

Development Services Committee Minutes

Meeting Number 6
March 9, 2020, 9:30 AM - 3:00 PM
Council Chamber

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Alan Ho Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Isa Lee
Regrets	Councillor Khalid Usman	
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 Development Manager, Planning & Urban Design Darryl Lyons, Manager, Policy Cristin Miller, Supervisor, Zoning Francesco Santaguida, Assistant City Solicitor Scott Chapman, Election & Council/Committee Coordinator

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1. CALL TO ORDER

The Development Services Committee meeting convened at the hour of 9:33 AM in the Council Chamber with Regional Councillor Jim Jones presiding as Chair. Deputy Mayor Don Hamilton assumed the Chair at 1:19 PM for Transportation and Infrastructure Issues, No. 11.1. Councillor Alan Ho assumed the Chair at 1:22 PM for Culture and Economic Development Issues, No. 12.1. Regional Councillor Jim Jones re-assumed the Chair at 1:30 PM.

Regional Councillor Joe Li arrived at the meeting at 9:52 AM.
Councillor Amanda Collucci arrived at the meeting at 9:52 AM.

Development Services Committee recessed at 12:05 PM and reconvened at 1:03 PM.

Councillor Andrew Keyes left the meeting at 12:05 PM during recess.

Councillor Amanda Collucci left the meeting at 2:22 PM during confidential session.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – FEBRUARY 24, 2020 (10.0)

Moved by Councillor Isa Lee

Seconded by Councillor Alan Ho

1. That the minutes of the Development Services Committee meeting held February 24, 2020, be confirmed.

Carried

4. DEPUTATIONS

Deputations were made for the following item:

9.1 - Markham Delegation to China

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 MARKHAM SUB-COMMITTEE MINUTES - FEBRUARY 4, 2020 (10.0)

Moved by Councillor Karen Rea

Seconded by Councillor Andrew Keyes

1. That the minutes of the Markham Sub-Committee meeting held February 4, 2020, be received for information purposes.

Carried

7.2 RELEASE OF PROVINCIAL POLICY STATEMENT 2020 (10.0)

There was discussion regarding the changes to the Provincial Policy Statement's time horizon requiring municipalities to maintain a 15 year land supply for future residential growth. Members of Committee inquired as to the potential impact of this change on the City's existing planning policies and on the outcome of York Region's 2041 municipal comprehensive review.

Moved by Councillor Karen Rea

Seconded by Councillor Isa Lee

1. That the memorandum dated March 3, 2020 entitled "Release of Provincial Policy Statement 2020", be received.

Carried

8. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

8.1 WHITCHURCH-STOUFFVILLE HIGHWAY 48 CORRIDOR UPDATE (10.0)

Arvin Prasad, Commissioner, Development Services, delivered a presentation on the Whitchurch-Stouffville Highway 48 Corridor Visioning Exercise, including an overview of the study process to date and the Minister's Zoning Order (MZO) request submitted by Flato Developments Inc. for lands in the study area located within the City of Markham. It was noted that the Deputy Minister of Municipal Affairs and Housing has asked for comments from the City of Markham on the MZO request.

The Committee directed staff to continue to participate in the joint working group for the Whitchurch-Stouffville Highway 48 Corridor Visioning Exercise, and requested that staff provide regular updates on the status of the exercise.

Shakir Rehmatullah, Flato Developments Inc., addressed the Committee and provided members of Committee with an overview of the development concept proposed for the lands subject to the MZO request.

There was discussion regarding the potential implications of Council supporting the MZO request on similar requests for development outside the existing urban boundary and future urban area. The Committee considered various conditions for supporting the MZO request, including:

- Securing a greater range of affordable purpose-built rental seniors units than what is currently proposed;
- Securing the provision of affordable purpose-built secondary suites designed for seniors;

- Exploring a greater range of housing forms and types, such as duplexes, bungaloffs, and bungalow townhouses;
- Ensuring integrated design and connectivity between the proposed development and the adjacent community in Whitchurch-Stouffville;
- Exploring the possibility of an agreement with the Town of Whitchurch-Stouffville for shared municipal services for the proposed development; and,
- That the City retain final approval over all matters related to the detailed design of the development proposal through the draft plan of subdivision and site plan approval phases.

Development Services Committee consented to resolve into confidential session to receive confidential and privileged advice from the City Solicitor on this matter. The Committee continued discussion on this item upon returning from confidential session.

Staff provided members of Committee with a draft resolution for proposed comments to the Minister of Municipal Affairs and Housing on the MZO request. The Committee resolved to refer this matter to the March 10, 2020 Council agenda for further consideration. It was requested that staff revise the resolution to reflect Council's support for the MZO request subject to the conditions identified during the meeting. It was also requested that staff provide members of Council with a more detailed conceptual site plan reflecting the relationship of the development proposal to surrounding Greenbelt lands and the adjacent woodlot.

Moved by Deputy Mayor Don Hamilton

Seconded by Regional Councillor Jack Heath

1. That the presentation provided by Arvin Prasad, Commissioner of Development Services entitled "Whitchurch-Stouffville Highway 48 Corridor Update", be received; **and,**
2. **That it be reaffirmed that staff be directed to participate in a joint working group for the Whitchurch-Stouffville Highway 48 Corridor Visioning Exercise regarding the study area lands within the City of Markham; and further,**
3. **That staff be directed to report back to Development Services Committee on the status of the Whitchurch-Stouffville Highway 48 Corridor Visioning Exercise on a regular basis.**

Carried

Staff provided the following draft resolution for consideration by Development Services Committee:

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jack Heath

Whereas the Province of Ontario has made it a priority to tackle the housing crisis with various measures including streamlining of development approvals; and,

Whereas the Province has approved the 2019 Growth Plan which allows for 40 ha urban boundary expansions outside the Municipal Comprehensive Review process subject to Regional approval; and,

Whereas the Town of Whitchurch Stouffville has initiated a visioning exercise for its lands within the Hwy. 48 corridor including lands within Markham at the City/Town boundary; and,

Whereas the Minister of Municipal Affairs has requested comments on an Minister's Zoning Order (MZO) application by Flato Developments Inc. for lands at the Town of Whitchurch Stouffville and City of Markham boundary at Hwy 48; and,

Whereas the Flato Development Inc. lands subject to the MZO consists of 3.5 ha parcel proposed for a minimum of 120 purpose built rental seniors units and 34 market ownership townhouse units with aging in place ground floor units; and,

Whereas there have been no rental seniors developments constructed in the City of Markham or any proposals currently with the City; and,

Whereas the Flato Development Inc. proposal would bring benefits to the City of Markham including rental development, seniors housing, and servicing to the Dickson Hill Hamlet, if required; and,

Whereas, should the MZO be approved, the developer would be required to obtain full site plan approval and payment of all development application fees;

Therefore now it be resolved:

- 1. That Council supports the application by Flato Development Inc, for a MZO for its 3.5 ha parcel within the City of Markham; and,**

2. **That Staff be directed to bring back a benefits package clearly articulating the benefits to be derived should this proposal be approved, in discussions with the landowner, for Council approval.**

Referred

9. PRESENTATIONS – CULTURE AND ECONOMIC DEVELOPMENT ISSUES

9.1 MARKHAM DELEGATION TO CHINA (10.16)

Councillor Alan Ho addressed the Committee and delivered a presentation on the City of Markham's business delegation to China, including an overview of the business mission objectives, meetings and activities, and key outcomes.

Gabriel Lam, MISP Management Inc., addressed the Committee and spoke in regard to the City's business delegation to China. Mr. Lam commented on the success of the delegation and expressed his support for continuing to work with the City in the promotion of the Markham Innovation Exchange (MiX) project.

There was discussion regarding the Harbin Initiative green and low-carbon concept. There was also discussion on next steps and follow-up actions on business opportunities identified during the delegation. There was further discussion on a potential future partnership between the Harbin Institute of Technology and York University.

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

1. That the presentation provided by Councillor Alan Ho entitled "Markham Delegation to China" be received; and,
2. **That the deputation of Gabriel Lam, MISP Management Inc., be received.**

Carried

10. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

10.1 GROUND SIGN VARIANCE – MARKHAM SUBARU 9401 MARKHAM ROAD APPLICATION NO. 19.112248.000.00. SP (10.13, 2.16)

Cristin Miller, Supervisor, Zoning, provided members of Committee with an overview of the City of Markham's Sign By-law and the ground sign variance requested by the applicant.

Carlo Vigliatore, Markham Subaru, addressed the Committee and explained the applicant's rationale for the variance request.

The Committee discussed potential alternate strategies for improving the visibility of the subject sign within the existing permissions of the by-law.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jack Heath

1. That the ground sign variance application by Markham Subaru at 9401 Markham Road, Application No. 19.112248.000.00.SP, BE DENIED; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

11.1 RECOVERY OF PAYMENT FOR CONSTRUCTION OF STORM AND SANITARY SEWER SYSTEM ON HOUGHTON BOULEVARD (WARD 4) (5.5)

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

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

1. That the report entitled “Recovery of Payment for Construction of Storm and Sanitary Sewer System on Houghton Boulevard (Ward 4)” be received; and,
2. That the Finance Department recover the total project cost of \$387,250.00 for the installation of storm and sanitary sewers and service connections to the property line (including construction costs, engineering and contract administration fees) for the subject properties equally and that the following items be approved; and,
 - a. Council enacts a Local Sewer Fee By-Law pursuant to Section 391 of the *Municipal Act 2001* for the recovery of costs associated with the storm and sanitary sewer installation substantially in the form attached as per Attachment ‘A’ – Local Sewer Fee By-law;
 - b. Costs per lot be paid either as a one-time payment or annual payment up to a maximum of 10 years accruing interests at the same rate as the York Region 10 Year Debenture Rate, 3.00% starting in 2020 and ending in 2029;

- c. There will be no interest payable if the costs per lot are paid in full with a one-time payment by April 30, 2020;
 - d. The collected funds for the storm and sanitary local sewers be reimbursed to the Life Cycle Replacement and Capital Reserve Fund; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. REGULAR REPORTS – CULTURE AND ECONOMIC DEVELOPMENT ISSUES

12.1 FLATO MARKHAM THEATRE ADVISORY BOARD MINUTES – JANUARY 27, 2020 (16.0)

Scott Chapman, Election and Committee Coordinator, provided members of Development Services Committee with an overview of the staff recommendation.

There was discussion regarding the existing legislative context surrounding electronic participation for local board and committee meetings under the *Municipal Act*.

Moved by Regional Councillor Jack Heath
Seconded by Councillor Amanda Collucci

- 1. That the minutes of the Flato Markham Theatre Advisory Board meeting held January 27, 2020, be received for information purposes; and;
- 2. That the following recommendation from the Flato Markham Theatre Advisory Board minutes held January 27, 2020 be referred to staff for a report and recommendation:

“WHEREAS the City of Markham is recognized as Canada’s high tech capital, and in an effort to maintain that status and keep up with current and evolving technologies, the Flato Markham Theatre Advisory Board requests that Council consider a board member who participates in a meeting via teleconferencing, skype, or other similar methods, be counted as part of a quorum, which is not permitted under current legislation.”

Carried

13. MOTIONS

There were no motions.

14. NOTICES OF MOTION

There were no notices of motion.

15. NEW/OTHER BUSINESS

There was no new / other business.

16. ANNOUNCEMENTS

There were no announcements.

17. *CONFIDENTIAL ITEMS*

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the *Municipal Act*, Development Services Committee resolve into a confidential session at 1:32 PM to discuss the following matters:

Carried

17.1 DEVELOPMENT AND POLICY ISSUES

17.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - FEBRUARY 24, 2020 (10.0) [Section 239 (2) (f)]

Development Services Committee confirmed the February 24, 2020 confidential minutes.

17.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; – LPAT APPEAL - 271, 337 TO 343 AND 347 TO 357 WILLIAM FORSTER ROAD (WARD 5) [SECTION 239 (2) (e)] (8.0)

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

17.1.3 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; LPAT APPEAL ARYEH CONSTRUCTION LIMITED (WARD 3) [SECTION 239 (2) (e)]

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

17.1.4 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; - LANGSTAFF GATEWAY PROPERTY MATTERS (8.0) [Section 239 (2) (f)]

Development Services Committee consented to place this matter on the March 10, 2020 confidential Council agenda for consideration.

17.1.5 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE - WHITCHURCH-STOUFFVILLE HIGHWAY 48 CORRIDOR UPDATE (10.0) [Section 239 (2) (f)]

Development Services Committee received confidential and privileged advice from the City Solicitor on this matter.

Moved by Councillor Keith Irish
Seconded by Deputy Mayor Don Hamilton

That the Development Services Committee confidential session adjourn at 3:14 PM.

Carried

18. ADJOURNMENT

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Isa Lee

That the Development Services Committee meeting adjourn at 3:57 PM.

Carried