

Development Services Committee Meeting Minutes

Meeting Number: 3
February 6, 2024, 9:30 AM - 3:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Jim Jones 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
Regrets	Regional Councillor Joe Li	
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Morgan Jones, Commissioner, Community Services Claudia Storto, City Solicitor and Director of Human Resources Joseph Silva, Treasurer	Giulio Cescato, Director of Planning & Urban Design Darryl Lyons, Deputy Director, Planning & Urban Design Frank Clarizio, Director, Engineering Erica Alligood, Election / Committee Coordinator Rajeeth Arulanantham, Assistant to Council / Committee

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1. CALL TO ORDER

The Development Services Committee was called to order at 9:34 AM with Regional Councillor Jim Jones in the Chair.

Mayor Scarpiti arrived to the meeting at 9:58 AM.

Deputy Mayor Chan arrived to the meeting at 10:07 AM.

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 - JANUARY 16, 2024 (10.0)

Moved by Councillor Isa Lee

Seconded by Councillor Juanita Nathan

1. That the minutes of the Development Services Committee meeting held on January 16, 2024, be confirmed.

Carried

4. DEPUTATIONS

Chris Uchiyama made a deputation on Item 7.2, as detailed with the respective item.

Brian Fischer and Louis Olivera made a deputation on Item 8.1, as detailed with the respective item.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

7.1 HERITAGE MARKHAM COMMITTEE MINUTES – JANUARY 10, 2024 (16.11)

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

1. That the minutes of the Heritage Markham Committee meeting held January 10, 2024 be received for information purposes.

Carried

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

Chris Uchiyama, deputant and Principal, Heritage Planning & Archaeology Inc., advised that she was retained by the Owner of 10725 Kennedy Road to evaluate the property with respect to heritage value and the City's intention to designate the property. Ms. Uchiyama provided an overview of the heritage evaluation she prepared and comparisons to similar properties, noting that her findings differ from those of Heritage Section Staff. Ms. Uchiyama expressed that in her view the property is not connected with significant themes, events, persons, or institutions that would constitute heritage value and thus does not feel that it meets criteria for designation.

The Committee acknowledged the work that went into preparing the evaluation presented by Ms. Uchiyama and asked if it had been shared with Heritage Section Staff. Ms. Uchiyama advised that once notice of the meeting was received, time did not allow for comments from Heritage Section Staff.

Arvin Prasad, Commissioner, Development Services, agreed that Heritage Section Staff could further discuss the findings of Ms. Uchiyama and speak with her directly prior to bringing this item forth to the February 28, 2024 Council meeting.

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

1. That the Staff report, dated February 06, 2024, titled "RECOMMENDATION REPORT, Objection to Notice of Intention to Designate – Phase IV Properties", be received; and,
2. That the written objection to designation under the Ontario Heritage Act as submitted on behalf of the property owner of 10725 Kennedy Road (Ward 6), be received as information; and,
3. That Council affirm its intention to designate 10725 Kennedy Road (Ward 6): "Francis and Mary Walker House" under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,

4. That the Clerk's Department be authorized to place a designation by-law 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-law 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

8. MOTIONS

8.1 BAYVIEW AVENUE AND JOHN STREET VISIONING EXERCISE (10.0)

Note: The notice of this motion was given to Development Services Committee at its meeting held on January 23, 2024.

Brian Fischer, deputant, Vice-President of Ward One South Residents Incorporated (WOSTRI), expressed concern with the ongoing OLT appeal by Hazelview with respect to the Thornhill South lands, noting that the development will likely proceed if the related sewer issue is resolved. As such, Mr. Fischer expressed his belief that the visioning exercise is premature. Mr. Fischer detailed some amendments that WOSTRI would support, including further definition of the lands included in the exercise, further specificity of the topics of the public meetings, and outlining some specific uses for publicly owned lands. Mr. Fischer expressed his hope that stakeholder groups would be consulted and engaged as the process moves forward.

Louis Olivera, deputant, Aileen-Willowbrook Residents Association (AWRA) expressed support in general for a visioning exercise for the Thornhill community, noting his hope that it considers a vision for a vibrant Thornhill centre. Mr. Olivera asked that the visioning exercise be clearly defined with respect to desired outcomes and boundaries. Mr. Olivera expressed his belief that inclusion of the employment area would be unrealistic and noted the importance of meaningful community engagement as part of the process to ensure that the vision is reflective of the community. Mr. Olivera expressed concerns with the timelines set out in the motion, noting that they may require a non-competitive procurement process with respect to retaining a moderator or consultants to complete the visioning exercise.

The Committee provided the following feedback:

- Asked how public engagement would work with respect to the visioning exercise and obtaining public input. Arvin Prasad, Commissioner, Development Services, confirmed that the vision could not be established without public input, noting that a consultant would be leveraged to facilitate public engagement which would be included in the work plan to be brought to a future Development Services Committee meeting.
- Asked when the work plan could be formalized and a realistic timeline for the visioning exercise. Darryl Lyons, Deputy Director, Planning & Urban Design, advised that a report related to a work plan and required resources could be brought back to Development Services Committee by the end of Q2, 2024.
- Inquired about the status of the Hazelview OLT appeal. Claudia Storto, City Solicitor, advised that a settlement had been reached subject to some infrastructure work being done to the satisfaction of the City. Frank Clarizio, Director, Engineering, advised that there have not been any further documents received to support the application with respect to servicing, noting that the work surrounding the servicing would be exhaustive.
- Emphasized that often a rush to appeal to the Ontario Land Tribunal does not expedite development as there are technical requirements that must be satisfied prior to building.
- Clarified that as a visioning exercise, this process would not speak specifically to what would happen to public lands, and particularly the Shouldice lands as this area would require a master plan.

Moved by Councillor Keith Irish

Seconded by Mayor Frank Scarpitti

WHEREAS the City has received a number of residential – both high and low-density – development applications in and around the Thornhill Centre Area of Bayview Avenue and John Street, and anticipates the possibility of more, considering its proximity to future planned as well as already approved higher order public transit; and,

WHEREAS at the June 29, 2021, Council Meeting, Council directed “That Staff engage consultants determined by Staff to be necessary, such as urban design architects, TOC urban planners, transportation engineers, landscape architects and retail consultant to complete a secondary plan study for the lands shown on the attached Appendix A” which included the lands subject to this motion; and,

WHEREAS City staff have undertaken preliminary investigations of a local road and pathway network, land use plan, priority retail areas and areas of potential intensification in the context of Hazelview’s application for Thornhill Square at 288, 290, 292, 294, 296, 298 and 300 John St; and,

WHEREAS while Staff have determined that the area is not of sufficient size to constitute a secondary plan, particularly as the employment lands are not proposed to be converted in land use at this time, yet consider the area significant enough that a specific precinct plan is necessary in order to provide vision and policy guidance that includes determination of land use permissions to better inform the public and the development community (developers and builders).

Therefore, now be it resolved:

1. That Markham Council directs Staff to undertake a visioning exercise for the Bayview Avenue and John Street area inclusive of publicly owned land as well as the surrounding residential and commercial properties that identifies potential new public roads, multi-use connections including, but not limited to, active transportation network, local trail network, new public parks, and an assessment for the need for additional community services and commercial amenities to support an appropriate mix of land uses for the lands of and surrounding the Thornhill Community Centre in order to achieve a “complete community” that serves existing and future residents; and,
2. That staff be directed to retain a moderator to facilitate a consultative process comprised of a series of three topic-specific public meetings on various aspects of the plan to seek public input on the visioning work; and,
3. **That staff be directed to develop a detailed workplan including required resources for this body of work and report back to Development Services Committee by Q2 2024; and further,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Keith Irish

Seconded by Mayor Frank Scarpitti

1. That the deputations by Brian Fischer and Louis Olivera made at the February 6, 2024 Development Services Committee meeting be received.

Carried

9. NOTICES OF MOTION

There were no notices of motion.

10. NEW/OTHER BUSINESS

Councillor Karen Rea asked if there was an estimate on when the secondary plans for Markham Road Mount Joy, Milliken, and Markham Centre could be expected. Darryl Lyons, Deputy Director, Planning & Urban Design, advised that the Markham Road Mount Joy secondary plan is being finalized and would be brought forth in March or April 2024. Mr. Lyons advised that the Milliken secondary plan would be brought forth in April or May 2024, followed by the Markham Centre secondary plan which would be brought forth before Council rises in June 2024.

Councillor Rea expressed concerns with development application reports being placed on revised agendas as this sometimes requires development teams to work over the weekend. Councillor Rea asked if those reports could be placed on the original agenda, published two Fridays prior to the meeting. Commissioner Prasad advised that Staff always strive to place reports on the initial agenda, noting that report publication sometimes relies on information that is not received until after the initial agenda has been published.

The Committee suggested that where possible, applications could be deferred and placed on the following meeting agenda if Staff have not received information required to publish the report on the initial agenda for the originally planned meeting.

11. ANNOUNCEMENTS

There were no announcements.

12. CONFIDENTIAL REPORTS

Moved by Councillor Amanda Collucci
Seconded by Councillor Andrew Keyes

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

12.1 DEVELOPMENT AND POLICY MATTERS

**12.1.1 DEVELOPMENT SERVICES COMMITTEE MINUTES -
OCTOBER 31, NOVEMBER 14, AND NOVEMBER 27, 2023 (10.0)
[MUNICIPAL ACT, 2001, Section 239 (2) (e)]**

**12.1.2 OLT APPEAL – 8200 WARDEN AVENUE BY LIFETIME PANDA
MRKM INC. (10.5)**

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

13. ADJOURNMENT

Moved by Councillor Amanda Collucci

Seconded by Councillor Juanita Nathan

That the Development Services Committee adjourn at 12:31 PM.

Carried