

Development Services Committee Meeting Minutes

Meeting Number: 12
May 16, 2023, 9:30 AM - 3:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Keith Irish Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Morgan Jones, Commissioner, Community Services Giulio Cescato, Director of Planning & Urban Design Frank Clarizio, Director, Engineering Michael Toshakovski, Deputy City Solicitor Loy Cheah, Senior Manager, Transportation Darryl Lyons, Deputy Director, Planning & Urban Design	Mark Visser, Senior Manager, Financial Strategy & Investments Patrick Wong, Senior Planner II, Natural Heritage Martha Pettit, Deputy City Clerk Erica Alligood, Election & Committee Coordinator Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Rajeeth Arulanantham, Assistant to Council / Committee Tony Iacobelli, Manager, Natural Heritage

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1. CALL TO ORDER

The Development Services Committee convened at 9:32 AM with Regional Councillor Jim Jones in the Chair.

Mayor Scarpitti arrived at the meeting at 9:44 AM.

Councillor Collucci arrived at the meeting at 9:47 AM.

The Committee recessed from 12:35 PM to 1:15 PM.

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

2. DISCLOSURE OF PECUNIARY INTEREST

Regional Councillor Joe Li declared a pecuniary conflict of interest, on Item 7.1 - Recommendation Report - Request for Approval of Street Names for Site Plan Application - Green City Development Group Inc. at South-West Corner of Woodbine Avenue and Russell Dawson Road, as his daughter is an employee of Green City Development Group Inc.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - MAY 2, 2023 (10.0)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the minutes of the Development Services Committee meeting held May 2, 2023, be confirmed.

Carried

4. DEPUTATIONS

4.1 DEPUTATIONS - SIDEWALK NETWORK COMPLETION PROGRAM STATUS (CITY-WIDE) (5.10)

Mike Creta, Nicolas To, Tom Gunlovski, and Doug Denby made deputations, see Item # 9.1 for details.

5. COMMUNICATIONS

5.1 COMMUNICATION - SIDEWALK NETWORK COMPLETION PROGRAM STATUS (CITY-WIDE) (5.10)

Note: Please refer to item 9.1 for staff report.

Moved by Councillor Isa Lee

Seconded by Councillor Karen Rea

1. That the communication submitted by John Zhang and Susan Xu providing comments regarding the above subject matter be received.

Carried

6. PETITIONS

6.1 PETITION - SIDEWALK NETWORK COMPLETION PROGRAM STATUS (CITY-WIDE) (5.10)

A petition from the residents of Lee Avenue was submitted during the meeting, related to Item # 9.1.

Moved by Councillor Karen Rea

Seconded by Councillor Juanita Nathan

1. **That the petition submitted by residents of Lee Avenue related to Item # 9.1 be received.**

Carried

7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

7.1 RECOMMENDATION REPORT – REQUEST FOR APPROVAL OF STREET NAMES FOR SITE PLAN APPLICATION – GREEN CITY DEVELOPMENT GROUP INC. AT SOUTH-WEST CORNER OF WOODBINE AVENUE AND RUSSELL DAWSON ROAD (10.14)

Regional Councillor Joe Li declared a conflict and did not vote on this matter.

Moved by Regional Councillor Alan Ho

Seconded by Councillor Ritch Lau

1. That Development Services Committee approve the proposed street names “Green City Circle” and “Kensington Lane” for a site plan located at the south-west corner of Woodbine Avenue and Russell Dawson Road; and,

2. That Staff be directed to add the street names listed above to the City's Street and Park Name Reserve List.

Carried

7.2 UNIONVILLE SUB-COMMITTEE MINUTES – MAY 2, 2023 (10.0)

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the minutes of the Unionville Sub-Committee meeting held on May 2, 2023, be received for information purposes.

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS

8.1 MEMORANDUM OF UNDERSTANDING WITH THE TORONTO AND REGION CONSERVATION AUTHORITY REGARDING MUNICIPALLY REQUESTED PROGRAMS AND SERVICES (10.0, 13.13.2)

Arvin Prasad, Commissioner, Development Services, advised that this item is related to the City entering municipal agreements with Toronto Region Conservation Authority. Commissioner Prasad advised that Staff recommend that the City enter the agreements with the TRCA and introduced Patrick Wong, Senior Planner II, Natural Heritage, to provide a presentation.

Patrick Wong, Senior Planner II, Natural Heritage, delivered a presentation detailing the two proposed agreements with the Toronto Region Conservation Authority and outlined Staff recommendations.

The Committee provided the following feedback:

- Questioned the changes to the role of TRCA in regards to municipal planning. Staff clarified that through Bill 23 the role of the TRCA was reduced, advising that the TRCA can no longer review any natural heritage features not associated with a hazard.
- Asked if the City will be required to hire experts in situations where the TRCA can no longer provide guidance. Staff confirmed that approval has been received through the budget process for a Natural Heritage Planner to fill some knowledge gaps. Staff advised that this Natural Heritage Planner would be focused on providing technical ecological reviews to address matters that TRCA can no longer comment on.

- Questioned if the way the City interacts with the TRCA has changed. Staff clarified that the City can continue to consult the TRCA on a project-by-project basis for services outside of planning applications, such as tree planting.

Moved by Deputy Mayor Michael Chan

Seconded by Councillor Reid McAlpine

1. That the report entitled “Memorandum of Understanding with the Toronto and Region Conservation Authority regarding municipally requested programs and services” dated May 16, 2023 be received; and,
2. That staff be authorized to negotiate the Memorandum of Understanding with the Toronto and Region Conservation Authority (TRCA), and that the Chief Administrative Officer be authorized to execute the Memorandum of Understanding on terms satisfactory to the City Solicitor in consultation with the Commissioner of Development Services; and,
3. That staff be authorized to negotiate an update to the existing plan review agreement with the TRCA as per the changes identified in Appendix ‘A’ and that the Chief Administrative Officer be authorized to execute the plan review agreement on terms satisfactory to the City Solicitor in consultation with the Commissioner of Development Services; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE MATTERS

9.1 SIDEWALK NETWORK COMPLETION PROGRAM STATUS (CITY-WIDE) (5.10)

Sidewalks on Lee Avenue:

Registered deputants in attendance at the meeting were commenting specifically on the planned construction of sidewalks on Lee Avenue only.

Frank Clarizio, Director, Engineering, provided a brief presentation to detail the sidewalk planning and construction at Lee Avenue, as there were deputants wishing to speak to the inclusion of Lee Avenue to the Sidewalk Network Completion Program. Director Clarizio advised that sidewalk work on Lee

Avenue is anticipated to begin June of 2023 and noted that the work has been awarded to a contractor. Director Clarizio advised that Staff have been meeting with the residents of Lee Avenue to look at mitigating some concerns. Director Clarizio provided an overview of risks and considerations with deleting the sidewalk on Lee Avenue and advised that Staff recommend that the sidewalk plans remain on Lee Avenue.

Mike Creta, Deputant, expressed concerns with the notification process for residents on Lee Avenue in relation to the proposed sidewalk. Mr. Creta noted that foot traffic is negligible on Lee Avenue but noted that speeding is a concern that Lee Avenue residents would prefer to see addressed. Mr. Creta asked to clarify who would be liable if someone were to fall on the new sidewalk and asked about the consultation process with residents. Mr. Creta stressed an issue with speeding on Lee Avenue and other concerns which he noted would not be remedied by a new sidewalk. Michael Toshakovski, Assistant City Solicitor, advised that the liability typically flows with the owner of the land, which would be the City in this case, not the adjacent resident. Director Clarizio advised that in 2020 and 2022 there were notices sent to the residents notifying of the design process as well as a meeting with the residents in April of 2023.

Nicholas To, Deputant, advised that his parents are longtime Lee Avenue residents who purchased their home knowing that the street did not have sidewalks. Mr. To noted the lack of foot traffic on Lee Avenue and suggested that if a sidewalk is installed, that it is done in conjunction with the installation of fiber-optic internet or other infrastructure.

Tom Gunlovski, Deputant, echoed the concerns of other deputants, noting that speeding is an issue on Lee Avenue and that a solution for traffic calming would be preferred. Mr. Gunlovski advised that the sidewalk was originally only meant to be a sidewalk on the North side, but at the community meeting in April 2023, residents were advised that a sidewalk is planned for the North and South side.

Doug Denby, Deputant, questioned future planning for the area, noting that he lives in a lot similar to the area in question and understands that there is not a desire from residents in the area for a sidewalk on Lee Avenue. Mr. Denby noted that when the lots are sold in the future, a number of different things could be done or altered to the properties.

The Committee provided the following feedback subject to the proposed sidewalks on Lee Avenue:

- Inquired about AODA compliance as related to the proposed sidewalks. Staff advised that the AODA does not speak specifically to the aspects

needed for accessibility, but speaks to the need for City infrastructure to be accessible.

- Questioned if there is another project for the contractor who has been awarded the contract for construction of the Lee Avenue sidewalk, should the Lee Avenue sidewalk be deleted from the program. Director Clarizio advised that the Lee Avenue sidewalk was part of the contract awarded in June of 2022 and is the final street to be completed as part of the contract.
- Asked if the City has increased liability if a sidewalk is recommended by Staff and not approved by Council. Michael Toshakovski, Assistant City Solicitor, advised that the liability to the City would possibly increase if there were to be an incident or fatality due to the lack of sidewalk which was recommended by Staff.
- Requested that Staff explore traffic calming measures on Lee Avenue as Deputants have noted speeding concerns.
- Noted the issues reported by residents of Lee Avenue with notice of the proposed sidewalk. Staff confirmed they are looking at ways to improve the notification process, including possible physical signage at locations with proposed changes, to ensure residents are engaged early in the process.

Director Clarizio further clarified that the sidewalk on Lee Avenue is one element of the wider Sidewalk Network Completion Program which was designed to address sidewalk gaps throughout the City, which is a new standard passed by Council. Director Clarizio advised that as Lee Avenue is a minor collector road with no sidewalks on either side, the street was established as high priority. Director Clarizio advised that currently, the City is looking to install a sidewalk on one side of Lee Avenue to address the existing gap.

Sidewalk Network Completion Program Status (City-Wide):

Arvin Prasad, Commissioner, Development Services, introduced this item as a status update of the Sidewalk Network Completion program which he advised also presents an updated communication strategy. Commissioner Prasad briefly provided a history of this program, noting that Councillors had asked Staff to focus on arterial and collector roads.

The Committee provided the following feedback:

- Inquired as to the use of development charges for existing infrastructure. Commissioner Prasad advised that improvements to infrastructure are not isolated to one road or sidewalk, but rather to the overall road and

sidewalk system. Mark Visser, Acting Treasurer, further clarified that the City's Active Transportation Master Plan is 65% DC-funded, considering the benefits to existing homeowners. Mr. Visser advised that the remaining amounts are funded through the Community Benefits fund and the non-DC related Growth Reserve fund.

- Asked why sidewalks would be added to streets where a sidewalk exists on one side of the street. Staff advised that sidewalks are being considered for both sides of residential streets to align with the City's policy with respect to new subdivisions, noting that the ability to safely cross a road to use a sidewalk on one side vary for each individual.
- Inquired about the timeframe for the sidewalk from the Box Grove bypass to Sanders Drive. Staff confirmed that this section is scheduled for completion in Year 3, which would be presented for approval through the 2025 or 2026 budget cycle.
- Inquired about the process for having hydro improvements or fiber-optic installations coordinated with sidewalk construction to reduce impacts on residents. Staff advised that utilities are governed by an external agency and recommended that residents request fiber-optic installation through the telecommunication companies directly. Staff further advised that the sidewalk installation does not typically involve excavation.

The Committee consented to defer this item to confidential session subject to Municipal Act [Section 239] (f): Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(See Item 10.1)

The Committee put forth the following recommendations for consideration:

Moved by Councillor Isa Lee

Seconded by Councillor Keith Irish

That the proposed sidewalk on Lee Avenue be deleted from the Sidewalk Network Completion Program.

Lost

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

1. That the report entitled "Sidewalk Network Completion Program Status (City-Wide)" be received; and,

2. **That the deputations from Mike Creta, Nicolas To, Tom Gunovski, and Doug Denby, made to Development Services Committee on May 16, 2023, be received; and,**
3. That Council endorse the revised Sidewalk Network Completion Program as described in this report and Attachment ‘A’, with its implementation subject to the annual budget request and approval process; and,
4. That staff provide an annual update on the status of the Sidewalk Network Completion Program including any adjustments made to the program; and,
5. That all requests for major changes to the Sidewalk Network Completion Program, as defined in the report, be subject to Council approval; and,
6. That an average annual incremental amount of \$69,040 for sidewalk maintenance be added to the operating budget, subject to Council approval through the annual budget approval process; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 OPEN STREET PROGRAM UPDATE (CITY-WIDE) (5.12)

Arvin Prasad, Commissioner, Development Services, advised that this item details the Open Street Program which was intended to promote active lifestyle activities throughout the pandemic. Commissioner Prasad advised that moving forward, Staff is looking at how this program may be re-imagined as a special community event, involving sponsors and booths.

The Committee expressed support for the re-imagining of the program. The Committee discussed opportunities for additional community events, noting that park spaces should be further utilized as meeting places for residents and encouraged Staff to leverage partnerships with community groups and possible sponsors.

Moved by Councillor Juanita Nathan

Seconded by Councillor Isa Lee

1. That the staff report titled “Open Street Program Update (City-wide)” be received; and,

2. That the Open Street Program be re-imagined as a special City event beginning in 2024; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. CONFIDENTIAL SESSION

Moved by Deputy Mayor Michael Chan
Seconded by Regional Councillor Joe Li

That the Committee resolve into confidential session to discuss the following matters:

Carried

10.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; [Section 239 (2)(f)] SIDEWALK NETWORK COMPLETION PROGRAM STATUS (CITY-WIDE)

11. MOTIONS

11.1 ENHANCE TRAFFIC CALMING ON MARKHAM STREETS (5.12)

Note: Notice of Motion was provided at the May 2, 2023 Development Services Committee meeting.

Councillor Ritch Lau spoke to the motion, noting that the purpose of the motion is to ensure that the current traffic calming policies are reviewed, including looking at speed bumps and other measures.

Councillor Reid McAlpine spoke in support of the motion, noting that many deputants which spoke to the City's Sidewalk Network Completion Program expressed concerns with speeding on residential roads. Councillor McAlpine agreed that speedbumps should be revisited, along with a range of other solutions.

Frank Clarizio, Director, Engineering, advised that the City's Road Safety Plan will be brought to a Special Development Services Committee on July 4, 2023. Director Clarizio advised that York Region will be in attendance at the special meeting on July 4th to provide an update on work completed to date, following which City Staff will provide traffic updates. Director Clarizio also advised that Staff will look to retain a consultant in 2023 / 2024 once the York Region plan has received endorsement. Director Clarizio advised that he expects that the City's

capital implementation plan developed by the consultant would be before Committee and Council in the Fall of 2024.

The Committee noted that speeding on local roads appears to be of greater concern to residents than traffic congestion. The Committee noted some concerns that local Councillors were not consulted on the York Region report to date. Director Clarizio noted that York Region is entering the second phase of the project, during which they would consult local Councillors and the community.

The Committee noted that, while the motion sufficiently relays the frustration of residents, it may be premature given that a report is coming to Committee on July 4th.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Andrew Keyes

That the motion entitled "Enhancing Traffic Calming on Markham Streets" be deferred to after the Special Development Services Meeting on July 4, 2023.

Carried

Committee had before it the original motion which was not voted on at this time:

1. Whereas traffic calming on local and collector City roads is of increasing interest to residents due to its positive impact on road safety and neighbourhood liveability; and,
2. Whereas on October 15, 2020, Council directed staff to “explore new traffic calming methods to address vehicle speed and traffic infiltration on City streets, and to report back prior to conducting pilot projects”; and,
3. Whereas York Region is developing a multi-year Traveller Safety Plan which is currently at the public consultation stage, and the scope of first steps is yet unknown; and,
4. Whereas City of Markham 2022 Budget contained project 22043 “Development of Road Safety Strategy” of value \$399K, of which traffic calming was a component, but work is currently on hold pending progress on the York Region Traveller Safety Plan; and,
5. Whereas there are numerous low cost quick-build traffic calming and safety enhancement tools available, such as edge lines, curb extensions, roundabouts, bollards, physical barriers, speed display signs as well as

speed humps/raised intersections (not currently permitted in Markham);
and,

6. Whereas at the DSC meeting on May 16, 2022, several Councillors expressed interest in moving forward promptly on certain road safety items like speed cushions and radar display; and,
7. Whereas at the DSC meeting on Jan 31, 2023, several Councillors expressed interest in installing Automated Speed Enforcement (ASE) on selected City streets, but this requires designation of Community Safety Zones (CSZ) as a prerequisite; and,
8. Whereas the City of Vaughan has initiated a program called “Neighbourhood Traffic Calming Plan” involving a resident survey to find problem streets, problem neighbourhoods and resident opinions about 13 available traffic calming tools;

THEREFORE BE IT RESOLVED:

1. That Staff be directed to review City of Markham policy on speeds cushions/tables/bumps and raised intersections and recommend changes, if any, by September 30, 2023; and,
2. That Staff be directed to identify an approach for Automated Speed Enforcement (ASE) on City of Markham streets, including Community Safety Zones (CSZ) designations and use of York Region’s Administrative Monetary Penalty (AMP) process and report back by September 30, 2023; and,
3. That Staff be directed to connect with City of Vaughan staff with a view to replicating the City of Vaughan consultation process on traffic calming; and further,
4. That Staff be directed to identify a pro-active process to identify problem areas and a rapid action plan to implement traffic calming on selected City of Markham streets by October 31, 2023.

12. NOTICES OF MOTION

There were no notices of motion.

13. NEW/OTHER BUSINESS

There was no new business.

14. ANNOUNCEMENTS

There were no announcements.

15. ADJOURNMENT

Moved by Councillor Isa Lee

Seconded by Councillor Juanita Nathan

That the Development Services Committee adjourn at 2:11PM.

Carried