



MINUTES
DEVELOPMENT SERVICES PUBLIC MEETING
JUNE 21, 2011 - 7:00 p.m.
Council Chamber
Meeting No. 7

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

Biju Karumanchery, Senior Development Manager
Steven Kitagawa, Senior Planner
David Miller, Manager, East District
Rino Mostacci, Director of Planning and Urban Design
Stacia Muradali, Senior Planner
Gary Sellars, Senior Planner
Kitty Bavington, Council/Committee Coordinator

The Development Services Public Meeting convened at 7:10 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair.

DISCLOSURE OF PECUNIARY INTEREST – None declared

- 1. LASSETER DEVELOPMENTS INC.
BLOCKS 1-18 AND 33-36, DRAFT PLAN 19TM-09001
BERCZY VILLAGE
ZONING BY-LAW AMENDMENT APPLICATION
TO AMEND MINIMUM LOT FRONTAGE AND
MAXIMUM HEIGHT STANDARDS SOUTHWEST CORNER OF
MAJOR MACKENZIE DRIVE AND MCCOWAN ROAD
(ZA 11 115270) (10.5)
[Report](#) [Attachments](#)**

The Public Meeting this date was to consider an application submitted by Lasseter Developments Inc. for a Zoning By-law amendment to amend minimum lot frontage and maximum height standards, Southwest corner of Major Mackenzie Drive and McCowan Road (ZA 11 115270).

The Committee Clerk advised that 148 notices were mailed on May 31, 2011, and a Public Meeting sign was posted on May 31, 2011. No written submissions were received regarding this proposal.

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

The Committee had questions regarding the distance to McCowan Road, lot sizes, whether the garage is large enough to accommodate a car, particularly for accessibility vehicles, and access to the yard for maintenance.

Billy Tung, KLM Planning, representing the applicant, advised that the Townhouses are within the permitted maximum of eight units wide. The plan includes a mix of four and eight unit blocks. Garages meet the width requirements, and a passageway from the garage to the front door provides access to the yard. Accessibility issues were not identified in the review of the plan.

Staff suggested that the three-storey building is not targeted for accessibility-challenged residents and buyers would be aware of constraints. With respect to maintenance of the lawns, the Town can explore the possibility of a resident's association providing maintenance services.

Mary Caporucco spoke in opposition, stating concerns for parking on the street, and landscaping and fencing between the subject property and her street, Prince Charles Way.

Staff advised there will be no open roadway between the two developments and there will be a landscape block and fence provided by the developer. As the fence will be on the developer's property, maintenance of the fence will be the responsibility of the individual home owners in the new development. Staff will contact Ms. Caporucco when landscape plans are submitted. The Ward 4 Councillor requested to be involved in discussions.

Staff were directed to continue to work on fencing and landscaping conditions to the south, and the issue of maintenance of the front yards with the possibility of incorporating an agreement on title for overall maintenance

Moved by: Mayor Frank Scarpitti
Seconded by: Councillor Carolina Moretti

- 1) That the report entitled "Preliminary Report, Lasseter Developments Inc., Blocks 1-18 and 33-36, Draft Plan 19TM-09001, Berczy Village, Zoning By-law Amendment Application to amend minimum lot frontage and maximum height standards, Southwest corner of Major Mackenzie Drive and McCowan Road, File No.: ZA 11 115270", dated May 31, 2011 be received; and,
- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendment to Zoning By-law 177-96, as amended, be received; and,

- 3) That the application by Lasseter Developments Inc. to amend Zoning By-law 177-96, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 177-96, as amended, be finalized and enacted without further notice; and further,
- 5) **That staff continue to work with the applicant with respect to conditions for fencing and landscaping adjacent to lands to the south, and with respect to maintenance of the front yards.**

CARRIED

**2. HUMBOLD GREENSBOROUGH VALLEY DEVELOPMENT LTD.
REZONING AND SITE PLAN APPLICATIONS TO PERMIT A
TOWNHOUSE DEVELOPMENT ON THE EAST SIDE OF
DONALD COUSENS PARKWAY, WEST OF NINTH LINE
SOUTH OF MAJOR MACKENZIE DRIVE
(ZA 10 132122 & SC 10 132123) (10.5, 10.6)**
[Report](#) [Attachment](#)

The Public Meeting this date was to consider an application submitted by Humboldt Greensborough Valley Development Ltd. for Rezoning and site plan approval to permit a townhouse development on the east side of Donald Cousens Parkway, west of Ninth Line, south of Major Mackenzie Drive (ZA 10 132122 & SC 10 132123).

The Committee Clerk advised that 171 notices were mailed on May 31, 2011, and a Public Meeting sign was posted on May 30, 2011. Three written submissions were received regarding this proposal.

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

Ryan Mayor spoke in opposition, stating that he lives across from the subject property and at the time of purchase, had paid a premium price as he had been advised the subject lands would remain as an open space. His objections related to the impact on his view, increased traffic, and noise from traffic and trucks on Highway 48 bouncing off the new buildings.

Staff advised that the subject property is designated as Community Amenity, which permits a mixed use. The secondary plan does include open space areas, but not at this site.

Billy Tung, KLM Planning, representing the applicant, responded to questions from the Committee, advising that noise mitigation fencing will not be provided along Donald Cousens Parkway. The Committee suggested staff review that requirement for Agreements of Purchase and Sale to acknowledge the noise from the parkway. For existing houses impacted by noise, it was noted that the Region can be requested to investigate noise levels and provide noise attenuation measures if warranted. Staff are reviewing the block configuration and layout. Houses backing onto the SWM pond will have a chain link fence.

The Committee discussed protection of purchasers and the current requirement for developers to display maps that comply with approved plans, as well as the obligation of lawyers to perform due diligence. It is recommended that all purchasers check with the Town prior to purchase.

With respect to park space, current and proposed park locations were identified. It was noted that the park on Appleview Road has not been built; however, it will be done soon. It was suggested that a public path around the storm water management pond be considered. Staff will pursue the suggestion with the applicant. Parking requirements were also reviewed.

Rosanna Lamanna spoke in opposition, and expressed concern for the trees on the site. The Committee discussed tree preservation, as well as hiking and biking trails that will be available, and the proximity of Rouge Park.

The Committee requested coloured elevations for the townhouse designs, and directed that in future, area maps indicate park lands.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Colin Campbell

- 1) That the Development Services Committee report dated May 10, 2011, titled “PRELIMINARY REPORT, Humboldt Greensborough Valley Development Ltd., Rezoning and site plan applications to permit a townhouse development on the east side of Donald Cousens Parkway, west of Ninth Line, south of Major Mackenzie Drive, File Nos: ZA 10 132122 & SC 10 132123”, be received; and,
- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendment to Zoning By-law 304-87, as amended, and the proposed draft plan of subdivision, be received; and further,
- 3) That the applications submitted by Humboldt Greensborough Valley Development (ZA 10 132122, SC 10 132123, & SU 11 118324) be referred back to staff for a report and recommendation.

CARRIED

**3. OLYN INVESTMENTS LIMITED
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
APPLICATIONS TO PERMIT A THREE (3) STOREY
COMMERCIAL BUILDING AT 9365 MCCOWAN ROAD
(OP 11 111490 & ZA 11 111491) (10.3, 10.5)
[Report](#) [Attachment](#)**

The Public Meeting this date was to consider an application submitted by Olyn Investments Limited for Official Plan and Zoning By-law amendments to permit a three storey commercial building at 9365 McCowan Road, (OP 11 111490 & ZA 11 111491).

The Committee Clerk advised that 72 notices were mailed on May 31, 2011, and a Public Meeting sign was posted on May 31, 2011. One written submissions was received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues. Joanne Barnett, representing the applicant, was in attendance.

Sal Crimi, representing Olyn Investments Limited, an area developer, spoke of their concern for recoveries for services. Mr. Crimi requested the proposal be sensitive to massing, height, use, lighting, and hours of operation, in consideration of the residents. The site plan should ensure the loading areas are not adjacent to the east property line.

The Committee questioned sustainability initiatives, landscaping, and bird-friendly measures. Staff advised that these issues will be addressed in the site plan application.

The Ward 4 Councillor advised that a public consultation meeting had been held, and that concerns identified will be reviewed by staff.

Moved by: Councillor Carolina Moretti

Seconded by: Councillor Alex Chiu

- 1) That the Development Services Committee report dated May 10, 2011 titled "PRELIMINARY REPORT, Olyn Investments Limited, Official Plan and Zoning By-law amendment applications to permit a three (3) storey commercial building at 9365 Mc Cowan Road, File Nos: OP 11 11490 & ZA 11 111491", be received; and,
- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendments to the Wismer Commons Secondary Plan (OPA 37) and Zoning By-law 304-87, as amended, be received; and further,
- 3) That the applications submitted by Olyn Investments Limited to amend the Wismer Commons Secondary Plan (OPA 37) and Zoning By-law 304-87, as amended, be referred back to staff for a report and recommendation.

CARRIED

**4. 2218942 ONTARIO LIMITED
OFFICIAL PLAN, SECONDARY PLAN AND
ZONING BY-LAW AMENDMENT APPLICATIONS
TO RE-DESIGNATE AND RE-ZONE THE LANDS TO
PERMIT A STAND ALONE FINANCIAL INSTITUTION AND
ASSOCIATED DRIVE THROUGH FACILITY
CORNELL COMMUNITY, 9225 9TH LINE
(OP 08-116248 AND ZA 08-113256) (10.3, 10.4, 10.5)
[Report](#) [Attachment](#)**

The Public Meeting this date was to consider an application submitted by 2218942 Ontario Limited for Official Plan Amendment, Secondary Plan Amendment and Zoning By-law Amendment to redesignate and re-zone the lands to permit a stand alone financial institution and associated drive through facility, Cornell Community, 9225 9th Line (OP 08-116248 & ZA 08-113256).

The Committee Clerk advised that 147 notices were mailed on May 27, 2011, and a Public Meeting sign was posted on May 25, 2011. Six written submissions were received regarding this proposal.

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

Debra Kakaria, MHBC Planning, representing the applicant, made a brief presentation and discussed site plan details. Ms. Kakaria explained there has been no interest in development of this property for residential use.

Debby Accettura spoke in objection to the proposal, stating that when she purchased her property she had confirmed with the Town that the subject lands were residential. Ms. Accettura's concerns included anti-idling and property maintenance. She also noted that only a few residents had been invited to a preliminary public consultation.

Staff clarified that the bank does not currently own the property and is not responsible for maintenance. The Committee advised that By-law enforcement would be contacted with respect to maintenance issues.

The Committee discussed traffic on the Ninth Line and the Cornell vision which does not support commercial uses in this area.

Moved by: Councillor Colin Campbell
Seconded by: Regional Councillor Gord Landon

- 1) That the report dated May 10, 2011, entitled "Preliminary Report, 2218942 Ontario Limited, Official Plan Amendment, Secondary Plan Amendment and Zoning By-law Amendment applications to redesignate and re-zone the lands to permit a stand alone financial institution and associated drive through facility, Cornell Community, 9225 9th Line, File Nos: OP.08-116248 and ZA.08-113256." be received; and,

- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendments to the Official Plan, Secondary Plan and Zoning By-law, be received; and further,
- 3) That the applications by 2218942 Ontario Limited be referred back to staff for a report and recommendation.

CARRIED

**5. GREAT ELDIN DEVELOPMENTS LTD.
9560 HIGHWAY 48
DRAFT PLAN OF SUBDIVISION AND
REZONING APPLICATIONS TO PERMIT
HIGH DENSITY MIXED-USE RESIDENTIAL DEVELOPMENT
AND TOWNHOUSES
(SU 11 109000 & ZA 11 108999) (10.7, 10.5)
[Report](#) [Attachment](#)**

The Public Meeting this date was to consider an application submitted by Great Eldin Developments for Draft Plan of Subdivision and rezoning application to permit high density mixed-use residential development and townhouses at 9560 Highway 48 (SU 11 109000 & ZA 11 108999).

The Committee Clerk advised that 151 notices were mailed on May 31, 2011, and a Public Meeting sign was posted on May 30, 2011. No written submissions were received regarding this proposal.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues. Harry Kohn of Khone Architects was in attendance.

The Ward 4 Councillor advised that a public consultation meeting had been held, and that concerns identified will be reviewed by staff.

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

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

- 1) That the Development Services report dated April 12, 2011, titled "PRELIMINARY REPORT, Great Eldin Developments, 9560 Highway 48, Draft plan of subdivision and rezoning applications to permit high density mixed-use residential development and townhouses, File Nos: SU 11 109000 & ZA 11 108999", be received; and,

- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendment to Zoning By-law 304-87, as amended, and the proposed draft plan of subdivision be received; and further,
- 3) That the application submitted by Great Eldin Developments Ltd. to amend Zoning By-law 304-87, as amended, and application for draft plan of subdivision, be referred back to staff for a report and recommendation.

CARRIED

**6. INFORMATION REPORT:
UNIONVILLE VARLEY VILLAGE
INFILL HOUSING WORKING GROUP
(FILE NUMBER 10-118360) (10.0)**
[Report](#) [Attachments](#)

The Public Meeting this date was to consider amendments to the Town's Zoning By-laws to add provisions to the existing zoning to more tightly regulate infill development in the Varley Village Area (ZA 10 118360).

The Committee Clerk advised that 1122 notices were mailed on May 27, 2011, and a notice was published in the local newspaper on June 2, 2011. Sixteen written submissions were received regarding this proposal. The following written submissions were received at the Public Meeting:

- Paul Free, in objection
- Ian Free, in objection
- Chris Bergauer-Free, in objection
- Jim Clarke, in opposition
- Petition with 17 names from Jeremy Street, in objection
- Petition with 38 names from Pomander Road, Jeremy Street and Emily Carr Street, in objection

Staff gave a presentation regarding the proposal, the location, and outstanding issues. An explanation of the Infill Housing By-law Study and the findings were provided.

Ms. Free made a deputation, on behalf of herself and her father, Paul Free, in objection to the potential impact on property values.

Tristan Bergauer-Free spoke in opposition, and discussed the intention of the original Varley Village, how it has changed, and the impacts on property values. He suggested there are numerous infractions to the zoning, building, and driveway By-laws and that enforcement of the current by-laws would be preferable to enacting new ones.

David Wakeham, spoke in support, as a resident and a member of the Working Group. He suggested Varley Village is vulnerable to disproportionately large homes that may adversely effect the character of the community. He supports the proposed by-law that allows an increase to the existing permitted size of homes but restricts oversized homes.

Jim Clarke spoke in objection with respect to the impact on property values. Mr. Clarke suggested that this was initiated by a few residents, not the Town, and is not fair to the majority of the residents. He stated that the residents he petitioned do not want the proposed by-law.

Elaine Wilton spoke in support, stating her opinion that the proposed by-law is being fair and balanced and protects existing homes from the impacts of overdevelopment, such as shadowing, loss of privacy, and loss of mature trees. Ms. Wilton suggested there are many other locations where larger homes can be built.

Mark Scarrow spoke in support of the proposed by-law, stating the existing houses are within the proposed by-law requirements and are not close to the 33% coverage.

Steve and Anne Connell spoke in opposition, stating that the proposed by-law will not be able to control the look of the house as it does not have architectural control, and suggested that the houses being displayed as detrimental examples are not actually part of Varley Village. They stated that they do not want their rights taken away because of what might happen. They also stated that they have a monster home built beside them and don't mind it, as it shows prosperity and adds value to their home. Mr. & Mrs. Connell referred to a letter from Russ Gregory, a member of the Working Group who is in opposition to the by-law. Photos were displayed of typical houses that can be built.

David Hastings spoke in opposition, with respect to the loss of property value.

Robert Blacklock spoke in opposition, stating he considers the draft by-law confusing to understand with respect to the provisions and its impact on renovations.

Barry Raine spoke in opposition due to the impact on property values and presented a petition of residents on Jeremy Drive, in opposition. He questioned the basement and garage being included in the square footage calculation. Staff provided clarification of square footage calculations.

Mike Voulgaris spoke in opposition, with respect to the negative impact on home values. Mr. Voulgaris suggested that the character of Varley Village is due to the wide variety of houses within it.

Jason McCauley, spoke in opposition. He stated that he is an architect and is unable to understand the by-law. He suggested the Committee visit another neighbourhood, where the canopy of trees, not the houses, define the character, and that the focus should be on tree preservation instead of decreasing house values.

William Calanchie spoke in opposition. He acknowledged the current values of the homes are due to the efforts of Council. He also noted that multiple families living together need more room and larger houses, and that there are many places available to build smaller homes, but not larger ones.

Endel Mell spoke in opposition, suggesting the by-law is difficult to comprehend, and he is not sure how it will impact his property.

Due to the hour, two speakers left before making depositions, but left their names for the record:

- David Lewis (in opposition)
- Guy Gordon (in opposition)

The Committee requested staff review the by-law to provide easier comprehension. Discussions included possible solutions involving architectural control or other tools. It was suggested that the Working Group be expanded to include other viewpoints.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Don Hamilton

- 1) That the Development Services Commission report dated March 29, 2011, titled Information Report: Unionville Varley Village Infill Housing Working Group, ZA 10-118360, be received; and,
- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the addition of provisions to the existing zoning to more tightly regulate infill housing in the Varley Village area, be received; and,
- 3) That the proposal to add provisions to the existing zoning to more tightly regulate infill housing in the Varley Village area, be referred back to staff for a report and recommendation; and further,
- 4) **That the Working Group be expanded to include 2 or 3 people from an opposing view.**

CARRIED

ADJOURNMENT

The Development Services Public Meeting adjourned at 11:00 PM.

Alternate formats for this document are available upon request.
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