

Development Services Committee Meeting Minutes

Meeting Number: 20
September 11, 2023, 9:30 AM - 3:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Michael Chan	Councillor Karen Rea
	Regional Councillor Jim Jones	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Alan Ho	Councillor Juanita Nathan
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Ritch Lau	
Staff	Andy Taylor, Chief Administrative Officer	Loy Cheah, Senior Manager, Transportation
	Arvin Prasad, Commissioner, Development Services	Regan Hutcheson, Manager, Heritage
	Trinela Cane, Commissioner, Corporate & Urban Design Services	Darryl Lyons, Deputy Director, Planning
	Morgan Jones, Commissioner, Community Services	Mark Visser, Senior Manager, Financial Strategy & Investments
	Joseph Silva, Treasurer	Martha Pettit, Deputy City Clerk
	Claudia Storto, City Solicitor and Director of Human Resources	Erica Alligood, Election & Committee Coordinator
	Giulio Cescato, Director of Planning & Urban Design	Evan Manning, Senior Heritage Planner
	Frank Clarizio, Director, Engineering	Chris Rickett, Director, Economic Development, Culture and Entrepreneurship
	Ronji Borooah, City Architect	Rajeeth Arulanantham, Assistant to Council / Committee

Alternate formats for this document are available upon request

1. CALL TO ORDER

The Development Services Committee convened at 9:34 AM with Regional Councillor Jim Jones in the Chair.

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

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - JUNE 13, JUNE 26 AND JUNE 27, 2023 (10.0)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Michael Chan

1. That the minutes of the Development Services Committee meetings held on June 13, June 26 and June 27, 2023, be confirmed.

Carried

3.2 SPECIAL DEVELOPMENT SERVICES COMMITTEE MINUTES - JULY 5, 2023 (10.0)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Michael Chan

1. That the minutes of the Special Development Services Committee meeting held on July 5, 2023, be confirmed.

Carried

4. DEPUTATIONS

4.1 DEPUTATIONS - RECOMMENDATION REPORT DESIGNATION OF PRIORITY PROPERTIES – PHASE II (16.11.3)

Eileen Costello, Paul Oberst, and Daniel Kunjumon made deputations as detailed with Item # 7.3.

5. COMMUNICATIONS

5.1 COMMUNICATIONS - RECOMMENDATION REPORT DESIGNATION OF PRIORITY PROPERTIES – PHASE II (16.11.3)

Please refer to item 7.3 for staff report.

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

1. That the written submissions from Aird Berlis, Jennifer Gallichan, and Paul Oberst be received.

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

7.1 HERITAGE MARKHAM COMMITTEE MINUTES – JULY 12 AND AUGUST 9, 2023 (16.11)

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the minutes of the Heritage Markham Committee meeting held on July 12 and August 9, 2023, be received for information purposes.

Carried

7.2 RECOMMENDATION REPORT OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE I PROPERTIES (16.11.3)

Moved by Councillor Reid McAlpine

Seconded by Councillor Juanita Nathan

1. That the Staff report, dated September 11, 2023, titled "RECOMMENDATION REPORT, Objections to Notices of Intention to Designate – Phase I Properties", be received; and,
2. That the written objections to designation under the *Ontario Heritage Act* as submitted by or on behalf of the property owners of 5474 19th Avenue

(Ward 6), 7822 Highway 7 East (Ward 5), and 53 Dickson Hill Road (Ward 5), be received as information; and,

3. That Council affirm its intention to designate 5474 19th Avenue (Ward 6), 7822 Highway 7 East (Ward 5), and 53 Dickson Hill Road (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of their cultural heritage significance; and,
4. That the Clerk's Department be authorized to place designation by-laws before Council for adoption; and,
5. That the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-laws as per the requirements of the *Ontario Heritage Act*; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.3 RECOMMENDATION REPORT DESIGNATION OF PRIORITY PROPERTIES – PHASE II (16.11.3)

Eileen Costello, deputant, Aird Berlis LLP, requested that the Committee defer consideration of designation for 10224 Highway 48, to allow property owners to continue working with a community group on the potential relocation of the heritage resource and to complete due diligence work, prior to further discussions with City Staff. Ms. Costello requested a deferral to January 2024. Ms. Costello requested that the Committee also defer consideration of designation for 10159 McCowan Rd, to allow time for an further review of the Statement of Significance by MHBC and to provide time for her client to consider an objection to the designation.

Paul Oberst, deputant, representing 2972 Elgin Mills Rd, requested that consideration of designation for this property be deferred to a date on which the designation of his client's two other properties is being considered.

Daniel Kunjumon, deputant, owner of 2 Legacy Drive, spoke in support of designation and detailed the significance of the property.

Regan Hutcheson, Manager, Heritage Planning, stressed the need to move forward with designations due to the deadline imposed by the Province. Mr. Hutcheson detailed the process that Heritage Staff has been undertaking, noting that the three-week notice to property owners for consideration of designation by

Committee is a courtesy period and not required by the Ontario Heritage Act. This advance notice period provides owners with property research and education information regarding designation, and allows further discussion with staff prior to any formal process. Mr. Hutcheson advised that if Council confirms the intent to designate, notice will be sent to the Ontario Heritage Trust, property owner, and will be published as per the Act, after which a 30-day objection period would commence. Mr. Hutcheson advised that following the 30-day objection period, if the City receives any objections, a report will be prepared to allow Council to consider the objections and decide whether to proceed with designation. If there are no objections or if there are objections and Council decides to proceed, the designation by-law would be brought forth for adoption, following which property owners may appeal the decision to the Ontario Land Tribunal, within 30 days of the notice of the by-law being passed.

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

1. That the Staff report, dated September 11, 2023, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase II", be received; and,
2. **That the deputations from Eileen Costello of Aird Berlis, Paul Oberst, and Daniel Kunjumon be received; and,**
3. That the June 14, 2023, recommendation from the Heritage Markham Committee, in support of the designation of 2 Legacy Drive (Ward 7), 81 Dickson Hill Road (Ward 5), 2972 Elgin Mills Road (Ward 2), 4130 Nineteenth Avenue (Ward 6), 4159 Nineteenth Avenue (Ward 6), 6772 Fourteenth Avenue (Ward 6), 7880 Highway 7 (Ward 5), 10159 McCowan Road (Ward 6), 10224 Highway 48 (Ward 6), 10387 McCowan Road (Ward 6), under Part IV, Section 29 of the Ontario Heritage Act (in accordance with Appendix 'B'), be received as information; and,
4. That Council state its intention to designate 2 Legacy Drive (Ward 7), 81 Dickson Hill Road (Ward 5), 4130 Nineteenth Avenue (Ward 6), 4159 Nineteenth Avenue (Ward 6), 6772 Fourteenth Avenue (Ward 6), 7880 Highway 7 (Ward 5), 10159 McCowan Road (Ward 6), 10387 McCowan Road (Ward 6), under Part IV, Section 29 of the Ontario Heritage Act in recognition of their cultural heritage significance; and,
5. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,

6. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk's Department be authorized to place a designation by-law before Council for adoption; and,
7. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the matter will return to Council for further consideration; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

Moved by Councillor Keith Irish

Seconded by Councillor Amanda Collucci

1. That the consideration to designate 2972 Elgin Mills Rd be deferred to the October 17th Development Services Committee; and,
2. That the consideration to designate 10224 Hwy 48 be deferred to January 2024.

Carried

7.4 MEMORANDUM, COUNCIL APPROVAL FOR PARKLAND DEDICATION EXEMPTION: 45 SCIBERRAS ROAD (CSNT 21 116608 & B/003/21), 50 & 52 NELSON ROAD (SPC 21 140484 & SPC 21 142835) AND 10988 & 10990 WARDEN AVENUE (SPC 21 119856 & PLAN 21 119856) (6.3, 10.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the memorandum titled, "Council Approval for Parkland Dedication Exemption: 45 Sciberras Road (CSNT 21 116608 & B/003/21), 50 & 52 Nelson Road (SPC 21 140484 & SPC 21 142835) and 10988 & 10990 Warden Avenue (SPC 21 119856 & PLAN 21 119856)", be received; and,
2. That the Commissioner of Development Services or the Director of Planning and Urban Design be authorized to approve parkland dedication exemptions for the applications identified in this memo; and,
3. That the Parkland Dedication By-law be amended to authorize the Commissioner of Development Services or the Director of Planning and

Urban Design to consider and approve any future requests for exemption of parkland dedication obligations based on criteria arising from similar contexts and elements as the three subject applications; and further,

4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.5 REQUEST FOR TRAFFIC CONTROL SIGNALS AT HIGHWAY 7 EAST AND MAYOR ROMAN DRIVE (WARD 3) (5.12)

Moved by Councillor Andrew Keyes

Seconded by Councillor Isa Lee

1. That the September 11, 2023 report entitled, “Request for Traffic Control Signals at Highway 7 East and Mayor Roman Drive (Ward 3)”, be received; and,
2. That York Region be requested to approve the signalization of the intersection of Highway 7 East and Mayor Roman Drive, at the owner’s (2310601 Ontario Inc.) expense; and,
3. That the City Clerk send a copy of this report and Council resolution to York Region; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.6 OVERVIEW AND STATUS OF MICRO-MOBILITY USE IN MARKHAM (CITY-WIDE) (5.12)

The Committee expressed concerns with the use of e-scooters throughout the City, which is currently unregulated and questioned the timeline for a fulsome strategy to return to Committee.

Frank Clarizio, Director, Engineering, confirmed that Staff are working on a micro-mobility strategy and to explore possible pilot projects, which would likely be presented to Committee in 2025 / 2026.

The Committee expressed concerns with governance over micro-mobility, inquiring if micro-mobility would largely be regulated through by-laws or the Highway Traffic Act. Director Clarizio advised that the regulatory functions

would depend on the location of the pilot, noting that the Highway Traffic Act would only apply to roadways. Director Clarizio advised that on City facilities such as bike lanes or trails, by-laws would need to be explored and amended for a pilot project on micro-mobility. Director Clarizio further advised that Item 9.1 on the Markham and Vaughan Auto Mobility Demonstration Zone may provide further opportunity for a micro-mobility pilot and introduced Chris Rickett for further comment.

Chris Rickett, Director, Economic Development, advised that, as would be further detailed with Item 9.1, the City has received a Provincial grant to set up a demonstration zone to look at micro-mobility technologies. Director Rickett advised that the \$2.5M grant would be split between the City of Vaughan and City of Markham to establish a demonstration zone and fund demonstration projects, likely in Markham Centre. Director Rickett advised that the grant would be used to hire three Staff persons, which would split time between Vaughan and Markham.

The Committee suggested that Staff circulate a survey to the Committee to further solicit feedback and for the Committee to detail their concerns with micro-mobility in the City.

Moved by Councillor Andrew Keyes
Seconded by Councillor Keith Irish

1. That the staff report titled “Overview and Status of Micro-Mobility Use in Markham (City-wide)” be received for information.

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS

8.1 RECOMMENDATION REPORT, YUE GONG, 1000038852 ONTARIO INC., APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT THE STORAGE AND SALES OF FIREARMS AND AMMUNITION, ACCESSORY RETAIL USES, AND ASSOCIATED OFFICE USES AT 44 RIVIERA DRIVE

FILE NO. PLAN 22 266738 (WARD 8) (10.5)

Arvin Prasad, Commissioner, introduced this item as related to a Zoning By-law amendment application, which was heard at the May 23rd public meeting. Commissioner Prasad advised that further to comments at the public meeting, the firearms license has been shared with Staff. Commissioner Prasad introduced Joanna Fast, Evans Planning, who was available for questions.

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the report, dated September 11, 2023 titled, “RECOMMENDATION REPORT, Yue Gong, 1000038852 Ontario Inc., Application for Zoning By-law Amendment to permit the storage and sales of firearms and ammunition, accessory retail uses, and associated office uses at 44 Riviera Drive, File No. PLAN 22 266738 (Ward 8)”, be received; and,
2. That the Record of the Public Meeting held on May 23, 2023, with respect to the proposed application for Zoning By-law Amendment submitted by Evans Planning for File No. PLAN 22 266738, be received; and,
3. That the amendment to Zoning By-law 28-82, as amended, be approved and the draft site-specific implementing Zoning By-law, attached hereto as Appendix “A”, be finalized and enacted without further notice; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT MATTERS

9.1 MARKHAM AND VAUGHAN AUTO MOBILITY DEMONSTRATION ZONE (10.16)

Chris Rickett, Director, Economic Development, delivered a presentation detailing the Markham and Vaughan Auto Mobility Demonstration Zone.

The Committee provided the following feedback:

- Noted that the program and Provincial funding seems to be more focused toward autonomous vehicles than e-scooters or micro-mobility and suggested that Staff focus on an e-scooter program outside of this program as the funding is limited.
- Emphasized the need for a partnership with the Region with respect to autonomous vehicles and micro-mobility to ensure that there are not conflicting rules.
- Expressed concerns with micro-mobility and e-scooters on public walkways or multi-use pathways as the City tries to encourage walking.

- Discussed different technologies such as e-scooters which prevent movement off sidewalks and three-wheel vehicles being promoted to travel along bike lanes. Director Rickett confirmed that there are different technologies emerging and noted that the demonstration zone is not only to look at existing technologies, but to give companies testing opportunities with the hope that they will further establish themselves in Markham.
- Suggested that start-ups and companies emerging from the ventureLAB be provided the opportunity to utilize the demonstration zone.
- Expressed support for exploring autonomous buses or shuttles, noting that GO Stations are looking at reduced parking within Transit Oriented Communities.
- Encouraged Staff to look at a partnership with Project Arrow, an all-Canadian electric vehicle with autonomous capabilities.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Alan Ho

1. That the report entitled “Markham and Vaughan Auto Mobility Demonstration Zone” be received; and,
2. That City staff be authorized to enter into an agreement with the Province of Ontario and the City of Vaughan to develop and implement the Auto Mobility Demonstration Zone; and,
3. That City staff receive delegated authority from Council to undertake and implement automotive and mobility demonstration projects as part of the Auto Mobility Demonstration Zone; and,
4. That City staff provide regular status reports to the Development Services Committee; and further,
5. That City staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

There were no notices of motion.

12. NEW/OTHER BUSINESS

There was no new business.

13. ANNOUNCEMENTS

There were no announcements.

14. CONFIDENTIAL ITEMS

Moved by Deputy Mayor Michael Chan

Seconded by Councillor Karen Rea

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

14.1 DEVELOPMENT AND POLICY MATTERS

14.1.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - MAY 30, JUNE 13 AND JUNE 27, 2023 (10.0) [MUNICIPAL ACT, 2001, Section 239 (2) (e), (f), (h), (k)]

14.1.2 SPECIAL DEVELOPMENT SERVICES COMMITTEE MINUTES - JUNE 6 AND JULY 5, 2023 (10.0) [MUNICIPAL ACT, 2001, Section 239 (2) (h), (k)]

14.1.3 UPDATE REPORT (2) - REQUEST FOR DIRECTION RE: ONTARIO LAND TRIBUNAL APPEAL BY TIMBERCREEK FOUR QUADRANT GP2 INC., OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS AT 288, 298, AND 300 JOHN STREET (WARD 1) (10.3, 10.5)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD;) [MUNICIPAL ACT, 2001, Section 239 (2) (e)]

14.1.4 REQUEST FOR DIRECTION RE ONTARIO LAND TRIBUNAL RE 16 & 18 GRANDVIEW BOULEVARD PURSUANT TO SUBSECTIONS 42(10) AND 42(12) OF THE PLANNING ACT (8.0)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS,

**AFFECTING THE MUNICIPALITY OR LOCAL BOARD;)
[MUNICIPAL ACT, 2001, Section 239 (2) (e)]**

15. ADJOURNMENT

Moved by Councillor Karen Rea

Seconded by Councillor Reid McAlpine

That the Development Services Committee adjourn at 12:45 PM.

Carried