

General Committee Minutes

Meeting Number: 22
September 16, 2019, 9:30 AM - 3:00 PM
Council Chamber

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Regrets	Councillor Alan Ho Councillor Reid McAlpine	
Staff	Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner Development Services Joel Lustig, Treasurer Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Mary Creighton, Director of Recreation Services Michael Killingsworth, Deputy City Clerk Meg West, Manager of Business Planning and Projects, CAO's Office	Brian Lee, Director, Engineering Claudia Storto, City Solicitor and Director of Human Resources Morgan Jones, Director, Operations Renee England, Senior Manager, Facilities Assets, Sustainability & Asset Management Shane Manson, Senior Manager, Revenue & Property Taxation, Financial Services Alida Tari, Manager Privacy & Access Hristina Giantsopoulos, Elections & Council/Committee Coordinator

1. CALL TO ORDER

The General Committee meeting convened at the hour of 9:36 AM with Regional Councillor Jack Heath in the Chair.

General Committee recessed at 11:28 AM and reconvened at 11:42 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES**3.1 MINUTES OF THE SEPTEMBER 3, 2019 GENERAL COMMITTEE (16.0)**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

1. That the minutes of the September 3, 2019 General Committee meeting be confirmed.

Carried

3.2 MINUTES OF THE SEPTEMBER 6, 2019 SPECIAL GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

1. That the minutes of the September 6, 2019 Special General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. PETITIONS

There were no petitions.

6. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES**6.1 CANCELLATION, REDUCTION OR REFUND OF TAXES UNDER SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)**

There was discussion on taxes paid on infill properties. Staff noted that when a dwelling is demolished taxes are paid on the land component only until the dwelling is built.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That the Report for the Cancellation, Reduction or Refund of Taxes under Sections 357 and 358 of the *Municipal Act, 2001* be received; and,
2. That taxes totalling approximately \$184,932 be adjusted under Sections 357 and 358 of the Municipal Act, 2001 of which the City's portion is estimated to be \$26,036; and,
3. That the associated interest be cancelled in proportion to the tax adjustments; and,
4. That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.2 2020 CAPITAL BUDGET PRE-APPROVAL (7.0)

There was brief discussion relative to the need of seeking Committee approval for the 2020 Capital Budget Projects outlined in the report.

An additional 2020 Capital Budget Request was added as Appendix 3. Joel Lustig, Treasurer addressed the Committee and summarized the details outlined in the Project Funding Request Form for the Cornell Community Center Parking Garage Rehabilitation.

The Committee moved in confidential session to obtain legal advice on this matter.

Moved by Councillor Khalid Usman

Seconded by Mayor Frank Scarpitti

1. That the report dated September 16, 2019 titled, "2020 Capital Budget Pre-Approval" be received; and,
2. That Council approve the 2020 Capital Budget Pre-Approval, which totals \$24,911,600 as outlined in Appendices 1, 2 and 3; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.3 DELEGATION OF AUTHORITY TO CHIEF ADMINISTRATIVE OFFICER DURING THE 2019 SUMMER RECESS (7.0)

Moved by Regional Councillor Jim Jones

Seconded by Mayor Frank Scarpitti

1. That the report entitled “Delegation of Authority to Chief Administrative Officer During the 2019 Summer Recess” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.4 DEVELOPMENT CHARGES REDEVELOPMENT CREDIT – 8330 WOODBINE AVENUE (7.11)

Moved by Regional Councillor Jim Jones

Seconded by Mayor Frank Scarpitti

1. That the report entitled, “Development Charges Redevelopment Credit – 8330 Woodbine Avenue” be received; and,
2. That Council authorize staff to provide a redevelopment credit estimated at \$519,371.56 to Hanisha Incorporated and Lodson Investment Corp. at 8330 Woodbine Avenue in advance of the full demolition of the existing site; and,
3. That Council authorize the Mayor and City Clerk to execute an agreement pursuant to section 27 of the Development Charges Act, 1997, as amended, to secure the advance of the redevelopment credit based on the provision of a letter of credit in the amount of the redevelopment credit and the further principles set out in this report, all to the satisfaction of the Treasurer and the City Solicitor, or their delegates; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.5 2019 JULY YEAR-TO-DATE REVIEW OF OPERATIONS AND YEAR-END PROJECTION (7.0)

Moved by Regional Councillor Jim Jones

Seconded by Mayor Frank Scarpitti

1. That the report titled “2019 July Year-To-Date Review of Operations and Year-end Projection” be received; and,
2. That the year-end surplus, if any, will be transferred to reserves as per policy in the order outlined below:
 - a. Corporate Rate Stabilization Reserve to top up to a level equivalent to 15% of local tax levies
 - b. Remaining, if any, to the Life Cycle Replacement and Capital Reserve Fund, and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

6.6 STAFF AWARDED CONTRACTS FOR JUNE, JULY AND AUGUST 2019 (7.12)

There was discussion on the following staff award reports:

- 117-T-19: Building Demolition at 115 & 135 Torbay Road, Markham
- 084-T-19: Civic Centre Vestibule Renovation (Unionville and Thornhill Entrances)
- 154Q-19: Landscape Architectural Consulting Services, Berczy Beckett Cemetery Park
- 118T-19: Cornell Community Centre Square - Construction
- 122R-19: Consulting Services for a Traffic Safety Audit

Moved by Councillor Keith Irish

Seconded by Councillor Isa Lee

1. That the report entitled “Staff Awarded Contracts for the Months of June, July and August 2019” be received; and,

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

Carried

7. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES

7.1 STAFF AWARD RECOGNITION - SUSTAINABILITY AWARDS (12.2.6)

Commissioner Trinela Cane addressed the Committee and provided opening remarks relative to the two awards received by staff members Jennifer Wong, Sustainability Coordinator, Jacqueline Tung, Community Engagement Assistant and Graham Seaman, Director, Sustainability & Asset Management on behalf of the City.

1. The Environmental Award - 2019 Earth Day Summit
2. Leadership Award - 2019 York Region Sustainability Award

Mayor Frank Scarpitti on behalf of all Members of Council congratulated the Sustainability staff on the achievement of these awards.

8. PRESENTATIONS - COMMUNITY SERVICES ISSUES

8.1 STAFF AWARD RECOGNITION - PETER J MARSHALL MUNICIPAL INNOVATION AWARD – 2019 TEXTILE RECYCLING PROGRAM (12.2.6)

Claudia Marsales, Senior Manager Waste Management & Environment addressed the Committee and provided a description of the Peter J Marshall Municipal Innovation Award that the City received for the 2019 Textile Recycling Program.

Ms Marsales extended appreciation to the staff in the Fire, By-Law and Operations departments for all their support in achieving this award.

The Mayor, on behalf of all Members of Council congratulated all the staff involved on their innovated way to move forward on the textile recycling initiative.

8.2 CITY OF NORDLINGEN, GERMANY PLAQUE PRESENTATION

Regional Councillor Jack Heath presented the Mayor and all Members of Council with a plaque from the City of Nordlingen that was awarded to the City during a recent trip to Germany.

The Mayor thanked Regional Councilor Jack Heath and Councillor Karen Rea for representing the City at the Nordlingen festival.

9. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

9.1 BUILDING MARKHAM'S FUTURE TOGETHER (BMFT) – COUNCIL'S STRATEGIC PLAN 2020 TO 2023 – SUMMARY OF THE TRAINING AND EDUCATION SESSIONS AND PROPOSED COMMUNITY ENGAGEMENT PLAN (16.23)

Commissioner Trinela Cane introduced the City's Building Markham's Future Together (BMFT) results from meetings that took place over the year.

Meg West, Manager Special Projects, CAO's Office addressed the Committee and delivered a PowerPoint presentation that outlined the City's BMFT vision and objectives.

It was suggested that diversity in housing for seniors be clearly specified in future BMFT presentations.

The Mayor gave a special thank you to Members of Council, and members of staff for their participation in this process.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Karen Rea

1. That the report entitled Building Markham's Future Together (BMFT) – Council's Strategic Plan 2020 to 2023 – Summary of the Training and Education Sessions and Proposed Community Engagement Plan be received; and,
2. That the summary of the Council Training and Educations Sessions held on April 16, 2019, April 24, 2019, May 15, 2019, July 22, 2019 and September 6, 2019 as outlined in Appendix A attached be endorsed; and,

3. That the proposed Community Engagement Plan as outlined in Appendix B be endorsed: and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.2 PROPOSED AMENDMENTS TO CANNABIS BY-LAW (2.0)

Michael Killingsworth, Deputy City Clerk, By-Law Enforcement, Licensing & Regulations summarized the purpose of the proposed amendment. There was discussion about where smoking cannabis is permitted. The Committee discussed that the rules need to be easy to understand.

The Mayor wants to ensure that the municipality continue to advocate a change in legislation so that the municipality has the discretion to make the rules.

The Committee discussed going into closed session to obtain legal advice.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

1. That the report entitled “Proposed Amendments to Cannabis By-law” and dated September 16, 2019 be received; and,
2. That staff bring forward a revised by-law to the September 24, 2019 Council meeting to amend Cannabis By-law 2018-135 by: a) adding a definition of “Smoke or Smoking” to assist in the enforcement of the By-law and prosecution; and b) delete the word “recreational” from the title of By-law; and,
3. That, in keeping with the commitment made by the Province of Ontario to allow municipalities the authority to regulate or prohibit the smoking or vaporizing of cannabis, the City of Markham request the Province of Ontario amend Section 115(3) of the Municipal Act to permit municipalities to regulate smoking on highways (including sidewalks and boulevards); and further,

4. That a copy of this resolution be provided to the Premier of Ontario, Minister of Municipal Affairs and Housing, Solicitor General, local MPs and MPPs, Chief of the York Regional Police, and York Region municipalities.

Carried

10. MOTIONS

11. NOTICES OF MOTION

12. NEW/OTHER BUSINESS

13. ANNOUNCEMENTS

14. CONFIDENTIAL

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters at 11:42 AM:

14.1.1. LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD 2020 PROJECT FUNDING FOR CORNELL COMMUNITY CENTER PARKING GARAGE REHABILITATION PHASE 1 of 2 (WARD 5) (7.0)
[Section 239 (2) (e)]

14.1.2. A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD (WARD 4) [Section 239 (2) (c)]

14.1.3. ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE PROPOSED AMENDMENTS TO THE CANNABIS BY-LAW (2.0) [SECTION 239 (2) (f)]

Moved by Deputy Mayor Don Hamilton
Seconded by Mayor Frank Scarpitti

Carried

15. ADJOURNMENT

General Committee adjourned at 12:40 PM.