

Development Services Committee Meeting Minutes

Meeting Number: 26
December 10, 2024, 9:30 AM - 3:00 PM
Live streamed

Roll Call	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
Regrets	Mayor Frank Scarpitti	
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Trinela Cane, Commissioner, Corporate Services Morgan Jones, Commissioner, Community Services Claudia Storto, City Solicitor and Director of Human Resources Giulio Cescato, Director, Planning & Urban Design Frank Clarizio, Director, Engineering	Stephanie DiPerna, Director, Building Standards Stephen Lue, Senior Manager, Development John Yeh, Manager, Strategy & Innovation Rajeeth Arulanantham, Election & Committee Coordinator Hristina Giantsopoulos, Election & Committee Coordinator Stafford Hughes, Technology Support Specialist II

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1. CALL TO ORDER

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.

Development Services Convened at 9:34 AM with Regional Councillor Jim Jones presiding as Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - NOVEMBER 26, 2024 (10.0)

Councillor Karen Rea advised of an edit to the November 26, 2024 Development Services Meeting Minutes in relation to her declaration of pecuniary interest. She advised that she is an executive member of only one of the organizations that are involved in the partnership approach. The minutes have been updated to reflect this edit.

Moved by Regional Councillor Joe Li
Seconded by Councillor Juanita Nathan

1. That the minutes of the Development Services Committee meeting held on November 26, 2024, be confirmed.

Carried

3.2 SPECIAL DEVELOPMENT SERVICES COMMITTEE MINUTES - NOVEMBER 25, 2024 (10.0)

Moved by Regional Councillor Joe Li
Seconded by Councillor Juanita Nathan

1. That the minutes of the Special Development Services Committee meeting held on November 25, 2024 be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. PRESENTATIONS

7.1 2024 BILD BENCHMARKING STUDY (10.0)

Arvin Prasad, Commissioner, Development Services, provided opening remarks and introduced, Victoria Mortelliti and Alex Beheshti from the Building Industry and Land Development Association (BILD) who were in attendance to present the 3rd Edition Greater Toronto Area (BILD) Municipal Benchmarking Study that provided an overview of current municipal processes, issues and inefficiencies, approval timelines, charges and fees that impact the housing supply. It was highlighted that the City's overall rank increased to fifth among the 16 municipalities that participated in the study. Ms. Mortelliti thanked staff for their engagement in meaningful dialogue and indicated that she looks forward to a continued positive working relationship with the City.

Mr. Prasad acknowledged, John Yeh, Manager, Strategy and Innovation, Giulio Cescato, Director, Planning and Urban Design, Stephanie DiPerna, Director, Building Standards for their leadership across the commission that contributed to successful implementation of several process improvements.

The Committee thanked Ms. Mortelliti and Mr. Beheshti for the presentation and staff for their work on the improvements. There was discussion on the following in relation to the presentation:

- The time frame of when the data was collected;
- Whether the number of applications that were identified in the study also included the number of units proposed within the application;
- Whether there are other municipalities that accepted housing units in lieu of development charge fees;
- The impact on development applications and charges in municipalities with a two-tier government structures;
- The range in municipal fees and why the City's are higher in relation to other municipalities;

- Where there is not enough funding for growth to pay for growth, where does the shortfall come from; and,
- Whether there is a study to evaluate applications by region.

Staff indicated that the community benefits charge allows for the exchange of units or in-kind contributions and that it is charged at 4% of land value. Staff further indicated that the infrastructure needs and costs differ for each municipality and that in York Region there are longer distances to cover in the development of the required infrastructure which will impact the costs.

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the December 10, 2024 presentation titled, “3rd Edition Greater Toronto Area (BILD) Municipal Benchmarking Study”, be received.

Carried

8. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS

8.1 RECOMMENDATION REPORT, OBJECTION TO NOTICE OF INTENTION TO DESIGNATE – PHASE XIII AND XIV PROPERTIES (16.11.3)

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the Staff report, dated December 10, 2024, titled "RECOMMENDATION REPORT, Objection to Notice of Intention to Designate – Phase XIII and XIV 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 7530 Ninth Line (Ward 7), be received as information; and,
3. That Council affirm its intention to designate 7530 Ninth Line (Ward 7) 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

8.2 2025 DEVELOPMENT FEE AND MUNICIPAL FEE BY-LAWS UPDATE (10.0)

Moved by Councillor Amanda Collucci
Seconded by Regional Councillor Joe Li

1. That the December 10, 2024, report titled, "2025 Development Fee and Municipal Fee By-laws Update", be received; and,
2. That the amendment to By-law 211-83, as amended, "A By-law to prescribe a Tariff for the Processing of Planning Applications," substantially in the form attached as Appendix 'B', be enacted; and,
3. That the amendment to By-law 2002-276, as amended "To impose fees or charges for services or activities provided or done by the City of Markham" substantially in the form attached as Appendix 'C', be enacted'; and further,
4. That 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, 648321 ONTARIO INC. (C/O GATZIOS PLANNING CONSULTANTS), APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT A 13-STOREY MIXED-USE BUILDING AT 5871 HIGHWAY 7 (WARD 4) FILE PLAN 22 244910 (10.3, 10.5)

B. Manoharan, ext. 2190

Note: This item was deferred to this Development Services Committee meeting at the November 26, 2024 Development Services Committee meeting.

Arvin Prasad, Commissioner, Development Services, introduced the item and provided a timeline of events for this application. Mr. Prasad indicated that the owner is currently in a position to appeal their application.

Maria Gatzios, Gatzios Planning Consultants, was in attendance, virtually, and introduced, James Koutsovitis, who presented the previous and revised concept plans.

Councillor Rea, thanked staff and the applicant for the discussions to revise the designs and concepts.

The Committee requested clarification on the zoning criteria, height requirements, and the by-law for an alternative configuration.

Ms. Gatzios indicated that the applicant is not pursuing 10-storeys and that he won't be submitting a revised application for 10-stories and may exercise his appeal rights.

Claudia Storto, City Solicitor, advised that this is an application for a zoning by-law amendment of the supported use and what Council prefers to see on the site and that this does not take away the applicants right of appeal.

Staff were requested to provide a memo at the December 18, 2024, Council Meeting with additional wording to support approval for 10 storeys and refusal for 13.

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

1. That the report dated July 16, 2024, titled, "RECOMMENDATION REPORT, 648321 Ontario Inc. (c/o Gatzios Planning Consultants), Applications for Official Plan and Zoning By-law Amendment Applications to permit a 13-storey mixed-use building at 5871 Highway 7 (Ward 4) File PLAN 22 244910", be received; and,
2. That the Official Plan Amendment application (PLAN 22 244910) be approved and that the draft Official Plan Amendment, attached hereto as Appendix 'A', be finalized and brought to a future Council meeting for adoption without further notice; and,
3. That the Zoning By-law Amendment application (PLAN 22 244910) be approved and the draft site-specific implementing Zoning By-law, attached hereto as Appendix 'B' be finalized and brought to a future Council meeting for enactment without further notice; and,
4. That servicing allocation for 137 residential units be assigned to the proposed 13-storey development; and,

5. That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Moved by Councillor Karen Rea

Seconded by Councillor Amanda Collucci

WHEREAS it is the opinion of Council that a 10-storey building is a more contextual height for a property in proximity to a Heritage District and with limited future redevelopment due to several prominent heritage assets; and,

WHEREAS Council supports the need for housing and the recommended Gross Floor Area of the proposal;

NOW THEREFORE BE IT RESOLVED:

1. That the Recommendation Report, dated July 16th, 2024, 648321 Ontario Inc. (c/o Gatzios Planning Consultants), Applications for Official Plan and Zoning By-law Amendments to permit a 13-storey mixed use building at 5871 Highway 7 (Ward 4), File No. PLAN 22 244910, be refused; and,
2. That staff bring forward an implementing By-law for a 10-storey mixed use building with a minimum Gross Floor Area (GFA) of 13,100 square metres and minimum non-residential GFA of 165 square metres on the lands municipally known as 5871 Highway 7, following review of revised plans to the satisfaction of the Director of Planning and Urban Design or his designate; and,
3. That Staff bring forward the amending Official Plan and Zoning By-law documents for Council approval to permit a 10-storey mixed use building on the lands municipally known as 5871 Highway 7, following review of revised plans to the satisfaction of the Director of Planning and Urban Design or his designate; and further,
4. That 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 or other business.

13. ANNOUNCEMENTS

There were no announcements.

14. ADJOURNMENT

Moved by Councillor Ritch Lau

Seconded by Councillor Isa Lee

That the Development Services Committee meeting adjourn at 11:00 AM

Carried