

Development Services Public Meeting Minutes

Meeting Number: 1
December 6, 2022, 7:00 PM - 9:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Ritch Lau	Councillor Alan Ho Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan
Regrets	Councillor Isa Lee	Clement Messere, Senior Planner
Staff	Arvin Prasad, Commissioner Development Services Claudia Storto, City Solicitor and Director of Human Resources Stephanie DiPerna, Acting Director, Building Standards Geoff Day, Senior Planner, Zoning & Special Projects	Brad Roberts, Manager, Zoning and Special Projects Erica Alligood, Election and Committee Coordinator Darryl Lyons, Acting Director of Planning & Urban Design John Yeh, Manager, Strategy & Innovation

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1. CALL TO ORDER

The Development Services Public Meeting convened at 7:05 PM with Councillor Keith Irish in the Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest.

3. DEPUTATIONS

Deputations were heard with the respective item.

4. REPORTS

4.1 CITY OF MARKHAM'S RESPONSE TO BILL 109 - MORE HOMES FOR EVERYONE ACT, 2022 (10.0)

The Public Meeting this date was to consider amendments to the 2014 Official Plan, Site Plan Delegation By-law and, Pre-Consultation By-law to implement the *More Homes for Everyone Act, 2022*.

The Committee Clerk advised that City wide notice was published on November 17th and 24th, 2022 in the *Markham Economist & Son*, and *Thornhill Liberal* newspapers.

There was one written submission received regarding this proposal.

Stephen Lue, Senior Manager, Development Planning, introduced the item.

Brad Roberts, Manager, Zoning & Special Projects, provided a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

The following deputations were made on the *More Homes for Everyone Act, 2022*:

Barry Nelson spoke in regards to the importance of communicating new development applications to residents as early on in the planning process as possible to ensure decisions can be made within the permitted timelines. Mr. Nelson noted that changes/consolidation of staff may be required to address recent changes to provincial legislation. Mr. Nelson suggested that the City should plan for the worst and hope for the best.

Alena Gotz, Aileen Willowbrook Ratepayer Association, suggested that ratepayer associations should be advised of development applications in their catchment area as soon as the application is received. Ms. Gotz expressed concern that ratepayer associations are not receiving timely notification of development applications, and that groups are now only being provided with 5 minutes to speak at City Standing Committee meetings rather than 10 minutes.

Evelin Elison agreed with the comments made by the other deputants, and questioned how development applications that require to be reviewed by more than one municipality will be expedited under the proposed new process.

The Committee briefly discussed the *More Homes for Everyone Act, 2022*.

Moved by Councillor Amanda Collucci

Seconded by Councillor Juanita Nathan

1. **That the deputations by Barry Nelson, Alena Gotz, Aileen-Willowbrook Ratepayer Association (AWRA), and Evelin Ellison, regarding the “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,**
2. **That the written submission by BiLD regarding “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,**
3. That the report dated November 29, 2022, titled “City of Markham’s Response to Bill 109 - More Homes for Everyone Act, 2022 File No. PR 22 260697”, be received; and,
4. That the record of the Public Meeting held on December 6, 2022 with respect to the proposed City-initiated Official Plan Amendment, Site Plan Delegation By-law and Pre Application Consultation By-law (File No. PR 22 260697), to establish new Official Plan policies, site plan delegation and pre-application consultation procedures be received; and,
5. That the City-initiated Official Plan Amendment to amend certain Section 9 policies, Section 10.4 and Section 10.6 of the in force 2014 Official Plan, as amended, be forwarded directly to Council, for adoption; and,
6. That the City-initiated Site Plan Delegation By-law to designate the Director of Planning and Urban Design, or delegate as its delegated officer, employee or agent of the municipality to approve site plans, be forwarded directly to Council, for enactment; and,
7. That the City-initiated Pre-Application Consultation By-law to implement the new policy changes in the draft Official Plan Amendment related to the Pre-Application Consultation and Complete Application processes, be forwarded directly to Council on, for enactment; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

4.2 2023 DEVELOPMENT FEE AND BUILDING BY-LAWS (10.0)

The Public Meeting this date was to consider a proposal to amend or replace the following fee by-laws:

- Building By-law 2021-114, being a by-law respecting construction, demolition and change of use permits and inspections, and
- Development By-law 211-83, being a by-law to prescribe a tariff of fees for processing of planning applications

The Committee Clerk advised that City wide notice was published for two weeks in the *Markham Economist & Sun* and in the *Thornhill Liberal*.

There was one written submission received regarding this proposal.

Stephen Lue, Senior Manager, Development, introduced the item.

John Yeh, Manager, Strategy & Innovation, provided a presentation regarding the 2023 Development Fee and Building By-Laws.

The following deputations were made on the 2023 Development Fee and Building By-Laws:

Barry Nelson inquired about the City's reserve funds, noting that Markham has the 15th largest amount in its reserves from all Ontario municipalities and questioned if development fees, and cash in lieu of parkland are included in these reserves. Mr. Nelson noted that actions like the purchase of the Shouldice Hospital property without public consultation are driving changes to provincial legislation. Mr. Nelson noted that most residents are not aware of the implications of Bill 109 and suggested that City will not be able to raise property taxes to address the shortfall created by this legislation. Mr. Nelson advised that the City may consider requiring the Applicant's legal team to sign off that all City requirements are met in their development application prior to accepting it, as one way of shortening the development approval process. Mr. Nelson further suggested that the City should think how a private sector organization would address this matter.

Staff clarified that the City's reserves do not include development fees or cash in lieu of parkland.

Alena Gotz thanked the City for purchasing the Shouldice property and for investing in Thornhill, noting that Thornhill is getting a massive development and that parkland is needed to accommodate this due to the City having no means of controlling the density of the development.

The Committee provided the following feedback on the proposed development:

- Questioned if smaller developers, builders, construction companies, and architects had been consulted on the changes to the Fee and Building By-laws;
- Questioned if the appendix should be revised to reflect that Bill 109 may not come into effect until July 1st, 2023.

Staff advised that they plan to move forward with implementing the new process in January 2022, and that adjustments to the process can be made as new information becomes available. Staff clarified that smaller developers, builders, construction companies and architects were consulted on the new fees.

Moved by Councillor Andrew Keyes

Seconded by Councillor Ritch Lau

1. **That the deputations by Barry Nelson, and Alena Gotz, Aileen-Willowbrook Ratepayer Association (AWRA), regarding the Development Fee and Building By-laws be received; and,**
2. **That the written submission by BiLD regarding the Development Fee and Building By-laws be received; and,**
3. That the Record of the Public Meeting held on December 6, 2022, with respect to the proposed amendments to the Development Fee and Building By-laws be received; and,
4. That the amendment to By-law 211-83, as amended, “Tariff of Fees for the Processing of Planning Applications,” substantially in the form attached as Appendix ‘A’, be enacted; and,
5. That By-law 2021-114 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘B’, be enacted; and,
6. That the By-laws come into force and take effect on January 1, 2023; and further,
7. That Staff be authorized and directed to do all thing necessary to give effect to this resolution

Carried

5. ADJOURNMENT

Moved Mayor Frank Scarpitti

Seconded by Deputy Mayor Michael Chan

That the Development Services Public Meeting adjourn at 8:16 PM.

Carried