

Development Services Committee Minutes

Meeting Number 16
October 15, 2019, 9:30 AM - 3:00 PM
Council Chamber

Roll Call	Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Jim Jones Councillor Keith Irish Councillor Reid McAlpine	Councillor Karen Rea Councillor Amanda Collucci (arrived at 10:23 AM) Councillor Khalid Usman Councillor Isa Lee
Regrets	Mayor Frank Scarpitti Regional Councillor Joe Li	Councillor Alan Ho Councillor Andrew Keyes
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Chief of Staff Brian Lee, Director, Engineering Biju Karumanchery, Director, Planning & Urban Design	Ron Blake, Senior Manager, Development Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship Marg Wouters, Senior Manager, Policy & Research Lilli Duoba, Manager, Natural Heritage Regan Hutcheson, Manager, Heritage Scott Chapman, Election & Council/Committee Coordinator

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1. CALL TO ORDER

The Development Services Committee convened at the hour of 9:44 AM in the Council Chamber with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 11:24 AM and reconvened at 11:42 AM.
Development Services Committee recessed at 12:41 AM and reconvened at 1:39 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – SEPTEMBER 23, 2019 (10.0)

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Khalid Usman

1. That the minutes of the Development Services Committee meeting held September 23, 2019, be confirmed.

Carried

4. DEPUTATIONS

Deputations were made for the following item:

9.3 York Region Roads Capital Acceleration Program (City-Wide)

Refer to the individual item for the deputation details.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

7.1 HISTORIC UNIONVILLE COMMUNITY VISION COMMITTEE MINUTES – MAY 15, 2019 AND JUNE 19, 2019 (10.0)

There was discussion regarding the paid parking analysis commissioned as part of a previous parking strategy developed by the City.

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the Historic Unionville Community Vision Committee meeting held May 15, 2019 and June 19, 2019, be received for information purposes.

Carried

7.2 MAIN STREET MARKHAM COMMITTEE MINUTES – JUNE 19, 2019 (16.0)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the minutes of the Main Street Markham Committee meeting held June 19, 2019, be received for information purposes.

Carried

7.3 REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD OF JUNE 10, 2019 TO SEPTEMBER 15, 2019 (10.0)

There was discussion regarding the development application submitted by Bur Oak (ARH) Developments Inc. It was noted that the applicant is currently advertising the sale of units for their development proposal, and concerns were expressed over the potential implications to purchasers of these units should the applicant fail to receive the required approvals. Staff advised that they will look into this matter further.

Moved by Councillor Karen Rea
Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “Report on Incoming Planning Applications for the period of June 10, 2019 to September 15, 2019, be received and staff be directed to process the applications in accordance with the approval route outlined in the report.
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution

Carried

7.4 INFORMATION REPORT 2019 THIRD QUARTER UPDATE OF THE STREET AND PARK NAME RESERVE LIST (10.14, 6.3)

Moved by Regional Councillor Jack Heath
Seconded by Councillor Khalid Usman

1. That the report titled ‘Information Report 2019 Third Quarter Update of the Street and Park Name Reserve List’, be received; and,

2. That Council approve the revised Street and Park Name Reserve List set out in Appendix ‘A’ attached to this report.

Carried

**7.5 RECOMMENDATION REPORT DEMOLITION PERMIT
APPLICATION 11 PRINCESS STREET MARKHAM VILLAGE
HERITAGE CONSERVATION DISTRICT, WARD 4 (16.11, 10.13)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled “Recommendation Report, Demolition Permit Application, 11 Princess Street, Markham Village Heritage Conservation District, Ward 4, File No. 19 133557”, dated October 15, 2019, be received;
2. That Council endorse the demolition of the existing 1950s dwelling;
3. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7.6 RECOMMENDATION REPORT AMENDMENT TO THE THORNHILL
HERITAGE CONSERVATION DISTRICT PLAN – ROBERT JARROT
HOUSE STATEMENT OF CULTURAL HERITAGE VALUE OR
INTEREST 15 COLBORNE STREET THORNHILL HERITAGE
CONSERVATION DISTRICT, WARD 1 (16.11)**

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report titled “Recommendation Report, Amendment to the Thornhill Heritage Conservation District Plan – Robert Jarrot House Statement of Cultural Heritage Value or Interest, 15 Colborne Street, Thornhill Heritage Conservation District, Ward 1”, dated October 15, 2019, be received; and,
2. That as recommended by Heritage Markham, the Statement of Cultural Heritage Value or Interest for 15 Colborne Street in the Building Inventory of the Thornhill Heritage Conservation District Plan (2007) be amended as per Appendix ‘C’ to include the exterior of the 1963/1975 addition designed by B Napier Simpson Jr. as a heritage attribute based on its design/physical value and its historical/associative value; and further,

3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.7 APPLICATION FOR SITE PLAN APPROVAL FOR A BELL MOBILITY TELECOMMUNICATION TOWER AND EQUIPMENT COMPOUND AT 10 BUR OAK AVENUE, FILE NO. SC 14 129195 (WARD 6) (10.6)

There was discussion regarding the potential impact of the development proposal on local area residents. It was noted that no concerns have been expressed by residents relative to the application.

Moved by Councillor Amanda Collucci

Seconded by Councillor Khalid Usman

1. That the memorandum dated October 15, 2019, entitled “Application for Site Plan Approval for a Bell Mobility Telecommunication Tower and equipment compound at 10 Bur Oak Avenue, File No. SC 14 129195 (Ward 6)”, be received; and,
2. That the Site Plan application be endorsed, subject to the conditions of Site Plan Approval as identified in Appendix ‘A’ to this report; and,
3. That Industry Canada be advised in writing of this conditional endorsement (concurrence), and that this conditional endorsement is with respect to this location only; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution;

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 CITY OF MARKHAM COMMENTS ON THE PROVINCIAL POLICY STATEMENT REVIEW (10.0)

Arvin Prasad, Commissioner, Development Services, addressed the Committee and introduced the staff report.

Lilli Duoba, Manager, Natural Heritage, addressed the Committee and delivered a presentation on the Provincial Policy Statement review being undertaken by the Province. Key changes proposed by the Province as well as staff comments to the proposed changes were identified.

The Committee discussed the need for greater clarity and guidance from the Province on several of the proposed changes to the Provincial Policy Statement, including:

- The meaning and scope of the proposed direction towards providing for "market-based" housing and taking into account "market demand" in planning decisions;
- The level of engagement required of municipalities with indigenous communities in planning decisions affecting cultural, heritage, and archeological resources; and,
- Criteria for identifying "priority" development applications eligible for fast-tracking

The Committee discussed the importance of balancing market demand with the needs of the community and other planning objectives in building complete communities. The Committee affirmed that identifying priority development applications is a matter that is best dealt with at the local municipal level where local priorities are best understood.

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

1. That the staff report entitled "City of Markham Comments on the Provincial Policy Statement Review, dated October 15, 2019, be received; and,
2. That this staff report and recommendations be forwarded to the Ministry of Municipal Affairs and Housing and York Region as the City of Markham's comments on the proposed changes to the Provincial Policy Statement as part of the Provincial Policy Review; and,
3. That the Ministry of Municipal Affairs and Housing be advised that whereas Markham Council supports the Provincial Policy Statement as a tool to establish high level Province-wide standards in land use planning, Markham Council does not support inclusion of detailed policy language regarding matters that are best dealt with at the local municipal level having regard for local priorities (e.g., identifying priority development applications); and,
4. That the Ministry of Municipal Affairs and Housing be advised of the following specific recommendations:
 - i. That current Provincial Policy Statement 2014 policy 4.9 which identifies that the PPS policies represent minimum standards, remain as policy in the Interpretation and Implementation section under Part V: Policies;

- ii. That the references to ‘market-based’ and ‘market demand’ in proposed policies 1.1.1, 1.1.3.8, 1.4.3 and 1.7 be clarified through definition, or alternately that a reference to both market-based and non market-based be included to ensure planning authorities continue to plan for an inclusive, broad and responsive approach to addressing housing needs, which would include but not prioritize market-based approaches to housing;
- iii. That the employment policies be revised as follows:
 - a. That the proposed additional references to ‘mixed uses’ and ‘consideration of housing policy’ be deleted from proposed policy 1.3.1;
 - b. That the prohibition of residential and institutional uses in proposed policy 1.3.2.3 apply to all employment areas, rather than only to those planned for industrial and manufacturing uses; and,
 - c. That the reference in proposed policy 1.3.2.3 to include appropriate transition within employment areas be revised to provide for appropriate transition between employment areas and non-employment areas, to be consistent with the Growth Plan;
- iv. That the Province provide guidance and clarification for municipalities with respect to the required method and level of engagement with Indigenous communities;
- v. That the Province provide municipalities with an opportunity to review any future modifications to ‘Hazard Lands’ policies resulting from the ongoing current review prior to incorporation in the Provincial Policy Statement;
- vi. That proposed policy 4.7 regarding streamlining of development approvals be removed, and instead the Province be advised that the intent of proposed policy 4.7 regarding streamlining development approvals would be more appropriately directed to the review and update of regulations, guidelines, standards and internal and external staffing levels to achieve the outcome of fast tracking applications;
- vii. That if proposed policy 4.7 regarding streamlining of development approvals remains, the Province provide criteria and guidance on identification of ‘priority’ applications for consideration of fast tracking;
- viii. That the Province review the process for approval of private communal water and wastewater services to require that private operators establish fiscally responsible life cycle and financial reserve practices, to ensure

that these systems are designed to meet municipal design standards and to allow municipalities to recover all costs of taking over these services in the event of a default;

- ix. That the Province consider stronger policy wording in building strong healthy communities that requires land use planning to seek solutions to minimize and/or reduce climate change impacts; and,
5. Further that staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 RECOMMENDATION REPORT HUMBOLD GREENSBOROUGH VALLEY HOLDINGS LIMITED APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW, AND FOR DRAFT PLAN OF SUBDIVISION AND SITE PLAN APPROVAL TO PERMIT A COMMON ELEMENT CONDOMINIUM TOWNHOUSE DEVELOPMENT COMPRISED OF 147 TOWNHOUSES INCLUDING 121 BACK-TO-BACK TOWNHOUSES ON THE EAST SIDE OF DONALD COUSENS PARKWAY, SOUTH OF MAJOR MACKENZIE DRIVE, WEST OF NINTH LINE, NORTH OF CASTLEMORE AVENUE (CONCESSION 8, PART OF LOT 19) (WARD 5) FILE NOS: OP 18 129244, ZA 10 132122, SU 11 118324 & SC 10 132123 (10.3, 10.5, 10.7 & 10.6)

Ron Blake, Senior Development Manager, addressed the Committee and provided members with a brief overview of the development proposal and the recommendations contained in the staff report.

Billy Tung, KLM Planning Partners, consultant for the applicant, addressed the Committee and delivered a presentation on the details of the development proposal, including the site context, proposed site plan, floor plan, street-view elevations, and conceptual building renderings.

There was discussion regarding the integration between the future City park and the open space block to be conveyed to the City on the north side of the subject property, which may include a walkway in the future. There was also discussion regarding whether noise attenuation fencing should be located on public or private property, if required, to mitigate noise impacts from Donald Cousens Parkway. Concerns were expressed regarding the long-term maintenance costs to residents from installing noise attenuation fences on private property rather than public property. Staff clarified that installation of noise attenuation fences on private property, where required, is a standard policy requested by City and York Region.

The Committee requested that staff and the applicant ensure that any noise attenuation measures required for the proposed units fronting Donald Cousens Parkway are secured through the site plan approval process. The Committee also requested that staff investigate and report back on the policy, potential responsibility, and financial implications to the City, York Region, and other stakeholders of not placing noise attenuation fences on public property city-wide. It was further requested that staff investigate options for the potential relocation and reuse of the excess fill resulting from the development.

Moved by Councillor Karen Rea

Seconded by Councillor Khalid Usman

1. That the staff report titled “RECOMMENDATION REPORT, Humboldt Greensborough Valley Holdings Limited, Applications to amend the Official Plan and Zoning By-law, and for Draft Plan of Subdivision and Site Plan Approval to permit a common element condominium townhouse development comprised of 147 townhouses including 121 back-to-back townhouses on the east side of Donald Cousens Parkway, south of Major Mackenzie Drive, west of Ninth Line, north of Castlemore Avenue (Concession 8, Part of Lot 19) (Ward 5), File Nos: OP 18 129244, ZA 10 132122, SU 11 118324 & SC 10 132123”, be received; and,
2. That the record of the Public Meeting held on June 11th, 2018 regarding the applications for Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision 19TM-95082, be received; and,
3. That Council approve the Official Plan Amendment application (OP 18 129244) submitted by Humboldt Greensborough Valley Holdings Limited to redesignate the subject land from “Residential Low Rise” to “Residential Mid Rise” in the 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018), as amended, attached in draft as Appendix ‘A’ be finalized and adopted without further notice; and,
4. That Council approve the Zoning By-law Amendment application (ZA 10 132122) submitted by Humboldt Greensborough Valley Holdings Limited to amend Zoning By-laws 304-87 and 177-96, as amended, attached in draft as Appendix ‘B’ be finalized and enacted without further notice; and,
5. That Council approve the application for Draft Plan of Subdivision 19TM-95082 (SU 11 118324) submitted by Humboldt Greensborough Valley Holdings Limited subject to the condition attached in draft as Appendix ‘C’; and,

6. That Council endorse in principle the Site Plan application (SC 10 132123) submitted by Humboldt Greensborough Valley Holdings Limited for a common element condominium townhouse development comprised of 147 townhouses including 121 back-to-back townhouses, subject to the conditions attached as Appendix 'D'; and,
7. That Site Plan Approval be delegated to the Director of Planning and Urban Design or his designate, not to be issued prior to execution of a site plan agreement; and,
8. That Council assign servicing allocation for a maximum of 147 townhouses; and,
9. That Council permit applications for minor variances within two (2) years of the proposed amending by-law coming into force, attached as Appendix 'B', in accordance with Section 45 (1.4) of the Planning Act; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

9.1 HWY 404 MID-BLOCK CROSSING COST SHARING WITH YORK REGION (NORTH OF 16TH AVENUE, NORTH OF MAJOR MACKENZIE DRIVE AND NORTH OF ELGIN MILLS ROAD) (5.10)

There was no discussion on this item.

Moved by Regional Councillor Jack Heath

Seconded by Deputy Mayor Don Hamilton

1. That the report entitled "Hwy 404 Mid-Block Crossing Cost Sharing with York Region (North of 16th Avenue, North of Major Mackenzie Drive and North of Elgin Mills Road); and,
2. That staff be authorized to issue a Purchase Order to the Regional Municipality of York, in the amount of \$1,223,540.22, inclusive of HST impact, for the City of Markham's share of the cost for the following projects:
 - a. Mid-block Crossing North of 16th Avenue (EA and detailed design)
 - b. Mid-block Crossing North of Major Mackenzie Drive (EA)

- c. Mid-block Crossing North of Elgin Mills Road (EA); and,
- 3. That the amount of \$1,223,540.22, inclusive of HST impact, be funded from Capital Project #18048 (Regional Mid-block Crossing EA and Design) which currently has an available funding of \$1,366,900; and,
- 4. That the remaining funds of \$143,359.78 be returned to the original funding source upon the completion of the N of 16th Avenue detailed design; and,
- 5. That Staff be directed to prepare a Tri-Party Agreement for the construction of the Hwy 404 Mid-Block Crossing (North of 16th Avenue.); and further,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 HIGHWAY 404 MID-BLOCK CROSSING, NORTH OF 16TH AVENUE AND CACHET WOODS COURT EXTENSION – PROJECT UPDATE AND PROPERTY ACQUISITION (WARD 2) (5.10)

Brian Lee, Director, Engineering, addressed the Committee and provided members with an overview of the staff report.

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

- 1. That the report titled “Highway 404 Mid-block Crossing, North of 16th Avenue and Cachet Woods Court Extension – Project Update and Property Acquisition (Ward 2)”, be received; and
- 2. That staff be authorized to issue a purchase order to the Regional Municipality of York (“York Region”) in the amount of \$7,123,121.06 inclusive of HST impact, for Markham’s share of the cost for the property acquired to date; and,
- 3. That the Engineering Department Capital Administration fee in the amount of \$142,462.42, be transferred to revenue account 640-998-8871 (Capital Administration Fee); and,
- 4. That the purchase order and capital administration fees be funded from Capital Project #19035 (Hwy 404 Midblock Crossing, North of 16th Avenue & Cachet Woods), which currently has an available funding of \$11,984,300.00; and

5. That the remaining funds of \$4,718,716.52 be kept in the account to cover the cost of the remaining properties to be acquired for the project; and
6. That Staff continue to work with York Region to finalize the detailed design, and acquisition of additional lands by York Region, and report back on the possible accelerated schedule of the construction of the section of road and the bridge over Rouge River, between Markland Street and Cachet Woods Court Extension in advance of the Mid-block Crossing over Highway 404; and
7. That the Mayor and Clerk be authorized to execute an agreement with the City of Richmond Hill and York Region for the design of the Highway 404 Mid-block Crossing, North of 16th Avenue and Cachet Woods Court Extension and property acquisition required for the project, provided the form of such agreement is satisfactory to the Director of Engineering and the City Solicitor; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3 YORK REGION ROADS CAPITAL ACCELERATION PLAN (CITY-WIDE) (5.10)

Michael Gannon, representative for the Unionville Residents Association, addressed the Committee and stated concerns with the recommendation contained in the staff report. Mr. Gannon requested that the Committee postpone consideration of a formal request to York Region to allow for a City-wide public education workshop on the impact of road widenings as a strategy for mitigating traffic congestion.

Elizabeth Tan, Markham resident, addressed the Committee and stated concerns with the proposed road widening as a strategy for mitigating traffic congestion along 16th Avenue. Ms. Tan requested that the Committee postpone consideration of the staff recommendation, and that staff be asked to host a public education workshop to provide residents with an opportunity to better understand and provide feedback on potential traffic mitigation strategies in the City.

The Committee resolved to direct staff to organize a public education workshop on transportation strategies for addressing traffic congestion in Markham. It was requested that the workshop include input from transportation experts as well as case studies analyzing the impact of road widenings in other municipalities.

Moved by Councillor Reid McAlpine
 Seconded by Deputy Mayor Don Hamilton

1. That the report entitled “York Region Roads Capital Acceleration Plan (City-wide)” be received; and
2. **That the deputations of Michael Gannon and Elizabeth Tan be received; and,**
3. **That staff be directed to organize a transportation education workshop for members of Council and members of the public to consider potential strategies for mitigating traffic congestion including road widenings by the end of November 2019; and further,**
4. **That staff be directed report back on the results of the workshop by the end of December 2019.**

Carried

10. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT ISSUES

10.1 CANADA INDIA BUSINESS FORUM, NEW DELHI AND MUMBAI, NOVEMBER 19 AND 21, 2019 (10.16)

There was a brief discussion on the air travel arrangements for the business forum.

Moved by Councillor Amanda Collucci
 Seconded by Councillor Isa Lee

1. That the Report dated October 15, 2019 entitled “Canada India Business Forum, New Delhi and Mumbai, November 19 & 21, 2019 ” be received, and
2. That the City of Markham be represented at the Canada India Business Forum by Christina Kakaflikas, Manager, Economic Development, and
3. That the total cost of the City’s participation in the Forum, not exceeding \$6,500.00 will be expensed from within Economic Development’s 2019 operating budget (acc. #610-9985811-International Investment Attraction Program), and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. MOTIONS

There were no motions.

12. NOTICES OF MOTION

12.1 ROAD SAFETY AWARENESS AND PROMOTION

Note: This item will be considered at the October 28, 2019 Development Services Committee meeting.

Councillor Amanda Collucci addressed Development Services Committee and announced her proposed Notice of Motion.

Moved by Councillor Amanda Collucci
Seconded by Councillor Reid McAlpine

Whereas road safety is an important issue that affects all road users; and,

Whereas traffic volumes continue to increase on all roads under different jurisdictions; and,

Whereas public transit, walking and cycling are other modes of transportation that are encouraged in Markham to reduce the reliance on single occupancy vehicles; and,

Whereas vulnerable road users (pedestrians, cyclists, seniors, youths, etc.) are increasing in number on all roads; and,

Whereas Markham has started working on a road network safety audit; and,

Whereas Markham is implementing traffic speed mitigation initiatives and various road safety education programs; and further,

Whereas a consolidated road safety awareness and promotion program will improve the effectiveness of a public education and change road user behaviour;

Now therefore be it resolved:

1. That Engineering and Corporate Communication staff are requested to develop a road safety education program and branding, and to involve other jurisdictions and agencies as necessary, and to report back to the Development Services Committee in early 2020.

13. NEW/OTHER BUSINESS

There was no new / other business.

14. ANNOUNCEMENTS

There were no announcements.

15. CONFIDENTIAL ITEMS

Moved by Councillor Keith Irish

Seconded by Councillor Reid McAlpine

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

Carried

15.1 DEVELOPMENT AND POLICY ISSUES**15.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - SEPTEMBER 23, 2019 (10.0) [Section 239 (2) (c)]**

Development Services Committee confirmed the September 23, 2019 confidential minutes.

15.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD - ANDRIN INVESTMENTS LIMITED, 5440 16TH AVENUE (WARD 4) (8.0) [Section 239 (2) (e)]

Development Services Committee consented to refer this item to the October 29, 2019 confidential Council agenda for consideration.

16. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

1. That the Development Services Committee meeting adjourn at 2:49 PM.

Carried