested that once intersection improvements have been finalized it should be incorporated into the Bicycle Facility Selection Guidelines and then have it presented to York Region.

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

- 1) That the presentation provided by Jay Cranstone, Senior Landscape Architect, MMM Group Ltd. entitled "Bicycle Facility Selection Guide" be received; and,
- 2) **That intersection improvements be incorporated with the Bicycle Facility Selection Guidelines; and further,**
- 3) **That the Bicycle Selection Guideline together with intersection improvements be presented to York Region Council.**

CARRIED

**2. MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
FOR A MULTI-USE PATH FROM TOOGOOD POND
THROUGH THE MILNE DAM CONSERVATION AREA TO
BOB HUNTER MEMORIAL PARK IN THE ROUGE RIVER VALLEY (5.7)**

[Presentation](#)

Mr. Brown advised the Committee that this is the proposed presentation that will be presented to the public. He indicated that the design stage for this multi-use path will require more work.

Mr. Jay Cranstone, MMM Group delivered a detailed PowerPoint presentation regarding the Municipal Class Environmental Assessment for a Multi-Use Path from Toogood Pond through the Milne Dam Conservation Area to Bob Hunter Memorial Park in the Rouge River Valley.

Mr. Tupper Wheatley, Milne Park Conservation Association addressed the Committee regarding the Municipal Class Environmental Assessment for a Multi-Use Path from Toogood Pond, through the Milne Dam Conservation Area, to Bob Hunter Memorial Park in the Rouge River Valley and requested that staff ensure that the environment will not be compromised as a result of this project. He suggested that staff continue to pursue a segregated boulevard along Highway 7.

The Committee suggested that staff consider the following:

- Area 1 option should include a connection on both sides
- Area 7 option - remove the proposed southern portion and consider having a park in this area
- Some portions of the pathways will need to be narrower than other sections
- Pathway widths should not be determined by operational requirements
- Need further discussions regarding parking (especially north of the Milne Dam Conservation Area)
- Whether access points north of the Milne Dam Conservation Area need to be closed
- Potential to use permeable materials
- Impact as a result of run off from the pathways
- How will enforcement be handled
- Discussions for the detail design stage should be done in a Council Workshop format

There was brief discussion regarding the timing of the complete environmental study report (ESR).

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

- 1) That the presentation provided by Jay Cranstone, Senior Landscape Architect, MMM Group Ltd. entitled "Municipal Class Environmental Assessment for a Multi-Use Path from Toogood Pond, through the Milne Dam Conservation Area, to Bob Hunter Memorial Park in the Rouge River Valley" be received; and,
- 2) **That a Council Workshop be scheduled following the proposed February Public Consultation meeting to discuss any outstanding issues and the final design stage.**

CARRIED

**3. MAIN STREET MARKHAM
RECONSTRUCTION HIGHWAY 7 TO BULLOCK DRIVE (5.10)**
[Report](#)

Staff summarized the details outlined in the report for Committee.

The Committee briefly discussed the deferral of the watermain replacement on Grandview Avenue.

There was discussion regarding the importance of including everyone that will be affected by this reconstruction. It was noted that a meeting with some of the stakeholder is scheduled for February 7, 2012 to discuss all potential options.

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

- 1) That the staff report entitled, “Main Street Markham Reconstruction - Highway 7 to Bullock Drive” be received; and,
- 2) That the scope and cost for project 12328 Watermain Construction and Replacement Program be modified to include the watermain replacement on Main Street Markham from Highway 7 to Bullock Drive at an estimated cost of \$1,000,000 inclusive of HST, to be funded from the Watermain Replacement Program Account 053-6150-12328-005; and,
- 3) That the existing sanitary sewer on Main Street Markham from Highway 7 to Bullock Drive be maintained as-is and any repairs that may be necessary, be completed and funded from the Environmental Services Department’s – Sanitary Sewer System Upgrade/Rehab Program Account 053-6150-12334-005; and,
- 4) That a new 2012 Asset Management – Right of Way capital project be created for the proposed upgrade of the existing storm sewer system on Main Street Markham from Highway 7 to Bullock Drive in the amount of \$565,000 inclusive of HST, to be funded from the remaining balance of the Investing in Ontario Act Grant; and,
- 5) That Engineering/Asset Management staff be authorized to determine the final design decision regarding either to replace the existing storm sewer from Highway 7 to Bullock Drive or to install a second storm sewer along the east curb line based on level of service requirements on the current engineering standards; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**4. UPDATE TO POLICY FOR
ESTABLISHING TELECOMMUNICATION
FACILITIES (PR 11 128702) (10.0)**
[Report](#)

Ms. Evelin Ellison, Thornhill resident addressed the Committee regarding the proposed updates to the Policy for Establishing Telecommunication Facilities and suggested that distance of at least 500 metres should be considered when towers are being installed in sensitive land uses areas such as residential and school areas.

Mr. Brian Gordon, Thornhill resident addressed the Committee with respect to the proposed updates to the Policy for Establishing Telecommunication Facilities and stated some concerns with some of the proposed restrictions.

Mr. Stephen D'Agostino, Thomson Rogers on behalf of Bell Mobility, Rogers Wireless and TELUS addressed the Committee regarding the proposed updates to the Policy for Establishing Telecommunication Facilities and spoke in support of the majority of the staff recommendation. He outlined a few concerns: the proposed policy fails to respect Industry Canada's requirement that towers less than 15 metres in height be excluded from the entire process; exclusion for sites located in institutional, industrial and commercial sites is overly restrictive because it protects uses that do not exist, and design provisions requirements for equipment to be buried is impractical and puts emergency response function at risk.

The Committee briefly discussed the proposed consultation process.

Anna Henriques, Senior Planner delivered a brief PowerPoint presentation outlining the proposed changes to the Policy for Establishing Telecommunication Facilities.

Councillor Howard Shore submitted proposed additional changes. The Committee suggested that staff review the proposed changes.

The Committee also suggested that staff consider the following:

- Ensure Ward Councillors are advised of proposed cell towers that do not require public consultation
- Other means of advertisement for public consultation process other than local newspaper
- Remove the word "encourage" and replace with a more aggressive word

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

- 1) That the report dated January 17, 2012, entitled, "Update to Policy for Establishing Telecommunication Facilities (PR 11 128702)", be received; and,
- 2) That the document attached as Appendix "A", entitled, "Policy for the Establishment of Telecommunication Facilities", **as amended at the January 24, 2012 Development Services Committee meeting** be adopted; and,
- 3) **That staff consider the proposed additional changes from Members of Committee and report back to Development Services Committee; and further,**
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**5. MARKHAM FREE METHODIST CHURCH
22 ESNA PARK DRIVE
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO PERMIT A PLACE OF WORSHIP IN AN
EXISTING INDUSTRIAL BUILDING
(ZA 11 117540) (10.5)
[Memo Parente Borean Letter](#)**

Commissioner Baird summarized the details outlined in the staff memo. He pointed out that staff are awaiting correspondence from the Ministry of Environment (MOE).

Mr. Quinto Annibale, on behalf of Dufferin Concrete addressed the Committee regarding the proposed application for 22 Esna Park Drive and stated some concerns. He indicated that they have no objection to the current land use, but want to ensure that his client's use is also protected and can continue to operate their business. Mr. Annibale is requesting that this matter be deferred.

Ms. May Luong, Borden Lander Gervais on behalf of the Markham Free Methodist Church addressed the Committee with respect to the proposed application for 22 Esna Park Drive requesting that the applications be considered at the January 24, 2012 Council meeting. She indicated that they would like to address the letter received from MOE at Council.

Staff noted that they did not receive the MOE letter until late last night (after the memo was written) and suggested that the proposed zoning by-law amendment not be endorsed until a definitive response is received from the Ministry of Environment.

The Committee suggested that the item be listed on the January 24, 2012 Council Addendum Agenda and that a copy of the Ministry of Environment letter be included.

Mr. Gerard Borean, Parente Borean LLP representing an adjoining owner, addressed the Committee regarding the proposed application for 22 Esna Park Drive and requested that the proposed application be deferred. He wants to ensure that his client's certificate is not compromised because of this process.

**Moved by Regional Councillor Gord Landon
Seconded by Councillor Carolina Moretti**

- 1) That the staff Memo dated January 24, 2012 be received; and,**
- 2) That the letter from Gerard C. Borean, Parente, Borean LLP, be received; and,**
- 3) That the depositions from Quinto M. Annibale, Loopstra Nixon LLP, on behalf Dufferin Concrete at 7655 Woodbine Avenue; May Luong, Borden Ladner Gervais LLP, on behalf of Markham Free Methodist Church, 22 Esna Park Drive; Gerard Borean, Parente Borean LLP, on behalf of Davencourt Investments Limited, owners of 15, 25, 35 and 39 Riviera Drive and Descor Limited Partnership, 25-39 Riviera Drive; and further,**

- 4) **That Council defer their decision on the zoning by-law amendment for two months or earlier if the Markham Free Methodist Church has resolved all outstanding matters to the satisfaction of the Ministry of Environment and Town staff.**

CARRIED

NEW BUSINESS

There was no new business.

6. IN-CAMERA MATTER (8.0)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That, in accordance with Section 239 (2) (f) & (e) of the *Municipal Act*, Development Services Committee resolve into an in-camera session to discuss the following confidential matter (12:59 PM):

- 1) Advise that is subject to solicitor-client privilege, including communications necessary for that purpose (Ward 3);
- 2) **Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Ward 5)**

CARRIED

Moved by Councillor Colin Campbell

Seconded by Councillor Carolina Moretti

That the Development Services Committee rise from the in-camera session (2:03 PM).

CARRIED

ADJOURNMENT

That the General Committee meeting adjourned at 2:04 PM.

Alternate formats for this document are available upon request.
