



MINUTES
DEVELOPMENT SERVICES PUBLIC MEETING
DECEMBER 6, 2011 - 7:00 p.m.
Council Chamber
Meeting No. 12

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Don Hamilton

Attendance

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

Jim Baird, Commissioner of Development Services
Jamie Bosomworth, Manager of Strategy and Innovation
Tim Moore, Director of Building Standards and Chief
Building Official
Rino Mostacci, Director of Planning and Urban Design
Garry Sellars, Senior Planner
Kitty Bavington, Council/Committee Coordinator

Regrets

Mayor Frank Scarpitti

The Development Services Public Meeting convened at 7:03 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair.

DISCLOSURE OF PECUNIARY INTEREST – None Declared

**1. ELIAS AND EKATERINI BOBOTSIS
9941 WOODBINE AVENUE
EAST SIDE OF WOODBINE AVENUE
SOUTH OF MAJOR MACKENZIE DRIVE
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS AND
SITE PLAN APPROVAL TO PERMIT AN
EXPANSION OF THE ROYAL CACHET MONTESSORI SCHOOL
(OPA, ZA AND SC 11 110068) (10.5, 10.6)
[Report](#) [Attachment](#)**

The Public Meeting this date was to consider an application submitted by Elias and Ekaterini Bobotsis for Official Plan, Zoning By-law Amendment and Site Plan Approval to permit an expansion of the Royal Cachet Montessori School at 9941 Woodbine Avenue (OPA, ZA and SC 11 110068).

The Committee Clerk advised that 58 notices were mailed on November 16, 2011, and a Public Meeting sign was posted on November 16, 2011. Three written submissions were received regarding this proposal.

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

The Committee discussed correspondence received and concerns identified regarding traffic congestion, pedestrian safety issues, and potential noise and privacy concerns. Staff advised that the applicant is required to submit a school travel plan, which will help to address the concern regarding cars queuing on Woodbine Avenue. The access will be reviewed by the Region, and a one-way in/one-way out access will be considered.

Ben Quan, representing the applicant, responded to questions regarding temporary parking during construction, congestion and queuing issues, and safety concerns relating to pedestrians crossing the road. Mr. Quan will continue to work with staff on the issues identified.

It was confirmed that the playground area is fenced. The existing school is 5,639 ft², approximately half of the proposed building, and sufficient parking spaces are being provided. There are currently 101 students at a pre-school level, and the expansion will accommodate 199 students extending to higher grades. The Committee discussed the bio-swales and recommended enhanced landscaping.

Tony Pomeroy, representing Mr. and Mrs. Shim, owners of the property behind the school at 18 Allan Manor, referred to correspondence submitted and discussed concerns regarding noise and impacts to adjacent properties.

Moved by: Councillor Alan Ho

Seconded by: Regional Councillor Gord Landon

- 1) That correspondence from Richard R. Arblaster on behalf of Mr. and Mrs. Shim, Jonathan Tan, and Kathy Bobostis, regarding the Official Plan and Zoning By-law amendments for 9941 Woodbine Avenue, be received; and,
- 2) That the deputation by Tony Pomeroy on behalf of Mr. and Mrs. Shim, regarding the Official Plan and Zoning By-law amendments for 9941 Woodbine Avenue, be received; and,
- 3) That the report entitled "Preliminary Report, Elias and Ekaterini Bobotsis, 9941 Woodbine Avenue, East side of Woodbine Avenue, south of Major Mackenzie Drive, Applications for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit an expansion of the Royal Cachet Montessori School, File No's.: OPA, ZA and SC 11 110068", dated November 15, 2011 be received; and,
- 4) That the Record of the Public Meeting held on December 6, 2011, with respect to the proposed amendments to the Official Plan and Zoning By-law 304-87, as amended, be received; and further,
- 5) That staff be directed to further review and evaluate the proposal and report back to the Development Services Committee.

CARRIED

**2. PROPOSED AMENDMENTS TO
DEVELOPMENT FEE AND
BUILDING FEE BY-LAWS (10.0)**
[Report](#)

The Public Meeting this date was to consider a proposal to amend the Tariff of Fees for Processing Planning Applications and a proposal to replace the By-law respecting Construction, Demolition and Change of Use Permits and Inspections

The Committee was advised that notice was published in the Markham Economist and Sun, Markham Page on November 3, 2011. The Public Meeting date changed and notice was published in the Markham Economist and Sun, Markham Page on November 17, 2011. The Developer's Roundtable was also notified.

Staff gave a presentation regarding the proposed amendments to Development Fees and Building Fees, adjusted annually on a cost recovery basis. The Committee discussed development and building activity levels at over one billion dollars this year, and the impacts of cost increases on the industry. Staff advised that the industry has not indicated any negative impact from increases in Development and Building Fees. The Committee noted and supported the proposed new fee for Heritage Permits for Unauthorized Work, but questioned the amount. Staff will review this issue and update Council on December 13.

A concern was expressed regarding the current economic situation and the deficit status. Staff explained the formula to determine the rates and the long-term forecast.

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

Moved by: Councillor Alan Ho

Seconded by: Regional Councillor Gord Landon

- 1) That the Record of the Public Meeting held on December 6, 2011, with respect to the proposed amendments to the Development and Building Fee By-laws be received; and,
- 2)* **That the memorandum dated December 13, 2011 from the Commissioner of Development Services recommending a fee of \$300.00 for “Heritage Permits for Unauthorized Work” be received and approved; and,**
- 3) 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
- 4) That By-law 2011-62 be repealed and the attached “By-law respecting Construction, Demolition and Change of Use Permits and Inspections”, attached as Attachment “B”, be enacted; and further,
- 5) That the By-laws come into force and take effect on January 1, 2012.

CARRIED

*Amended by Council on December 13, 2011, to add Clause 2, as follows:

“That the memorandum dated December 13, 2011 from the Commissioner of Development Services recommending a fee of \$300.00 for “Heritage Permits for Unauthorized Work” be received and approved; and,”

NEW BUSINESS

3. DEPUTATION YELLOW BRICK HOUSE (10.0)

Moved by: Councillor Alan Ho

Seconded by: Regional Councillor Joe Li

That the Committee consent to receive a deputation regarding new business.

CARRIED BY 2/3 VOTE

Jeff Downey spoke on behalf of the residents in attendance. Mr. Downey described the neighbourhood as an established, single-family residential community, and he suggested that the addition of the Yellow Brick House shelter is not appropriate. The residents are concerned about safety issues, and that they were not informed. Trees and the fence were removed and a new, larger fence was built which impacts their sight lines. As well, there may be potential criminal elements and the shelter may change to include other groups. Mr. Downey displayed photos of the previous and new fences. The residents have met recently with some members of Council, the Police and Yellow Brick House representatives, and they are requesting Council to put this matter on the agenda and find a way to stop the shelter.

Jim Baird, Commissioner of Development Services responded, commenting on Group Home Policies and the prevailing legislated mandate of the Province. Municipalities cannot distinguish between family and non-family inhabitants and the zoning does not prevent the use as a single housekeeping unit. Mr. Baird offered to meet with the residents following this meeting.

Tim Moore, Director of Building Standards and Chief Building Official, provided information regarding the Building Permit issued. Building and Legal staff reviewed the application and determined it did not contravene any applicable laws.

Mr. Downey commented on a contribution made by Mayor Frank Scarpitti to the Yellow Brick House. The Chair explained that the contribution was from the Mayor's Foundation, not the Town, and that the Foundation contributes to other organizations.

Moved by: Councillor Carolina Moretti
Seconded by: Regional Councillor Joe Li

That the deputation by Jeff Downey, representing community residents, expressing concerns regarding the establishment of a Yellow Brick House, be received.

CARRIED

ADJOURNMENT

The Development Services Public Meeting adjourned at 8:40 PM.

Alternate formats for this document are available upon request.
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