

Development Services Committee Minutes

Meeting Number 9 May 25, 2020, 9:30 AM - 3:00 PM Live streamed

Roll Call Mayor Frank Scarpitti Councillor Reid McAlpine

Deputy Mayor Don Hamilton Councillor Karen Rea
Regional Councillor Jack Heath Councillor Andrew Keyes
Regional Councillor Joe Li Councillor Amanda Collucci
Regional Councillor Jim Jones Councillor Khalid Usman

Councillor Keith Irish Councillor Isa Lee

Councillor Alan Ho

Staff Andy Taylor, Chief Administrative

Officer

Arvin Prasad, Commissioner,

Development Services

Brenda Librecz, Commissioner, Community & Fire Services

Claudia Storto, City Solicitor and Director of Human Resources

Brian Lee, Director, Engineering

Christina Kakaflikas, Acting Director,

Economic Growth, Culture &

Entrepreneurship

Biju Karumanchery, Director, Planning

& Urban Design

Ron Blake, Senior Development Manager,

Planning & Urban Design

Don De Los Santos, Manager, Markham

Small Business Centre

Regan Hutcheson, Manager, Heritage Brad Roberts, Manager, Zoning and

Special Projects

Francesco Santaguida, Assistant City

Solicitor

Scott Chapman, Election & Council/Committee Coordinator

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Committee meeting convened at the hour of 9:35 AM with Regional Councillor Jim Jones presiding as Chair.

Deputy Mayor Don Hamilton addressed the Committee and noted the passing of Gary Sellars, who served as a member of the City's Planning Department for over 31 years. Members of Development Services Committee and staff observed a moment of silence in honour of Gary Sellars.

Development Services Committee recessed at 12:58 PM and reconvened at 1:48 PM.

Mayor Frank Scarpitti arrived at 9:48 AM.

Councillor Amanda Collucci arrived at 9:52 AM.

Regional Councillor Jack Heath left the meeting at 11:46 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – MAY 11, 2020 (10.0)

Moved by Councillor Khalid Usman Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the Development Services Committee meeting held May 11, 2020, be confirmed.

Carried

4. **DEPUTATIONS**

Deputations were made for the following items:

- 7.6 Preliminary Report: Kingdom-Markham Centre (4077 & 4101 Highway 7);
- 8.1 Highway 48 Corridor Vision; and,
- 10.2 Committee of Adjustment Procedural By-law Amendment.

Refer to the individual items for the deputation details.

5. COMMUNICATIONS

Communications were submitted for the following items:

- 7.6 Preliminary Report: Kingdom-Markham Centre (4077 & 4101 Highway 7);
- 8.1 Highway 48 Corridor Vision; and,
- 10.2 Committee of Adjustment Procedural By-law Amendment.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

7.1 MARKHAM SUB-COMMITTEE MINUTES – MAY 7, 2020 (MARKHAM ROAD – MOUNT JOY SECONDARY PLAN AND CORNELL ROUGE NATIONAL URBAN PARK GATEWAY) (10.0)

It was requested that the presentation delivered to the Markham Sub-Committee on the revised public engagement process for the Markham Road-Mount Joy Secondary Plan be circulated to all members of Council.

Moved by Councillor Karen Rea Seconded by Regional Councillor Jack Heath

1. That the minutes of the Markham Sub-Committee (Markham Road – Mount Joy Secondary Plan and Cornell Rouge National Urban Park Gateway) meeting held May 7, 2020, be received for information purposes.

Carried

7.2 COMMERCIAL FAÇADE IMPROVEMENT GRANT PROGRAM FOR 2020 (16.11)

Moved by Councillor Khalid Usman Seconded by Councillor Alan Ho

- 1. That the report entitled "Commercial Façade Improvement Grant Program for 2020", dated May 25, 2020 be received; and,
- 2. That Council supports a matching grant of up to \$10,000.00 for the reconditioning of the historic wooden tongue and groove exterior cladding and the replication of the wooden recessed paneled entrance doors for 10137 Woodbine Ave.; and,
- 3. That the identified grants be funded from the Commercial Façade Improvement Program Account (620-101-5699-20018) which has a budget of \$20,000.00 for the year 2020; and,

- 4. That the remaining budget of \$10,000 (\$20,000-\$10,000) be returned to the original funding source; and further,
- 5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3 DESIGNATED HERITAGE PROPERTY GRANT APPLICATIONS - 2020 (16.11)

Moved by Councillor Khalid Usman Seconded by Councillor Alan Ho

- 1. That the report entitled "Designated Property Grant Applications -2020", dated May 25, 2020, be received; and,
- 2. That Designated Property Grants for 2020 be approved in the amounts noted for the following properties, totaling \$24,940.53, provided that the applicants comply with eligibility requirements of the program;
 - a. 15 Colborne Street, Thornhill-up to \$2,774.15 for repairs to the cedar shingle roof and the brick chimney as already approved by the City;
 - b. 17 Euclid Street, Unionville- up to \$1,694.48 for the installation of two historically authentic wooden second storey windows;
 - c. 8 David Gohn Circle, Markham Heritage Estates-up to \$7,500.00 for installation of a new cedar shingle roof;
 - d. 10 David Gohn Circle, Markham Heritage Estates –up to \$5,000.00 for the reconstruction of brick veneered dummy chimneys;
 - e. 16 George Street, Markham Village-up to \$5,000.00 for repairs to the floor deck and railings of the historic veranda and re-conditioning of more of the historic windows;
 - f. 309 Main Street North, Markham Village-up to \$2,971.90 for the reconditioning of three historic wooden windows.
- 3. That the grants be funded through the Designated Heritage Property Grant Project Fund, Account 620-101-5699-20017 (\$30,000.00 available for 2020); and,

- 4. That the remaining budget in the amount of \$5,059.47 (\$30,000 \$24,940.53), as well as any un-used budget on approved projects, be returned to the original funding source; and further,
- 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.4 RECOMMENDATION REPORT, DEMOLITION PERMIT APPLICATION, ACCESSORY BUILDING, 31 WALES AVENUE, MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT, WARD 4, FILE NO. 20 112282 DP (16.11, 10.12)

Moved by Councillor Khalid Usman Seconded by Councillor Alan Ho

- 1. That the staff report entitled "Recommendation Report, Demolition Permit Application, Accessory Building, 31 Wales Avenue, Markham Village Heritage Conservation District, Ward 4, File No. 20 112282 DP", dated May 25, 2020 be received; and,
- 2. That Council endorse the demolition of the frame accessory building at 31 Wales Avenue, with the conditions that the applicant consult and comply with any requirements of the City's Urban Design staff to address the protection of mature trees during demolition, and that the owner advertise the heritage materials for salvage in a local newspaper, to the satisfaction of the Manager of Heritage Planning; and further,
- 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.5 RECOMMENDATION REPORT DEMOLITION PERMIT APPLICATION FOR A BUILDING LISTED ON THE MARKHAM REGISTER OF PROPERTY OF CULTURAL HERITAGE VALUE OR INTEREST, SUMMERFELDT-STICKLEY HOUSE 10536 MCCOWAN ROAD,WARD 6 FILE NO. 20110958 DP (16.11, 10.13)

The Committee inquired as to strategies followed to-date to address vacant and neglected heritage buildings in Markham. Staff advised of the list of threatened heritage buildings identified and the actions undertaken by Heritage and By-law

Enforcement staff to bring these into compliance with the City's property standards regulations. There was discussion regarding potential strategies for protecting existing heritage buildings from demolition moving forward.

It was requested that staff report back to Development Services Committee in the fall of 2020 with a status update on list of heritage buildings across the City of Markham identified to be in a threatened condition. It was also requested that additional information be provided on the process and considerations applied in determining whether a building of potential cultural heritage value or interest is recommended for heritage designation.

Moved by Councillor Keith Irish Seconded by Councillor Khalid Usman

- That the report titled "Recommendation Report, Demolition Permit Application for a Building Listed on the Markham Register of Property of Cultural Heritage Value or Interest, Summerfeldt-Stickley House, 10536 McCowan Road, Ward 6", File No. 20 110958 DP, dated May 25, 2020, be received;
- 2. That Council approve the demolition of the vacant listed heritage building known as the Summerfeldt-Stickley House on the basis of its advanced state of disrepair and the unlikely possibility of repairs being undertaken based on the applicant's structural review by a qualified engineering consultant;
- 3. That as conditions of demolition approval, the owner be required to provide at their sole cost a Markham Remembered commemorative plaque to interpret the history of the property, and place it in near the front of the property, and the owner be required to advertise in a local newspaper the availability of the building for potential salvage of materials that could be used elsewhere, both to the satisfaction of the Manager of Heritage Planning;
- 4. And that Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

7.6 PRELIMINARY REPORT, 2690622 ONTARIO INC. (KINGDOM - MARKHAM CENTRE), APPLICATION FOR AN OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT TO PERMIT A PHASED HIGH-DENSITY RESIDENTIAL DEVELOPMENT AT 4077 AND 4101 HIGHWAY 7, MARKHAM CENTRE (WARD 3) - FILE NO. PLA 20 140215 (10.3, 10.5)

Ron Blake, Senior Development Manager, introduced the report and provided members of Committee with an overview of the application, including the proposal submitted by the applicant, previous approval history, and outstanding issues to be addressed as part of the staff review.

Nick Pileggi, Macaulay Shiomi Howson, consultant to the applicant, requested that a statutory public meeting for the application be scheduled as soon as possible prior to the fall, noting potential benefits resulting from early consideration. Mr. Pileggi also addressed several concerns expressed by the Unionville Residents Association in regard to the applicant's proposal.

Peter Miasek, representative of the Unionville Residents Association, addressed the Committee and expressed concerns with the development application, including potential impacts associated with the proposed Floor Space Index, tower heights, and reduction in parkland dedication. Mr. Miasek also noted concerns with the timing of the application relative to the status of the Markham Centre Secondary Plan Update study, and requested that a statutory public meeting for the application be postponed until such time as a draft Secondary Plan has been completed.

There was discussion regarding the features of the development proposal relative to the existing approvals for the subject lands, and the potential impacts resulting from additional approvals. The Committee also discussed the potential appropriate timing of a statutory public meeting for the application in consideration of the status of the Markham Centre Secondary Plan Update study.

Development Services Committee tabled discussion on this matter to recess and resumed discussion upon returning from confidential session.

The Committee directed staff to proceed with the processing of the minor variance application for Phase 1 of the proposal. The Committee also resolved to postpone the scheduling of a statutory public meeting for the application to allow for further public consultation as part of the Markham Secondary Plan Update study process. It was requested that staff and the applicant continue to explore the feasibility and requirements of incorporating infrastructure for a pneumatic waste collection system to service the proposed future subdivision. It was also requested that staff report back to Development Services Committee on the status of the application in the fall of 2020 to determine an appropriate course of action.

Moved by Councillor Reid McAlpine Seconded by Mayor Frank Scarpitti

1. That the report titled "PRELIMINARY REPORT, 2690622 Ontario Inc. (Kingdom - Markham Centre), Application for an Official Plan Amendment

- and Zoning By-law Amendment to permit a phased high-density residential development at 4077 and 4101 Highway 7, Markham Centre (Ward 3) File No. PLA 20 140215", be received; and,
- 2. That the deputations of Nick Pileggi, Macaulay Shiomi Howson, on behalf of 2690622 Ontario Inc. (Kingdom Markham Centre); and Peter Miasek on behalf of the Unionville Residents Association, be received; and,
- 3. That the communications submitted by Peter Miasek on behalf of the Unionville Residents Association; David McBeth; Donna Swift; and Richard Gillott be received; and,
- 4. That staff be directed to proceed with the processing of the minor variance application for Phase 1 of the development proposal; and,
- 5. That a community information meeting be held for the application in June 2020; and,
- 6. That staff continue to evaluate the proposal through the Markham Centre Secondary Plan Update study consultation process; and,
- 7. That an additional community information meeting be held prior to finalization of a draft development option for the Markham Centre Secondary Plan Update study area; and;
- 8. That a statutory public meeting for the application be scheduled for a date to be determined following the completion of a draft development option for the Markham Centre Secondary Plan Update study area; and,
- 9. That staff be directed to investigate the feasibility and requirements of incorporating infrastructure for a pneumatic waste collection system to service the proposed future subdivision; and further,
- 10. That staff be authorized and directed to do all things necessary to give effect to this resolution.

7.7 PROPOSED AMENDMENTS TO BY-LAW 2005-104 - A BY-LAW TO PROHIBIT THE USE OF LAND OR THE ERECTION OF BUILDINGS UNLESS MUNICIPAL SERVICES ARE AVAILABLE (5.0)

Moved by Deputy Mayor Don Hamilton Seconded by Councillor Isa Lee

- 1. That the report entitled "Proposed Amendments to By-law 2005-104 A By-law to Prohibit the Use of Land or the Erection of Buildings unless Municipal Services are Available", be received; and,
- 2. That the proposed amendments to By-law 2005-104 as outlined in Attachment 'A' of the report be enacted; and further,
- 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

8.1 HIGHWAY 48 CORRIDOR VISION (10.0)

John Yeh, Manager, Strategy and Innovation, introduced the item and provided members of Committee with an overview of the Highway 48 Corridor Vision study being led by the Town of Whitchurch-Stouffville. It was noted that the study will explore areas along the corridor that may be considered for expansion of the settlement area boundary.

Wai Ying Di Giorgio, The Planning Partnership, consultant retained by the Town of Whitchurch-Stouffville for the Highway 48 Corridor Vision study, delivered a presentation on the study, including an overview of the study area, purpose, guiding principles and planning considerations, three proposed development concept options based on consultation with project stakeholders in April 2019, and next steps in the project timetable.

Alexis Whalen, resident, addressed the Committee and expressed concerns regarding the timing of the Highway 48 Corridor Vision study during the ongoing provincial state of emergency and the potential impacts of development within the study area on agricultural and environmental resources. Ms. Whalen also expressed concerns regarding the potential impact of the Minister's Zoning Order for a development application within the study area on public consultation in the planning process.

Mary Ellen Bench, Dentons, legal counsel for Flato Developments Inc., addressed the Committee and expressed Flato Development Inc.'s support for the Highway 48 Corridor Vision exercise and its commitment to contributing to the achievement of a shared development vision for the study area.

There was discussion regarding potential opportunities to leverage shared municipal service infrastructure for future developments within the study area.

Moved by Councillor Andrew Keyes Seconded by Councillor Amanda Collucci

- 1. That the presentation provided by Wai Yong Di-Giorgio, Principal, and Donna Hinde, Principal, The Planning Partnership entitled "Highway 48 Corridor Vision" be received; and,
- 2. That the deputations of Alexis Walen; and Mary Ellen Bench, Dentons, on behalf of Flato Developments Inc., be received; and further,
- 3. That the communications submitted by Brian Drudge; and Emma West, Bousfields Inc., on behalf of Flato Developments Inc., be received.

Carried

8.2 YONGE NORTH SUBWAY EXTENSION INTENSIFICATION ANALYSIS (10.0)

Arvin Prasad, Commissioner, Development Services, provided members of Committee with an overview of the business case analysis currently being undertaken by Metrolinx in regard to the Yonge North Subway Extension. Commissioner Prasad provided an overview of the land use intensification analysis commissioned by the City of Markham to help inform this exercise, and introduced the study consultants.

Ed Sajecki, Sajecki Planning, consultant to the City of Markham, provided members of Committee with an overview of the objectives and findings of the Yonge North Subway Extension Intensification Analysis commissioned by the City. Mr. Sajecki noted that the analysis confirms significant development potential to support the business case for a subway station at each of the proposed future station areas.

David Sajecki, Sajecki Planning, consultant to the City of Markham, delivered a presentation on the Yonge North Subway Extension Intenficiation Analysis, including an overview of the study methodology, study areas, and density projections for each of the proposed future station areas.

The Committee discussed the following relative to the presentation:

- Potential levels of intensification and redevelopment anticipated in areas located adjacent to the proposed future station areas;
- Ensuring continued collaboration and coordination with municipal partners and agencies on planning and infrastructure development along the Yonge Street Corridor;

- Planning for appropriate levels of intensification at each of the proposed future station areas to support transit usage; and,
- Status of the proposed stations at Royal Orchard Boulevard and Clark Avenue.

Moved by Mayor Frank Scarpitti Seconded by Councillor Keith Irish

1. That the presentation provided by Ed Sajecki, Partner and David Sajecki, Partner, Sajecki Planning entitled "Yonge North Subway Extension Intensification Analysis" be received.

Carried

9. PRESENTATIONS - CULTURE AND ECONOMIC DEVELOPMENT ISSUESS

9.1 CELEBRATE MARKHAM ACTION PLAN PROGRESS UPDATE (10.16, 7.6)

Development Services Committee consented to postpone consideration of this matter to a future meeting.

Moved by Councillor Khalid Usman Seconded by Councillor Isa Lee

1. That the presentation entitled "Celebrate Markham Action Plan Progress Update", be received.

Postponed

10. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

10.1 YONGE NORTH SUBWAY EXTENSION INTENSIFICATION ANALYSIS (10.0)

Arvin Prasad, Commissioner, Development Services, introduced the staff report and provided an overview of the staff recommendations.

There was discussion regarding the potential timetable of a future secondary plan study for the Yonge Street Corridor. There was also discussion regarding the importance of securing investment by Metrolinx on infrastructure for the Yonge North Subway Extension.

Moved by Councillor Keith Irish Seconded by Mayor Frank Scarpitti

- 1. That the report dated May 25, 2020 entitled "Yonge North Subway Extension Intensification Analysis" be received;
- 2. That this report be officially forwarded to Metrolinx for consideration and input to the initial business case for the Yonge North Subway Extension;
- That Metrolinx be invited to Development Services Committee to present the development of their initial business case prior to **finalization and adoption** by their Board;
- 4. That upon approval of the initial Metrolinx business plan by their Board, Markham staff report to Development Services Committee on the scope of a Yonge Corridor Secondary Plan and appropriate funding;
- 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10.2 COMMITTEE OF ADJUSTMENT PROCEDURAL BY-LAW AMENDMENT REPORT FILE #: PR 20 112899 (10.12)

Ian Free, resident, addressed the Committee in regard to the staff report and expressed concerns with the potential of Committee of Adjustment meetings being conducted by electronic format during the ongoing provincial state of emergency, including those related to provision of statutory notice as well as accessibility for residents with limited digital literacy and access.

Christiane Bergauer-Free, resident, addressed the Committee in regard to the staff report and expressed concerns with the potential of Committee of Adjustment meetings being conducted by electronic format during the ongoing provincial state of emergency, including those related to provision of statutory notice as well as accessibility for residents with limited digital literacy and access.

Development Servoces Committee consented to refer this matter to the May 26, 2020 Council meeting for further consideration.

Moved by Councillor Isa Lee Seconded by Regional Councillor Joe Li

1. That the deputations of Ian Free and Christiane Bergauer-Free be received; and,

2. That the communications submitted by Ian Free and Christiane Bergauer-Free be received.

Carried

Moved by Councillor Isa Lee Seconded by Regional Councillor Joe Li

- 1. That the report titled "Committee of Adjustment Procedural By-law Amendment File #: PR 20 112899", be received; and,
- 2. That Staff be directed to reconvene Committee of Adjustment meetings to consider applications utilizing electronic meeting participation; and,
- 3. That the amendment to Bylaw 2014-170 (A By-law to Establish a Procedure for the Committee of Adjustment of the City of Markham) as attached in Appendix 'B' be enacted and further,
- 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Referred

11. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

11.1 FEASIBILITY STUDY AND DETAILED DESIGN OF FLOOD
REDUCTION WORK FOR LANDS LOCATED IN THE LITTLE ROUGE
CREEK SUBWATERSHED WEST OF MCCOWAN ROAD (WARD 6)
(5.0)

Brian Lee, Director, Engineering, introduced the item and provided members of Development Services Committee with an overview of the staff report.

Moved by Mayor Frank Scarpitti Seconded by Deputy Mayor Don Hamilton

- 1. That the report entitled "Feasibility Study and Detailed Design of Floodplain Reduction Works for Lands Located in the Little Rouge Creek Subwatershed West of McCowan Road (Ward 6)" be received; and,
- 2. That staff be directed to work with the owners of the lands municipally known as 11142 McCowan Road, Markham and 11270 McCowan Road, Markham ("Adjacent Land Owners") and cost share the fees for completing the technical studies and detailed design components of the flood reduction work, and.

- 3. That the Adjacent Land Owners upfront the City's share of the cost for completing the technical studies and the detailed design components of the project in the amount of approximately \$87,380, inclusive of HST impact, and that the City reimburse the Adjacent Land Owners through a future Capital Budget, tentatively in 2023, and,
- 4. That the Mayor and Clerk be authorized to execute a Cost Sharing Agreement with the Adjacent Land Owners for the feasibility study, detailed design cost and other matters relating to the project in a form satisfactory to the Commissioner of Development Services and the City Solicitor; and further,
- 5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

12. MOTIONS

There were no motions.

13. NOTICES OF MOTION

There were no notices of motion.

14. NEW/OTHER BUSINESS

There was no new / other business.

15. ANNOUNCEMENTS

There were no announcements.

16. CONFIDENTIAL ITEMS

Moved by Councillor Khalid Usman Seconded by Deputy Mayor Don Hamilton

That Development Services Committee suspend the rules of procedure to allow J. Pitman Patterson, BLG, external legal counsel for the City of Markham, to be present for confidential session.

Carried by a Two Thirds Vote

Moved by Regional Councillor Joe Li Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the *Municipal Act*, Development Services Committee resolve into a confidential session at 1:50 PM to discuss the following matters:

Carried

16.1 DEVELOPMENT AND POLICY ISSUES

16.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL
MINUTES - MARCH 9, 2020 AND MAY 11, 2020 (10.0) [Section 239
(2) (e) (f)]

Development Services Committee confirmed the March 9, 2020 and May 11, 2020 confidential minutes.

16.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING
THE MUNICIPALITY OR LOCAL BOARD; [SECTION 239 (2) (e)]
AND ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT
PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR
THAT PURPOSE; [SECTION 239 (2) (f)] - LITIGATION UPDATE 1771107 ONTARIO INC. (8.0)

Development Services Committee consented to place this matter on the May 26, 2020 confidential Council agenda for consideration.

Moved by Councillor Reid McAlpine Seconded by Deputy Mayor Don Hamilton

That the Development Services Committee confidential session adjourn at 3:39 PM.

Carried

17. ADJOURNMENT

Moved by Councillor Keith Irish Seconded by Councillor Isa Lee

That the Development Services Committee meeting adjourn at 5:04 PM.

Carried