

Electronic General Committee Meeting Minutes

Meeting Number: 4

March 1, 2021, 9:30 AM - 1:00 PM

Live streamed

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 Alan Ho	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Joel Lustig, Treasurer Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Michael Toshakovski, Deputy City Solicitor Mary Creighton, Director, Recreation Services Brian Lee, Director, Engineering Graham Seaman, Director, Sustainability & Asset Management	Morgan Jones, Director, Operations Meg West, Manager of Business Planning and Projects Mark Visser, Sr Manager Strategy Innovation & Investments Hristina Giantsopoulos, Election/Council & Committee Coordinator Terence Tang, Technology Support Specialist II Lisa Chen, Sr. Manager, Financial Planning & Reporting Sara Tam, Manager, Business Planning & Innovation Kevin Ross, Manager, Development Finance & Payroll Asif Aziz, Senior Financial Analyst Richard Fournier, Manager, Parks & Open Space Development

1. CALL TO ORDER

Under the authority of the *COVID-19 Economic Recovery Act, 2020* (Bill 197) and the City of Markham's *Council Procedural By-law 2017-5*, and in consideration of the advice of public health authorities, this meeting was conducted electronically with members of General Committee, staff, and members of the public participating remotely.

General Committee convened at 9:35 AM with Regional Councillor Jack Heath presiding as Chair for all items on the agenda.

Mayor Frank Scarpitti addressed the Committee and announced that today is the first day for vaccinations for York Region residents who are 80 years of age and older. He thanked Dr. Kurji, the public health team, and City staff for their work and coordination efforts in establishing vaccination clinics two-weeks prior to the launch of the Provincial portal. More information on how to book an appointment and clinic locations is available at york.ca/covid19vaccines. He noted that it will take several months to vaccinate the majority of the community and reminded residents to not attend any of the clinics without first making an appointment.

The Chair thanked the Mayor for his leadership efforts in the City and at the Region in this regard.

The Committee recessed for lunch at 12:30 PM and reconvened at 1:11 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE FEBRUARY 16, 2021 GENERAL COMMITTEE (16.0)

Moved by Councillor Isa Lee

Seconded by Regional Councillor Joe Li

1. That the minutes of the February 16, 2021 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

Deputations were made for the following items:

- 9.3 Canada Healthy Communities Initiative; and,
- 11.1 Development Charge Deferral - St. Mary and St. Samuel The Confessor Coptic Orthodox Church

Refer to the individual items for the deputation details.

Moved by Mayor Frank Scarpitti
Seconded by Councillor Keith Irish

That the deputations from Michael Chen and Mireille Dahab be received.

Carried

Moved by Councillor Karen Rea
Seconded by Regional Councillor Jim Jones

That item 11.1 Development Charge Deferral - St. Mary and St. Samuel the Confessor Coptic Orthodox Church be moved up on the agenda and addressed after the deputation.

Carried

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

7.1 MINUTES OF THE NOVEMBER 18, 2020, DECEMBER 9, 2020 AND JANUARY 13, 2021 BOARD OF MANAGEMENT UNIONVILLE BUSINESS IMPROVEMENT AREA (16.0)

Moved by Councillor Isa Lee
Seconded by Councillor Reid McAlpine

1. That the minutes of the November 18, 2020, December 9, 2020 and January 13, 2021 Board of Management Unionville Business Improvement Area Committee meetings be received for information purposes.

Carried

8. CONSENT REPORTS - LAND, BUILDING & PARKS CONSTRUCTION ISSUES

8.1 BOX GROVE COMMUNITY PARK ADDITIONAL FUNDING REQUIRED (10.0)

The Committee requested clarification on the cost overruns and progress on developing the park.

Andy Taylor, Chief Administrative Officer, addressed the Committee and provided a brief information update that confirmed the action taken to resolve the cost overruns related to consultant's miscalculations on soil movement, changing requirements from the Toronto Regional Conservation Authority regarding their Permit requirements, and a York Region Road Access Permit issue. Arvin Prasad, Commissioner, Development Services, advised that these matters have been taken seriously and reviewed to look for process improvements moving forward. The park project is on schedule with an anticipated completion date for the end of 2021.

The Committee thanked staff for their efforts to keep the project on track and are looking forward to its delivery by Q4 2021. The Committee strongly suggested that consultants be made accountable for their recommendations as industry experts.

Moved by Councillor Khalid Usman
Seconded by Mayor Frank Scarpitti

1. That the memorandum dated March 1, 2021 to General Committee, titled "Box Grove Community Park Additional Funding Required" be received.

Carried

9. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES

9.1 GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARDS (12.2.6)

Joel Lustig, Treasurer, addressed the Committee to announce that the City received the following two Government Finance Officers Association Awards:

1. Distinguished Budget Presentation Award for the annual fiscal budget beginning January 1, 2020 for the 20th consecutive year, and,
2. Canadian Award for Financial Reporting for the annual financial report for the year ended December 31, 2019 for the 19th consecutive year.

The Treasurer provided background on the history and criteria for these prestigious public sector financial awards and acknowledged the following Finance staff members for their work in preparing the budget document and the financial report: Lisa Chen, Sr. Manager, Financial Planning and Reporting, Matthew Vetere, Manager, Tax and Assessment Policy, Kishor Soneji, Senior Accountant, and, Asif Aziz, Senior Financial Analyst. He further thanked the many staff across the City for their substantial contributions.

Mayor Scarpitti addressed the Committee to acknowledge the tremendous effort by staff in achieving these two distinguished awards and that this recognition reflects the continued effort and commitment by staff to attain financial excellence. He noted that the budget and financial report presentations have incorporated the lowest average tax rate increase for 16 consecutive years and that most recently the budget passed in December 2020 contained a 0% tax rate increase for 2021. It was further noted that the City received an "A" rating from the C.D. Howe Institute for transparency of the City's budget process.

The Mayor thanked, Andy Taylor, Chief Administrative Officer, Trinela Cane, Commissioner, Corporate Services, Joel Lustig, Treasurer, Lisa Chen, Matthew Vetere, Kishor Soneji, and Asif Aziz for this accomplishment and extended further appreciation to the Chair of the Budget Committee, Councillor Amanda Collucci, and the Vice-Chair, Councillor Andrew Keyes.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Andrew Keyes

1. That the report dated March 1, 2021 titled "Government Finance Officers Association Awards" (GFOA) be received;
2. That the formal presentation of the following Government Finance Officers Association awards be received:
 - a. Distinguished Budget Presentation Award for the annual budget for the fiscal year beginning January 1, 2020; and,
 - b. Canadian Award for Financial Reporting for the annual financial report for the year ended December 31, 2019; and further,
3. **That the following staff members be congratulated for this accomplishment: Joel Lustig, Treasurer, Lisa Chen, Sr. Manager, Financial Planning and Reporting, Matthew Vetere, Manager, Tax and Assessment Policy, Kishor Soneji, Senior Accountant, and, Asif Aziz, Senior Financial Analyst.**

Carried

9.2 2020 YEAR-END RESULTS OF OPERATIONS (7.0)

Lisa Chen, Senior Manager, Financial Planning & Reporting, Financial Services, addressed the Committee and delivered a presentation entitled, 2020 Year-End Results of Operations that provided an overview of the Primary Operating Budget, Primary Operating Budget Surplus Allocation and a year-end review of operations for other Departments. As part of the results, staff recommended that a COVID-19 Reserve be established from the Safe Restart Agreement funding to offset COVID-19 operating impacts.

The Committee requested information on the following in relation to the presentation:

- A list of current Reserve Accounts and their balances for 2020;
- Clarification on the contribution amount to the Waterworks Reserve of \$20.19M and the year-end balance increase of \$7.82M and that consideration be made to simplify its interpretation in future presentations; and,

Joel Lustig, Treasurer, addressed the Committee to respond to the inquiries and advised that the 2020 Audited Financial Statements will be presented in April 2021.

Moved by Councillor Amanda Collucci

Seconded by Councillor Andrew Keyes

1. That the report titled “2020 Year-End Review of Operations” be received; and,
2. That a COVID-19 Reserve be established from the Safe Restart Agreement funding to be used to offset COVID-19 operating impacts; and,
3. That the City’s 2020 COVID-19 net favourable variance of \$2.21M be allocated as follows:
 - a. \$1.30M COVID provision for future tax adjustments;
 - b. \$0.91M transfer to the COVID-19 Reserve;
4. That the City’s 2020 net operations favourable variance of \$7.60M be transferred as follows, as per the approved Financial Planning and Budgeting Policy:

- a. \$3.60M one-time funding to replenish the Corporate Rate Stabilization Reserve;
 - b. \$0.79M to the Corporate Rate Stabilization Reserve to achieve a balance equal to 15% of the local tax levy;
 - c. \$3.21M to the Life Cycle Capital Replacement and Capital Reserve Fund; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9.3 CANADA HEALTHY COMMUNITIES INITIATIVE (7.6)

Michael Chen, Ward 8 resident and Lakehead University student, addressed the Committee on behalf of the South Markham Food Security Initiative to advocate that a food forest be considered as a potential project submission to the Canada Healthy Communities Initiative. He indicated that this initiative has economic, social, environmental, and community benefits that promote health and physical wellbeing while providing a unique solution to food insecurity.

Meg West, Manager of Business Planning and Projects, addressed the Committee and delivered a presentation that provided an overview of the \$31 million federal Canada Healthy Communities Initiative that will provide funding to organizations such as Municipalities, municipally owned corps, charities, Indigenous communities, and non-profit organizations to transform public spaces in response to Covid-19 for overall public benefit. The City may submit one application in Round One, by March 9, 2021 and in Round Two by June 25, 2021 for consideration. The list of projects submitted for consideration in Round One was presented to the Committee.

The Committee discussed following:

- The suitability of projects that promote public gathering and current COVID-19 health restrictions;
- Consideration to remove projects that are already sponsored by another group;
- Consideration to fund projects that are not selected as one of the two City submissions from other groups or future budgets;
- Whether the Pop Up Park program is part of regular operations;

- Consideration that multi-purpose hard surfaces and ladder cross-walks be incorporated in more parks and intersections;
- The evaluation of projects estimated at up to \$100,000 and those in excess of \$100,000; and,
- Consideration that the food forest be sponsored by other community groups.

The Committee suggested that the Franklin Carmichael Park - Multi-Purpose Outdoor Hard Surface be submitted by the City for Round One and that the other projects be submitted through other eligible organizations, namely the Varley-McKay Art Foundation of Markham, Destination Markham Corporation, and the Friends of the Museum Foundation.

Staff responded to inquiries from the Committee and confirmed that the City can make one submission in Round One and identified sponsorship options and potential future capital budget considerations to fund projects that don't receive funding from the Canada Healthy Communities Initiative. It was noted that the Unionville and Markham Business Improvement Areas and the ratepayers associations may make their own submissions and that advisory committees are not permitted to do so.

Moved by Councillor Keith Irish
Seconded by Mayor Frank Scarpitti

1. That the presentation titled "Canada Healthy Communities Initiative" be received for information.
2. **That the Committee support the Franklin Carmichael Park - Multi-Purpose Outdoor Hard Surface project for the City's Round One submission.**

Carried

10. PRESENTATIONS - COMMUNITY SERVICES ISSUES

10.1 RECREATION SERVICES FINANCIAL AND PROGRAMS UPDATE (6.0)

Mary Creighton, Director, Recreation Services, addressed the Committee and delivered a presentation entitled, Recreation Services Financial and Programs Update, that provided details on the 2020 year-end financial results and the 2021 budget forecast. It also included information on the impact that COVID-19 had on the operating budget and how losses were mitigated through program and staff level modification throughout the year.

The Committee made the following inquiries in relation to the presentation:

- The type of protection provided to employees and visitors to the facilities that may open;
- The management of physical distancing, and current health protocols at city facilities;
- That consideration be made to open Morgan pool;
- Whether there be follow up communication from last week to users regarding decisions on facility openings;
- The type of hiring the City will undertake for summer programming;
- The timing of the proposed summer programming and it's communication;
- The 2021 projected revenue and whether the rental subsidy is included in this projection;
- That further consideration be made to the commitment and costs involved in re-opening facilities to continue to mitigate losses in 2021;
- The feasibility of achieving a \$10.9 million subsidy in consideration of variable costs, public vaccinations, financial constraints faced by residents in opening of facilities; and,
- Consideration to augment as many outdoor activities as possible until all facilities can be safely open.

Staff provided responses to the inquiries and confirmed that there are strict protocols being followed for staff and visitors when entering and using City facilities both indoors and outdoors. Visitors will not be permitted entry unless a permit has been issued based on current health guidelines. The City follows an approved return to play guideline and permits are issued based on these requirements. It was indicated that staff are currently working on summer programming and may potentially call back staff to fill available roles for camp instructors. Staff are closely monitoring legislative updates and can adapt quickly as the environment evolves to establish appropriate community programming.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Reid McAlpine

1. That the presentation titled "Recreation Services Financial and Programs Update" be received.

Carried

10.2 CULTURE SERVICES FINANCIAL AND PROGRAMS UPDATE (6.0)

Christina Kakaflikas, Director, Economic Growth, Culture & Entrepreneurship, addressed the Committee and delivered a presentation entitled, Culture COVID Summary 2020, that provided a status update on Culture Services with respect to finances and programs and the impact that COVID-19 has had on 2020 results. She acknowledged staff for their commitment and dedication in delivering services to the public during the pandemic.

The Committee thanked staff for their hard work and requested information on online registrations for virtual performances offered through the Flato Markham Theatre website.

Moved by Councillor Karen Rea

Seconded by Councillor Keith Irish

1. That the presentation titled “Culture Services Financial and Programs Update” be received for information.

Carried

11. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

11.1 DEVELOPMENT CHARGE DEFERRAL – ST. MARY AND ST. SAMUEL THE CONFESSOR COPTIC ORTHODOX CHURCH (7.11)

Mireille Dahab, of Dahab Law, addressed the Committee on behalf of St. Mary and St. Samuel The Confessor Coptic Orthodox Church to request consideration by the City to defer the assessed Development Charges for the proposed conversion of a house that is on the church property from residential status to non-residential. This conversion will allow the house to be retrofitted and used as a not-for-profit daycare facility.

Mark Visser, Senior Manager, Financial Strategy and Investments, addressed the Committee to provide an overview of the matter and that the conversion of the house to non-residential status will result in an uptake in Development Charges in the amount of approximately \$100,000.00. The City's portion is 10% and the remaining 90% is the Region's. He noted that while staff is sympathetic to this case and the church's current limitations on fundraising, they do not recommended offering deferral as this request does not align with City and

Regional by-laws or deferral policies. It was further indicated that Council has previously provided deferral of Development Charges for places of worship on the City portion of the Development Charge. If Council provides approval in this case to defer the City portion of the Development Charge, the Region will make their own assessment as to whether to defer their Development Charges but would likely follow suit with whatever the City approves.

The Committee discussed the following in relation to the request to defer the City's portion of the Development Charge for the conversion of the property:

- That the Committee consider the removal of item 2 in the resolution;
- That the Committee consider support of item 3 and that further consideration be made at the March 9, 2021 Council meeting for its approval;
- That the development charges are high for a conversion;
- Whether the church has the ability to pay any portion of the Development Charge at this time or in three years;
- The likelihood of the Region supporting the City's request;
- The number of children the proposed daycare will serve;
- Consideration that the daycare be made available to everyone in the community;
- That staff review this case and apply the same context to other not-for-profit daycare facilities;
- Whether the Regional Development Charge review includes consideration for a by-law update that will provide deferral for not-for-profit daycare facilities;
- Clarification on whether consideration should be made to support deferral of the Development Charges for three years or review the current by-law and eliminate them for not-for-profit daycares;
- That consideration be made to extend the deferral period from three years to five years;
- The importance of providing assistance to not-for-profit organizations in the community;
- That there be consideration to waive the fees and any interest on them; and,
- That the parameters for the treatment of daycares that are for profit and not-for profit be defined in the by-law review.

The deputant confirmed that the church is unable to pay any portion of the Development Charges at this time or possibly even within three-years due to fund raising restrictions as a result of the pandemic and that this initiative is to assist in meeting the need of affordable daycare spaces in the community. It was further indicated that the daycare is not associated with the church.

The Committee requested that staff conduct an in-depth review of the applicability of charging Development Charges to not-for-profit daycares during the Development Charge By-law review.

Staff confirmed that the City will undertake a Development Charge By-law review in the next 12 months and will review charging Development Charges to not-for-profit daycares. Staff will communicate details of the City's Development Charge By-law review to the Region for consideration during their Development Charge By-law update. Staff also confirmed that the approximate \$3,700.00 deferral fee and interest can be waived on approval by Council.

General Committee had before it the following original recommendation for consideration:

1. That the report entitled, "", dated March 1, 2021, be received;
2. That staff do not recommend the approval of a development charge deferral for construction at 9377 McCowan Road to convert a single detached dwelling unit owned by St. Mary and St. Samuel the Confessor Coptic Orthodox Church, to a daycare facility operated by Forever Blessed Child Care Inc.;
3. That in the event Council grants a development charge deferral, the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
 - a. The development charges be deferred for a period not longer than three (3) years from the date of building permit issuance, following which the charges will become payable,
 - b. The development charges payable be calculated at the rate in effect at building permit issuance and be subject to annually accrued interest at The Bank of Canada Prime Business Rate,
 - c. In accordance with Section 32(1) of *The Development Charges Act, 1997 as amended*, should the development charges remain unpaid after the

amount becomes payable, the amount unpaid shall be added to the tax roll and collected in the same manner as taxes,

- d. That the fees applicable to a DC Deferral be charged,
- 4. That the recommendation of a deferral, if so granted, be forwarded to the Regional Clerk of York for consideration on the treatment of the Regional Development Charges; and,
- 5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Moved by Councillor Andrew Keyes

Seconded by Councillor Karen Rea

- 1. That the report entitled, “Development Charge Deferral - St. Mary and St. Samuel The Confessor Coptic Orthodox Church”, dated March 1, 2021, be received;
- 2. That the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
 - a. The development charges be deferred for a period not longer than three (3) years from the date of building permit issuance, following which the charges will become payable,
 - b. The development charges payable be calculated **at the rate in effect at building permit issuance or in accordance with the provisions of prevailing Development Charge By-laws at the time of payment;**
 - c. **That no interest be charged on the outstanding balance if paid within three years of the building permit being issued;**
 - d. In accordance with Section 32(1) of The Development Charges Act, 1997 as amended, should the development charges remain unpaid after the amount becomes payable, the amount unpaid shall be added to the tax roll and collected in the same manner as taxes,
 - e. That the fees applicable to a DC Deferral **be waived,**

3. That the recommendation of a deferral, if so granted, be forwarded to the Regional Clerk of York for consideration on the treatment of the Regional Development Charges;
4. **That staff review the applicability of charging Development Charges to not-for-profit daycare facilities in the review of the Development Charge By-law and recommend that the Region also investigate the application of Development Charges for not-for-profit daycares; and further,**
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried as Amended

12. MOTIONS

There were no motions.

13. NOTICES OF MOTION

There were no notices of motion.

14. NEW/OTHER BUSINESS

There was no new or other business.

15. ANNOUNCEMENTS

The Mayor addressed the Committee to announce that through the Province's Audit and Accountability Fund, the City will receive \$110,000.00 to examine the expansion of the Administrative Penalties System. These funds will be used to supplement the City's continuous process and service improvements.

Staff will report back at a future meeting to advise how the funds will be used.

16. CONFIDENTIAL ITEMS

The Committee convened into closed session at 2:17 PM.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

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

Carried

16.1 FINANCE & ADMINISTRATIVE ISSUES

16.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - JANUARY 18, 2021 (16.0) [Section 239 (2) (b)(c)]

General Committee confirmed the confidential minutes of January 18, 2021.

16.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES

16.2.1 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; REPORTING OUT OF LEASE (8.2) [SECTION 239 (2) (f)]

The Committee consented to place this matter on the March 9, 2021 Confidential Council meeting agenda for consideration.

Moved By Regional Councillor Joe Li

Seconded By Councillor Karen Rea

That the General Committee confidential session adjourn at 2:26 PM.

Carried

17. ADJOURNMENT

General Committee adjourned at 2:12 PM and convened into closed session. The Committee did not return to open session and consented to place Item 16.2.1 on the March 9, 2020 Confidential Council agenda for consideration.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

That the General Committee meeting adjourn at 2:12 PM.

Carried