

Development Services Committee Meeting Minutes

Meeting Number: 23

October 31, 2023, 9:30 AM - 3:00 PM

Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Regional Councillor Jim Jones	Councillor Karen Rea
	Regional Councillor Joe Li	Councillor Andrew Keyes
	Regional Councillor Alan Ho	Councillor Amanda Collucci
	Councillor Keith Irish	Councillor Juanita Nathan
	Councillor Ritch Lau	Councillor Isa Lee
Regrets	Deputy Mayor Michael Chan	
Staff	Andy Taylor, Chief Administrative Officer	Darryl Lyons, Deputy Director, Planning & Urban Design
	Arvin Prasad, Commissioner, Development Services	John Yeh, Manager, Strategy & Innovation
	Trinela Cane, Commissioner, Corporate Services	Mark Visser, Senior Manager, Financial Strategy & Investments
	Morgan Jones, Commissioner, Community Services	Erica Alligood, Election & Committee Coordinator
	Joseph Silva, Treasurer	Melissa Leung, Planner I
	Claudia Storto, City Solicitor and Director of Human Resources	Rajeeth Arulanantham, Assistant to Council / Committee
	Bryan Frois, Manager of Executive Operations & Strategic Initiatives	Maggie Cheung-Madar, Assistant City Solicitor
	Stephanie DiPerna, Director, Building Standards	Deanna Schlosser, Senior Planner
	Giulio Cescato, Director of Planning & Urban Design	Audrey Farias, Project Manager, Strategy & Innovation
	Frank Clarizio, Director, Engineering	

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1. CALL TO ORDER

The Development Services Committee convened at 9:35 AM with Regional Councillor Jim Jones in the Chair.

Mayor Frank Scarpitti and Councillor Amanda Collucci arrived to the meeting at 9:47 AM.

The Committee recessed from 12:36 PM to 1:30 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

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - OCTOBER 17, 2023 (10.0)

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

1. That the minutes of the Development Services Committee meeting held on October 17, 2023, be confirmed.

Carried

4. DEPUTATIONS

4.1 DEPUTATIONS - LEAN REVIEW OF THE DEVELOPMENT REVIEW PROCESS (10.0)

Doug Denby and Louis Olivera made depositions as detailed with Item # 8.2.

4.2 DEPUTATION - IMPLEMENTATION OF DEVELOPMENT REVIEW PROCESS TECHNOLOGY PROJECTS (10.0)

Louis Olivera made a deposition as detailed with Item # 8.3.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

**7.1 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES –
OCTOBER 10, 2023 (10.0)**

Moved by Councillor Juanita Nathan

Seconded by Regional Councillor Joe Li

1. That the minutes of the Development Services Public Meeting held October 10, 2023, be confirmed.

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS

8.1 DEVELOPMENT APPLICATION FEES REVIEW (10.0)

Arvin Prasad, Commissioner, Development Services, introduced this item advising that it is related to a development application fee review which was undertaken by Hemson Consulting. Commissioner Prasad advised that the City has raised fees since 2020 in an attempt to recover from a deficit position. Commissioner Prasad advised that Hemson Consulting is recommending a reduction of development application fees for full cost recovery with a more simplified fee structure. Commissioner Prasad added that the development industry, including BILD, have been consulted throughout this process. Commissioner Prasad introduced Stefan Krzeczunowicz and Nataliya Kebas to deliver a presentation.

Stefan Krzeczunowicz, Associate Partner, Hemson Consulting, delivered a presentation.

The Committee provided the following feedback:

- Asked if there is a cap on development fees depending on the proposed units. Mr. Krzeczunowicz advised that a fee cap is a provision which could be introduced through the by-law. Frank Clarizio, Director, Engineering, advised that Staff are exploring a fee cap with respect to the proposed number of units and full cost recovery, noting that comments

from the development industry expressed that fees are not always proportional to the number of proposed units. Director Clarizio noted that variable rates could be proposed as part of the final report.

- Asked if the pre-consultation fee currently varies depending on the proposal. Director Clarizio clarified that there is no pre-consultation fee for infill. Giulio Cescato, Director, Planning & Urban Design, advised that the pre-consultation process is meant to front-end the development application process for developers, to ensure that complete applications are submitted the first time, particularly with respect to timelines set out in Bill 109.
- Clarified whether recommendations from the KPMG Lean Review of the Development Review Process were considered as part of this fee review. Commissioner Prasad noted that the KPMG recommendations are substantial but would be implemented into the fee by-law as required.
- Asked if developers who work on single family homes or those involved with infill development were consulted in the fee review process. Commissioner Prasad confirmed that developers who do this type of work were also consulted.
- Commented that the City should still be maintaining a healthy reserve to ensure that services can be maintained in the event of a slow-down of building activity, without subsidization from taxpayers. Joseph Silva, Treasurer, noted that there is currently a reasonable amount in the reserve to deliver services. Commissioner Prasad noted that as a working policy, the reserve is typically about 1.5 times the cost to deliver services.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

1. That the presentation dated October 31, 2023 titled “Development Application Fees Review” be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 LEAN REVIEW OF THE DEVELOPMENT REVIEW PROCESS (10.0)

Doug Denby, deputant, expressed interest in the lean review process, noting that the consultant should try to ensure that the complex development process is not over-simplified to an assembly line type system.

Arvin Prasad, Commissioner, Development Services, provided an introduction to this item, advising that it provides a summary of the results of a lean review of the City's development review process which was undertaken by KPMG.

Commissioner Prasad reminded the Committee that this work is being undertaken as part of the Provincial Fund which outlined six main projects, including the lean review. Commissioner Prasad advised that some of KPMG's findings have already been used as input to the new development processes and introduced Dale Schattenkirk to deliver a presentation.

Dale Schattenkirk, Partner, KPMG, delivered a presentation.

The Committee provided the following feedback:

- Asked what changes have been recommended for those who are building single homes to ensure the process is not overly complex. Mr. Schattenkirk advised that the intake process has been streamlined to result in improvements for both small or large developers and builders, noting that many identified issues have already seen improvement. Frank Clarizio, Director, Engineering, advised that there are separate staff persons who review residential infill, noting that Engineering is working with Building Standards to streamline grading and site servicing to ensure that the building permit process is not slowed down.
- Commented that with hybrid work appropriate staff are not always available and individual extensions are not always provided. Mr. Schattenkirk advised that one of KPMG's recommendations is to have a single point of contact to ensure that calls are appropriately triaged. Giulio Cescato, Director, Planning & Urban Design, noted that there is a standard protocol for returns of emails and calls, noting that improvements can always be made.
- Commented that the report does not seem to fully detail the role of Heritage Markham in the development process.
- Clarified the goal of the lean review process, noting that in addition to streamlining processes, the goal of creating a complete community should be at the forefront. Commissioner Prasad agreed that the outcomes for the City are of utmost importance, noting that Staff realizes the importance of good City planning and building.

- Encouraged one-on-one meetings with applicants for more complex development applications to ensure that expectations are clear on what is to be included with the initial submission.
- Asked if regular updates on the implementation of the recommendations would be brought to Committee. Commissioner Prasad advised that Staff will seek to provide updates every 6 months.
- Asked if it would be possible to have one system across Ontario for development applications. Mr. Schattenkirk advised that other jurisdictions in Canada do have a consolidated system, noting that Ontario has the largest population.

Louis Olivera, deputant, AWRA member, recommended that studies required as part of applications be commissioned by the City but paid for by the applicant, to ensure that studies are impartial and produce accurate results.

The Committee asked if there are other jurisdictions where there is more control over studies completed as part of development applications. Director Cescato advised that he is not aware of any other jurisdictions who have a list of pre-approved third-party consultants, noting that Planners and Engineers are held to codes of conduct to ensure impartial recommendations are made. Director Cescato advised that while terms of reference must be adhered to, applications are not deemed incomplete due to disagreement with recommendations of third-party consultants and confirmed that Staff will always provide Council with professional and independent opinions.

Moved by Regional Councillor Joe Li
Seconded by Councillor Karen Rea

1. That the report dated October 31, 2023 titled “Lean Review of the Development Review Process” be received; and,
2. **That the deputations from Doug Denby and Louis Olivera at the October 31st Development Services Committee meeting be received; and,**
3. That the report titled “Lean Review of the Development Review Process” be forwarded to the Ministry of Municipal Affairs and Housing as per the terms of the Streamline Development Approval Fund; and,
4. That staff be directed to evaluate the findings of the study entitled “Lean Review of the Development Review Process” and report back to Development Services Committee on implementation; and further;

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

Carried

8.3 IMPLEMENTATION OF DEVELOPMENT REVIEW PROCESS TECHNOLOGY PROJECTS (10.0)

Arvin Prasad, Commissioner, Development Services, introduced this item advising that the purpose is to provide a summary of technology related projects which have been implemented through the Provincial Streamline Development Approvals Fund. Commissioner Prasad advised that the main outcome for the projects is to improve customer service for applicants, enhance the City's existing investment into ePlan, make more informed decisions, and improve service levels which will result in higher quality applications. Commissioner Prasad introduced Audrey Farias to deliver a presentation.

Audrey Farias, Project Manager, Strategy & Innovation, delivered a presentation. Ms. Farias introduced Logan Romphf to deliver a supplemental presentation.

Logan Romphf, Senior Planner, WSP, delivered a presentation.

Louis Olivera, deputant and former IT professional, highlighted his experience using MappIT, noting that it is a great tool and step forward with respect to transparency and resident engagement. Mr. Olivera highlighted some areas where information did not appear to be up-to-date. Sumon Acharjee, Chief Information Officer, confirmed that continual work is taking place to ensure information is current and to continue to promote transparency. Mr. Acharjee noted that some information is sensitive and requires additional time for Staff to redact sensitive information and ensure quality data is uploaded to the tool. Mr. Acharjee also advised that there is a feedback tool within MappIT and confirmed that Staff is actively responding to and actioning feedback.

The Committee provided the following feedback:

- Asked how accurate 3D modeling is and whether it can reflect architectural aspects. Mr. Romphf advised that textures and windows can be included in modeling, but noted that for very specific architectural elements there may be better software. Mr. Romphf advised that this tool allows for conceptual renderings and to enhance Staff's ability to review applications.
- Asked if this tool will be expanded for use in other areas. Ms. Farias advised that the project was mainly focused around Markham Centre and

Markham Road Mount Joy, noting that Staff have been trained to use and leverage the tool, but will need to explore if they are able to implement for other areas or would need to retain a consultant for this work.

- Commented that digital twins should be explored to provide very accurate representations on development and proposals throughout the City. Darryl Lyons, Deputy Director, Planning & Urban Design, commented that the software is very powerful with respect to showing potential outcomes and allowing Staff to make recommendations on development applications on the fly. Director Cescato added that the software allows Staff to see population numbers, employment, GFA, shadowing, and servicing quickly, providing a good evaluative tool for Staff and be very valuable with respect to understanding built-form.

Moved by Councillor Ritch Lau

Seconded by Councillor Karen Rea

1. That the report and presentation dated October 31, 2023 titled “Implementation of Development Review Process Technology Projects” be received; and,
2. **That the deputation by Louis Olivera at the October 31st Development Services Committee meeting be received; and,**
3. That the presentation dated October 31, 2023 titled "City of Markham 3D Modelling Project" be received; and,
4. That the report titled “Implementation of Development Review Process Technology Projects” be forwarded to the Ministry of Municipal Affairs and Housing as per the terms of the Streamline Development Approval Fund; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.4 RECOMMENDATION REPORT, EASTSIDE CHEVROLET GMC BUICK LTD., APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT A 35-STORY MIXED USE DEVELOPMENT CONSISTING OF 618 RESIDENTIAL UNITS

AND 2,820 M² (30,354 FT²) OF MOTOR VEHICLE SALES, RETAIL, AND OFFICE USES AT 8435 WOODBINE AVENUE (WARD 8) FILE NO. PLAN 23 114260 (10.3, 10.5)

Arvin Prasad, Commissioner, Development Services, advised that this recommendation report is related to an application for a 35-storey mixed-use development noting that Staff are recommending refusal of the application as detailed in the report.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Joe Li

1. That the October 31, 2023, report titled, “RECOMMENDATION REPORT, Eastside Chevrolet GMC Buick Ltd., Applications for Official Plan and Zoning By-law Amendment to permit a 35-storey mixed use development consisting of 618 residential units and 2,820 m² (30,354 ft²) of motor vehicle sales, retail, and office uses at 8435 Woodbine Avenue (Ward 8), File PLAN 23 114260”, be received; and,
2. That the Applications for Official Plan and Zoning By-law Amendment, submitted by Eastside Chevrolet GMC Buick Ltd., under File PLAN 114260, to amend the City of Markham Official Plan and Zoning By-law 165-80, as amended, be refused without further notice; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.5 RECOMMENDATION REPORT, ROGERS COMMUNICATIONS, 9249 KENNEDY ROAD, SITE PLAN APPROVAL APPLICATION TO FACILITATE A 14.9 M TELECOMMUNICATION TOWER (WARD 3) FILE NO. SPC 20 131031 (10.6)

Arvin Prasad, Commissioner, Development Services, introduced this item as related to a site plan application to install a telecom tower. Commissioner Prasad advised that public consultation was required and a public meeting was held. Commissioner Prasad introduced Lucas Cuff to deliver a presentation.

Lucas Cuff, Municipal Planner, FONTUR International, delivered a presentation.

Moved by Councillor Andrew Keyes

Seconded by Councillor Amanda Collucci

1. That the report dated October 31, 2023, titled “RECOMMENDATION REPORT, Rogers Communications, 9249 Kennedy Road, Site Plan Approval Application to facilitate a 14.9 m telecommunication tower (Ward 3), File No. SPC 20 131031”, be received; and,
2. That the Site Plan Approval application be approved, subject to conditions identified in Appendix “A” of this report; and,
3. That the Site Plan Approval shall lapse after a period of three years commencing October 31, 2023, should the Proposed Development not proceed in a timely manner; and,
4. That Innovation, Science and Economic Development Canada (“ISED Canada”) (formerly known as Industry Canada) be advised in writing, of this approval (concurrence), and that this approval is with respect to this location only; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. MOTIONS

There were no motions.

10. NOTICES OF MOTION

There were no notices of motion.

11. NEW/OTHER BUSINESS

The Committee consented to add Item 13.1.1 to the confidential agenda.

12. ANNOUNCEMENTS

There were no announcements.

13. CONFIDENTIAL ITEMS

Moved by Councillor Ritch Lau

Seconded by Councillor Isa Lee

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

13.1 DEVELOPMENT AND POLICY MATTERS**13.1.1 REQUEST FOR DIRECTION, ONTARIO LAND TRIBUNAL
APPEAL BY 1107656 ONTARIO INC. (TIMES GROUP),
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
APPLICATIONS (WARD 8) (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. ADJOURNMENT

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

That the Development Services Committee adjourn at 3:01 PM.

Carried