



Development Services Committee Meeting Minutes

Meeting Number: 26

November 28, 2023, 9:00 AM - 3:00 PM

Live streamed

Roll Call	<p>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</p>	<p>Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Trinela Cane, Commissioner, Corporate Services Alice Lam, Acting Commissioner, Community Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Manager of Executive Operations & Strategic Initiatives Stephanie DiPerna, Director, Building Standards Giulio Cescato, Director of Planning & Urban Design Frank Clarizio, Director, Engineering Alain Cachola, Senior Manager, Infrastructure and Capital Projects Edgar Tovila, Senior Manager, Waterworks Operations</p>	<p>Loy Cheah, Senior Manager, Transportation Mark Visser, Senior Manager, Financial Strategy & Investments Evan Manning, Heritage Planner Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Rajeeth Arulanantham Clement Messere, Senior Planner Jennifer Kim, Senior Planner Morgan Jones, Commissioner, Community Services Joseph Silva, Treasurer Alberto Lim, Engineering Capital Works Laura Gold, Council/Committee Coordinator</p>

David Fleisher, Senior Planner, Yonge
North Subway

Alternate formats for this document are available upon request

1. CALL TO ORDER

The Development Services Committee convened at 9:04 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 was no disclosure of pecuniary interest.

3. PRESENTATIONS

3.1 PRESENTATION OF SERVICE AWARDS (12.2.6)

The Development Services Committee recognized the following members of staff:

Chief Administrator's Office - Fire & Emergency Services

Daniel Campitelli, Captain, Fire & Emergency Services, 35 Years

Melinda Brown, Firefighter, Fire & Emergency Services, 5 Years

Nicholas Chan, Firefighter, Fire & Emergency Services, 5 Years

Christina Giammarco, Administrative Assistant, Fire & Emergency Services, 5 Years

Adam Halls, Firefighter, Fire & Emergency Services, 5 Years

Darryl Novotny, Firefighter, Fire & Emergency Services, 5 Years

Dylan Tupper, Firefighter, Fire & Emergency Services, 5 Years

Allan Wong, Firefighter, Fire & Emergency Services, 5 Years

Community Services Commission

Carol Dimpfel, Supervisor, Allocations, Recreation Services, 20 Years
 Scott Hill, Community Facility Coordinator, Recreation Services, 20 Years
 Luciano Colangelo, Waterworks Operator II, Environmental Services, 15 Years
 Alexander Acorn, Sewer Flusher/Camera Operator, Environmental Services, 10 Years
 Sean Graham, Facility Operator II, Recreation Services, 10 Years
 Thomas Luey, Maintenance Assistant, Recreation Services, 10 Years
 Dylan Whittaker, Labourer - Waterworks, Environmental Services, 5 Years
 Carolyn Dares, Arborist, Operations, 5 Years
 Jonn Faustino, Corporate Fleet Driver Trainer, Operations, 5 Years
 Dale Greenwood, Truck Driver, Operations, 5 Years

Corporate Services Commission

Kaushalya Ananthanadarajah, Cash Management Coordinator, Financial Services, 5 Years
 Ned Sirry, Manager, Client Service Delivery, Information Technology Services, 5 Years

Development Services Commission

Scott Hill, Manager, Business and Rental, Economic Growth, Culture & Entrepreneurship, 25 Years
 Peter Costas, Building Inspector II, Building Standards, 5 Years
 Ali Hasan, Financial Analyst, Engineering, 5 Years
 Steven Brouwer, Landscape Inspector, Planning & Urban Design, 5 Years

4. DEPUTATIONS

Deputations were heard with the respected item.

5. COMMUNICATIONS

5.1 COMMUNICATIONS ON RECOMMENDATION REPORT – OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE II PROPERTIES (16.11)

Please refer to item 7.2 for Staff Report.

Moved by Councillor Reid McAlpine
 Seconded by Councillor Amanda Collucci

1. That the communications submitted by the following providing comments regarding the above subject matter be received:

- Aird & Berlis LLP representing Markham MMM North Development Corporation
- John Kasias
- Stephanie and Tussyanth Alexander

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

7.1 VARLEY MCKAY ART FOUNDATION OF MARKHAM 2022 FINANCIAL STATEMENTS – ANNUAL GENERAL MEETING MATTERS (16.0)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Michael Chan

1. That the Varley-McKay Art Foundation of Markham Financial Statements for the year ending December 31, 2022, be approved; and,
2. That KPMG LLP be approved to audit the 2023 Varley McKay Art Foundation Financial Statements; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.2 RECOMMENDATION REPORT – OBJECTIONS TO NOTICES OF INTENTION TO DESIGNATE – PHASE II PROPERTIES (16.11)

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Michael Chan

1. That the Staff report, dated November 28, 2023, titled "RECOMMENDATION REPORT, Objections to Notices of Intention to Designate – Phase II 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 10159 McCowan

Road (Ward 6) and 7880 Highway 7 East (Ward 5), be received as information; and,

3. That Council affirm its intention to designate 2 Legacy Drive (Ward 7): “Box Grove United Church” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
4. That Council affirm its intention to designate 81 Dickson Hill Road (Ward 5): “Dickson Hill Mill House” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
5. That Council affirm its intention to designate 4130 Nineteenth Avenue (Ward 6): “Almira Mill House” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
6. That Council affirm its intention to designate 4159 Nineteenth Avenue (Ward 6): “Almira General Store and Post Office” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
7. That Council affirm its intention to designate 6772 Fourteenth Avenue (Ward 6): “Box Grove General Store” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
8. That Council affirm its intention to designate 7880 Highway 7 East (Ward 5): “Albert and Bertha Reesor House” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
9. That Council affirm its intention to designate 10159 McCowan Road (Ward 6): “Haacke-Warriner Farmhouse” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
10. That Council affirm its intention to designate 10224 Highway 48 (Ward 6): “Christian and Nancy Hoover House” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,
11. That Council affirm its intention to designate 10387 McCowan Road (Ward 6): “Thomas and Catharine Peach House” under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance; and,

12. That the Clerk's Department be authorized to place designation by-laws before Council for adoption; and,
13. 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,
14. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. PRESENTATIONS - TRANSPORTATION AND INFRASTRUCTURE MATTERS

8.1 MARKHAM CENTRE TRAIL, MASTER PLAN STUDY (WARDS 2, 3 AND 8) (5.0)

Arvin Prasad, Commissioner of Development Services, introduced the item.

The Consultant provided a presentation on the Markham Centre Trail, Master Plan Study.

Peter Miasek provided a deputation in support of the Markham Centre Trail, Master Plan, but provide the following comments/questions: 1) Referenced guiding principle No. 8 of the Markham Centre Secondary Plan – “realize the full potential of the Rouge River Valley, as an environmental and place making feature, which he envisioned as having riverside restaurants and benches, like the San Antonio River Walk or Eau Claire in Calgary. The Markham Centre trail so far is looking very different and it is not resembling an urban place maker. 2) Questioned if this phase of trail be built closer to the river.

Alain Cachola, Senior Manager, Infrastructure and Capital Projects, advised there are many challenges associated with the Markham Centre Trail Project, as the City has to work with the Ministry of Environment, Conservation and Parks, as the Rouge River is the home to Redside Dace, an endangered fish in Ontario. Consequently, the *Endangered Species Act* needs to be followed, and there are many restrictions. In phases 1 and 2 of the legislation the City was not able to get permission from the Ministry to have the trail run closer to the river. Staff continue to discuss with the Ministry building the trail closer to the river, as part of phase 3 of project.

The Committee discussed the following relative to the Markham Centre Trail, Master Plan Study:

- The sections of the trail that still require Environmental Assessment (EA), and the EAs taking longer to complete due to the need to coordinate them with the Markham Centre Secondary Plan and the York Tech Drive EA;
- That the trail will connect with Mildred Temple Park in Main Street Unionville;
- That sections of the trail design that cannot be confirmed until the Markham Centre Secondary Plan is approved, as the plan will confirm the road network in that area;
- Questioned if the City could find a way to accelerate phase 6 of Markham Centre Trail Master Plan Study, the section that runs through the abandoned Markham Golf Course, and further northwest;
- Noted that separating cyclist and pedestrians has become especially important due to the increase in the use e-bikes and other e-mobility devices;
- Noted that the trail runs on the road by the IBM lands, as the natural feature is located on IBM lands and they were hesitant to have a public trail on their lands.

Moved by Councillor Reid McAlpine

Seconded by Councillor Juanita Nathan

- 1. That the deputation by Peter Miasek be received.**
- 2. That the written submission from David McBeth regarding the Markham Centre Trail, Master Plan Study, be received; and,**
3. That the report entitled “Markham Centre Trail, Master Plan Study (Wards 2, 3 and 8)”, be received; and,
4. That the conceptual preferred trail route for the Markham Centre Trail, as set out in the Master Plan Environmental Study Report (ESR), be endorsed by Council; and,
5. That City staff be authorized to issue a Notice of Study Completion and file the Master Plan Study for Markham Centre Trail with the Ministry of the Environment, Conservation and Parks (MECP); and,
6. That City staff report back to Development Services Committee following the completion of the Markham Centre Secondary Plan Study and the Yorktech Drive Extension Environmental Assessment process to present the overall implementation program for the remaining sections of the Markham Centre Trails including timelines and a funding source assessment; and further,

7. That City staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS

9.1 RECOMMENDATION REPORT MARKHAM COMMERCIAL CENTRE LTD. APPLICATION FOR SITE PLAN APPROVAL TO FACILITATE THE DEVELOPMENT OF TWO THREE-STOREY OFFICE BUILDINGS AND THREE ONE-STOREY INDUSTRIAL BUILDINGS

LOCATED SOUTH OF HIGHWAY 7 AND WEST OF WOODBINE AVENUE, MUNICIPALLY KNOWN AS 55 EAST VALHALLA DRIVE (WARD 8), FILE NO. SPC 22 118800 (10.6)

Arvin Prasad, Commissioner of Development Services, introduced the item.

Jenna Thibault, Weston Consulting, provided a presentation on the proposed development.

The Committee provided the following feedback on the development proposal;

- Delighted to know that site was being developed, but suggested that the site could possibly handle a larger scale development due to its proximity to the Hwy 404 and Hwy 407 ;
- Questioned if the height of the retail proposed on the ground floor of the building could be increased to the standard retail height, and if more retail could be added due to the prime location of the subject lands;
- Questioned if the Applicant would consider increasing the building height to five stories if the City would permit more retail;
- Questioned the type of parking the proposed development will include.

Ms. Thibault advised that Applicant will look at the feasibility of increasing the ground level retail ceiling height, and making the building five storeys rather than four storeys if the City would permit more retail. Ms. Thibault noted that the Applicant does not do have an intent to move forward with an Official Plan Amendment.

Staff responded and provided clarification to inquiries from the Committee.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Isa Lee

1. That the November 28, 2023, report title, “RECOMMENDATION REPORT, Markham Commercial Centre Ltd., Application for Site Plan Approval to facilitate the development of two three-storey office buildings and three one-storey industrial buildings located south of Highway 7 and west of Woodbine Avenue, municipally known as 55 East Valhalla Drive, File No. SPC 22 118800 (Ward 8)”, be received; and,
2. That the Site Plan Application (SPC 22 118800) submitted by Markham Commercial Centre Ltd. be endorsed in principle, subject to the conditions in Appendix “A”, and that Site Plan Approval be delegated to the Director of planning and Urban Design or designate; and,
3. That Site Plan Endorsement shall lapse and Site Plan Approval will not be issued after a period of three years from the date of endorsement in the event that the Site Plan Agreement is not executed within that time period; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 RECOMMENDATION REPORT, SUNNY COMMUNITIES (MARKHAM GOLD) INC., OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION TO PERMIT A HIGH RISE MIXED-USE DEVELOPMENT WITH 736 UNITS (624 APARTMENT AND 112 MULTIPLE DWELLING UNITS)

AT 9900 MARKHAM ROAD (WARD 6), FILE NO. PLAN 21 140327 (10.3, 10.5)

Arvin Prasad, Commissioner of Development Services, introduced the item.

The Committee questioned what the Community Benefit Charge is for the proposed development, and suggested that the City should have a consistent approach to calculating the number of affordable units a development proposal should include.

Giulio Cescato, Director of Planning & Urban Design, advised that the Community Benefit Charge for this development is based on 4% of the land value on the day prior to the issuing of the building permit. Mr. Cescato agreed to have staff look into coming up with a consistent approach of calculating the number of affordable housing units.

Moved by Councillor Amanda Collucci
Seconded by Councillor Andrew Keyes

1. That the November 28, 2023, report titled, “RECOMMENDATION REPORT, “Sunny Communities (Markham Gold) Inc., Official Plan and Zoning By-law Amendment Application to permit a high rise mixed-use development with 736 units (624 apartment and 112 multiple dwelling units) at 9900 Markham Road (Ward 6), File No. PLAN 21 140327”, be received; and,
2. That the Official Plan Amendment application submitted by Sunny Communities (Markham Gold) Inc. (File PLAN 21 140327), be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by Sunny Communities (Markham Gold) Inc. (File PLAN 21 140476), be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That servicing allocation for 736 units be assigned to the proposed 21 storey apartment buildings and four-storey multiple dwelling unit buildings; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3 YONGE NORTH SUBWAY EXTENSION – RESOURCE AGREEMENT BETWEEN THE CITY OF MARKHAM AND METROLINX (10.0)

Giulio Cescato, Director of Planning & Urban Design, advised that staff are seeking Council authorization to enter the into a Resource Agreement with Metrolinx for the Yonge North Subway Extension project, and for the authorization for the Chief Administrative Officer to execute the Agreement on on terms satisfactory to the City Solicitor in consultation with the Commissioner of Development Services.

David Fleischer, Senior Planner, Yonge North Subway Extension, provided a presentation on the Yonge North Subway Extension Resource Agreement between the City of Markham and Metrolinx.

The Committee questioned if there will be an opportunity to re-open the Agreement once signed. Michael Toshakovski, Deputy City Solicitor, confirmed that the Agreement can be re-opened if required.

Dwight Richardson provided a deputation suggesting the Yonge North Subway Extension Resource Agreement between the City and Metrolinx should be a public document, advising that he is uncomfortable with powers that have been granted to Metrolinx and that he is suspicious of their generosity to cover staff resources associated with the project. Mr. Richardson supported progression rather than change.

The Mayor clarified that signing the Yonge North Subway Extension Resource Agreement does not diminish the City's ability to negotiate on matters related to the project that the City does not agree with, rather the Agreement is to help cover the City's costs related to the project.

Moved by Councillor Keith Irish

Seconded by Mayor Frank Scarpitti

- 1. That the deputation by Dwight Richardson be received.**
2. That the report titled "Yonge North Subway Extension – Resource Agreement between City of Markham and Metrolinx" be received; and,
3. That staff be directed to continue to negotiate the Resource Agreement and any other necessary associated documents with Metrolinx and that the Chief Administrative Officer be authorized to execute the Resource 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 the resolution.

Carried

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

Regional Councillor Jim Jones stepped down from Chair, and the Mayor assumed the Chair at 10:50 AM.

Regional Councillor Jim Jones presented his motion “Reimagine the Stouffville Go Transit Corridor Line, Developing Affordable TOD Communities”. The motion will be discussed at an upcoming Development Services Committee meeting. Potential dates to be discussed include: December 11th or 12th, or in January 2024.

Regional Councillor Jim Jones reassumed the Chair at 10:53 AM.

12. NEW/OTHER BUSINESS

Regional Councillor Joe Li thanked Members of Council for allowing for him and others to attend the Hakka World Conference.

The Mayor congratulated Regional Councillor Joe Li, the Hakka Canadian Association, and Destination Markham for hosting the 2022 World Hakka Conference, and for winning the “Business Event of the Year Award” from the Canadian Tourism Association.

13. ANNOUNCEMENTS

There were no announcements.

14. ADJOURNMENT

Moved by Councillor Reid McAlpine
Seconded by Councillor Juanita Nathan

That the Development Services Committee adjourned at 11:01 AM.

Carried