

# Electronic General Committee Meeting Minutes

**Meeting Number: 19**  
**December 7, 2021, 9:30 AM - 4:00 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, Manager of Executive Operations & Strategic Initiatives Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Frank Clarizio, Director, Engineering Biju Karumanchery, Director, Planning & Urban Design Alex Moore, Manager of Purchasing & Accounts Payable Morgan Jones, Commissioner, Community Services Matthew Key, Deputy Fire Chief Chris Nearing, Deputy Fire Chief Mark Visser, Sr Manager Strategy Innovation & Investments	Eddy Wu, Acting Director, Environmental Services Laura Gold, Council/Committee Coordinator Scott Chapman, Manager, Elections Jason Tsien, Senior Manager, Business Development Rob Muir, Manager of Stormwater Stephanie DiPerna, Director, Building Standards Alice Lam, Director of Operations Christy Lehman, Licensing and Animal Services Coordinator Daphne Ross, Manager, Business Compliance David Plant, Senior Manager Parks, Horticulture & Forestry Jeff Baker, , Supervisor, Business Licensing & Standards Lisa Chen, Senior Manager, Financial Planning & Reporting, Financial Services Jay Pak, Manager, Budgets

---

## 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.

The General Committee recessed from 11:49 AM to 1:30 PM and from 4:00 to 4:11 PM.

## 2. **DISCLOSURE OF PECUNIARY INTEREST**

Councillor Keith Irish declared a conflict of interest for Item No. 8.2, **LICENSING OF PRIVATE TRANSPORTATION COMPANIES (PTCS) AND ASSOCIATED AMENDMENTS TO THE MOBILE LICENSING BY-LAW** as his son is an IOS developer for Uber.

## 3. **APPROVAL OF PREVIOUS MINUTES**

There were no minutes from the previous meeting to approve.

## 4. **DEPUTATIONS**

Deputations were made for the following items:

- 3 - Lobbyist Registration And Disclosure Systems In Ontario (9.0)
- 2 - Minutes And Notes Of The November 16, 2021 Markham Sub-Committee (16.0)

Refer to the individual item for the deputation details.

## 5. **COMMUNICATIONS**

### 5.1 **COMMUNICATIONS - LOBBYIST REGISTRATION AND DISCLOSURE SYSTEMS IN ONTARIO (9.0)**

Moved by Councillor Reid McAlpine

Seconded by Councillor Isa Lee

That the following communications providing comments regarding Lobbyist Registration and Disclosure Systems in Ontario be received for information purposes:

1. Raymond Chan
2. Unionville Resident's Association
3. Justin Van Dette, Director, Government and Community Relations, Tridel

**Carried**

**6. PETITIONS**

There were no petitions.

**7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES**

**7.1 MINUTES OF THE OCTOBER 25, 2021 MARKHAM PUBLIC LIBRARY BOARD (16.0)**

Moved by Councillor Khalid Usman  
 Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the October 25, 2021 Markham Public Library Board meeting be received for information purposes.

**Carried**

**7.2 2021 OCTOBER YEAR-TO-DATE REVIEW OF OPERATIONS AND YEAR-END PROJECTION (7.4)**

Councillor Keith Irish requested that the park parking lots be plowed this winter, noting that they were plowed last winter.

Morgan Jones, Commissioner of Community Services, advised that plowing the park parking lot has not been included in the 2022 Operating Budget, and that it would require two additional seasonal staff at a cost of approximately \$51,000 to undertake the work.

Moved by Councillor Keith Irish  
 Seconded by Councillor Reid McAlpine

1. That the report titled “2021 October Year-To-Date Results of Operations and Year-End Forecast” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**7.3 EXTENSION OF CONTRACT 022-R-14 FOR THE SUPPLY, INSTALLATION AND MAINTENANCE OF WATER METERS (5.3, 7.9)**

Moved by Councillor Khalid Usman

Seconded by Deputy Mayor Don Hamilton

1. That the report “Extension of Contract 022-R-14 for the Supply, Installation and Maintenance of Water Meters” be received; and,
2. That the contract for the supply, installation and maintenance of water meters be extended for 4 years and 11 month term from February 1, 2022 to December 31, 2026 in the estimated annual contract amount of \$1,662,952.36, inclusive of HST; and,
  - February 2022 – December 2022 - \$1,524,373.00 (11 months)
  - January 2023 – December 2023 - \$1,662,952.36\*
  - January 2024 – December 2024 - \$1,662,952.36\*
  - January 2025 – December 2025 - \$1,662,952.36\*
  - January 2026 – December 2026 - \$1,662,952.36\*
  - Total           \$8,176,182.44
  - \*Subject to an annual increase based on the Consumer Price Index (Ontario All-items); and
3. That Staff be authorized to amend the award amounts in years 2022-2026 to reflect changes to the Capital and Operating Budget accounts as approved by Council during the annual budget process; and,
4. That the tendering process be waived in accordance with the City’s Purchasing By-law # 2017-8, Part II, Section 11.1(c), Non Competitive Procurement which states, “when the extension of an existing Contract would prove more cost-effective or beneficial”; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES**

### **8.1 ELECTION CONTRIBUTION REBATE PROGRAM (9.0)**

Kimberley Kitteringham, City Clerk & Director of Legislative Services & Communications, introduced the item.

Scott Chapman, Manager, Elections, provided a presentation on the City of Markham's Municipal Election Candidate Contribution Rebate Program (CCRP) and outlined the staff recommendations.

The Committee discussed the following relative to the CCRP:

- Whether the existing program has been effective in generating local engagement in Markham's municipal elections;
- The relationship between the relative cost of the program and its policy outcomes to date;
- The administrative commitment associated with the program, and the potential impact of proposed changes on that commitment ;
- That 5 of the 8 municipalities sponsoring municipal election rebate programs restrict rebates to contributors voters and/or residents of the municipality;
- The extent to which the program helps new candidates and incumbents in raising campaign funds;
- Concerns that the rebate program is paid for with taxpayer dollars but that a significant number of rebates are claimed by non-taxpayers;
- Whether the proposed changes will allow the program to continue to operate at a sustainable cost to taxpayers;
- Suggested that the Province be requested to extend income tax credit eligibility to persons who contribute to municipal election candidates;
- Feasibility of prohibiting contributions from residents affiliated with property management and development corporations;
- Requiring contributors seeking a rebate to confirm that the funds they are donating are their own and not from another person or special interest group;
- Whether the proposed changes to the program may impact new candidates in deciding whether to run for Council;
- Feasibility of restricting the rebate program to first-time candidates;

- Requested that future changes to the rebate program be presented as part of a mid-term governance review;
- Feasibility of restricting rebates to contributions made to candidates who receive a defined percentage of votes cast in the election;
- Whether permanent residents residing in Markham should be entitled to receive a rebate for contributions to candidates running for Council.

Staff provided the following responses to inquiries from the Committee:

#### Program Parameters

Staff advised that the CCRP is a Council-authorized program and that Council alone determines the program parameters.

Staff further advised that restricting the CCRP to one group of candidates (i.e. new candidates) or applying different rules for different candidates may be perceived as conferring an unfair advantage through the use of municipal resources.

#### Program Eligibility

Staff clarified that while the proposed changes to the CCRP would not prevent non-Markham voters from contributing to candidates running for office on Markham City Council, only Markham voters would be eligible to receive a contribution rebate.

#### Key Drivers of the CCRP Program Cost

Staff advised that the key cost drivers of the CCRP are: 1) the volume of rebates historically claimed by non-Markham voters; and 2) the size of the existing per person rebate cap.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

1. **That the presentation entitled “Municipal Election Contribution Rebate Program” dated December 7, 2021 be received; and,**
2. That the City of Markham’s Election Candidate Contribution Rebate Program’s (CCRP) enabling by-law (*By-law 2018-17*) be amended to:
  1. Restrict rebates to Markham voters;
  2. Lower the maximum rebate cap per person from \$350 to \$150;

3. **That any future changes to the CCRP be proposed within two years of the previous municipal election at the latest; and,**
4. **That the Province of Ontario be requested to expand eligibility for political contribution income tax credits to include contributions made to municipal election candidates; and further,**
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8.2 LICENSING OF PRIVATE TRANSPORTATION COMPANIES (PTCs) AND ASSOCIATED AMENDMENTS TO THE MOBILE LICENSING BY-LAW (2.0)**

Councillor Keith Irish declared a conflict of interest for this item, as his son is an IOS developer for Uber. Councillor Irish did not participate in the discussion or vote on the item.

Martha Pettit, Deputy Clerk, introduced Jeff Baker, Supervisor of Business Licensing Standards.

Mr. Baker provided a presentation on the Licensing of Private Transportation Companies (PTCs). Mr. Baker advised that the proposed changes would take effect on April 1, 2022.

The Committee provided the following feedback relative to the staff report and presentation on PTCs:

- Questioned if the proposal includes private shuttle transportation;
- Discussed the cost of taking public transportation versus owning a car or using PTCs;
- Discussed the lowering of some fees to make it easier for taxi drivers to compete with PTCs;
- Questioned if private operator fees will be charged to the driver or to the organization, and if the City will have a list of the vehicles the private operator is operating in Markham.

Staff advised that once the regulatory framework for PTCs is approved they can look at expanding it to other transportation services, such as shuttle services. Staff clarified that organizations would be charged the private operator fee and that

organizations would be required to provide a list of the vehicles they have operating in Markham.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

1. **That the presentation by Jeff Baker, Supervisor of Business Licensing and Standards dated December 7, 2020 and entitled “Regulation of Private Transportation Companies (PTCs) in Markham” be received; and,**
2. **That the memorandum entitled “Supplementary Memo – Follow-Up to the March 2, 2020 General Committee Regarding the Licensing of Private Transportation Companies (PTC’s)” be received; and;**
3. That the report dated March 2, 2020, entitled “Licensing of Private Transportation Companies (PTCs) and Associated Amendments to the Mobile Licensing By-law” be received; and,
4. **That the email dated November 22, 2021 from Jake Brockman, on behalf of Uber Canada, providing comments regarding the Licensing of PTCs be received; and,**
5. That the proposed amendments to the Mobile Licensing By-law 2012-92 to add a Schedule 8 (relating to the regulation of PTCs) attached as **Appendix “F”** be adopted; and,
6. That the proposed amendments to Schedule 6 of the Mobile Licensing By-law 2012-92 (relating to the Licensing, Regulation and Governing of Taxicab Brokers, Owners and Drivers) attached as **Appendix “G”** be adopted; and,
7. That the proposed amendments to Schedule 4 of the Mobile Licensing By-law 2012-92 (relating to the Licensing and Regulation of Owners and Drivers of Limousines) attached as **Appendix “H”** be adopted; and,
8. **That the proposed amendments to By-law 2012-92 take effect on April 1, 2022; and,**
9. **That the proposed amendments to the Licensing, Permit and Fees By-law 2012-137 be adopted; and,**
10. **That staff report back on the regulation of PTCs in the second quarter of 2023 with an update; and further,**



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

**Carried**

### **8.3 LOBBYIST REGISTRATION AND DISCLOSURE SYSTEMS IN ONTARIO (9.0)**

Kimberley Kitteringham, City Clerk & Director of Legislative Services and Communications, provided a presentation on the Lobbyist Registration and Disclosure Systems in Ontario.

The following deputations were made on the Lobbyist Registration and Disclosure Systems in Ontario.

1. Ryan Eickmeier, Past President of the Public Affairs Association of Canada, and lobbyist, shared his experience with lobbyist registries. Lobbyist registries are an important part of the democratic process, and play an important role in ensuring transparency when approving public policy. The system created should not be too onerous or it may discourage lobbyists from registering. Mr. Eickmeier encouraged Markham to develop a lobbyist Registry and to be a leader in transparency.
2. Ryan Chan, lobbyist, advised that a lobbyist registry increases the transparency of government, and that having a lobbyist registry is an integral part of a democratic government, as taxpayers have the right to know who is lobbying their local government.
3. Raymond Lai, Markham resident, spoke in support of Markham creating a lobbyist registry, as having a lobbyist registry increases the transparency of government, as residents can see who is trying to influence government policy.
4. Guy Giorno, lawyer specializing in lobbyist laws, congratulated Members of Council for considering the development of a lobbyist registry in Markham. Having a lobbyist registry makes it transparent who is trying to influence public policy. A lobbyist registry can be made voluntary if there are concerns regarding having a registry. The capital and operating costs of having a registry are reasonable, and many smaller municipalities have registries. Mr. Giorno urged Markham Council to vote in favour of developing a lobbyist registry, as it is critically important to the democratic process.
5. Evelin Ellison, Ward One South Thornhill Residents Inc, spoke in support of the development of a lobbyist registry in Markham.

Duff Conacher, and Marcus Kolga registered to speak, but did not speak at the meeting.

The Committee provided the following feedback on the Lobbyist Registration and Disclosure Systems in Ontario:

- Noted the important role a lobbyist registry could play in having an open, transparent, and accountable government;
- Noted that having a lobbyist registry will not stop Members of Council from meeting with lobbyists;
- Questioned the annual operating costs of a lobbyist registry and discussed the variation in operating costs of other municipal lobbyist registries;
- Questioned how the City could have a “Made in Markham” solution and keep the cost of having a lobbyist registry down;
- Suggested that lobbyists may not register if Markham creates a voluntary lobbyist registry;
- Discussed the possibility of creating a Working Group comprised of various stakeholders to develop the lobbyist registry, and whether it was appropriate for Council representatives to participate in the Working Group;
- Suggested that if Council decides to create a lobbyist registry all stakeholders should be consulted;
- Suggested having a lobbyist registry may not prevent unethical political behaviour;
- Noted that Members of Council can speak to lobbyists in many different situations (i.e. events, conferences, a formal meeting, or at lunch or dinner);
- Suggested the lobbyist registry should also apply to staff;
- Questioned what the downfalls of having a lobbyist registry may include;
- Discussed the difference between advocates and lobbyists;
- Discussed whether foreign government officials would be required to register as a lobbyist;
- Noted that the City would need to have a clear definition of a lobbyist if it were to have a lobbyist registry;
- Expressed concern that having a lobbyist registry may negatively impact charitable events, like a golf tournament held to raise money for charity;

- Questioned the difference between having a Council Code of Conduct and a Lobbyist Registrar Code of Conduct;
- Questioned what the penalty would be if a lobbyist did not register prior to meeting with a Member of Council;
- Questioned if the onus to register as a lobbyist would be on the elected official or on the lobbyist;
- Suggested appointments with other municipalities to learn about best practices or a municipal program should not be included under the registry;
- Questioned why so few municipalities in Ontario have created lobbyist registries;
- Discussed when a meeting regarding a planning application would be considered lobbying;
- Debated whether lobbyist registries improve government transparency.

Staff provided the following responses to inquiries from the Committee:

#### Creation of a Lobbyist Registry

Staff advised that it is a Council decision to determine if a lobbyist registry shall be created for the City of Markham. A lobbyist registry is one tool that municipalities can use to support a transparent, accountable, and ethical government. A code of conduct is another tool municipalities use to support an open and transparent municipal government.

#### Compliance and Penalties Associated with a Lobbyist Registry

Staff advised that if Council decides to create a lobbyist registry, the onus to register can be on the elected official or on the lobbyist, noting most municipalities place the onus on the lobbyist to register.

Staff further advised that the City would likely extend the contract of the Integrity Commissioner to investigate complaints pertaining to the lobbyist registry, and that complaints would likely be investigated in a similar manner as a code of conduct complaint. A fine would be issued if it was determined that an offence has been made. The fine could also increase with the number of offences.

#### Cost of Lobbyist Registry

Staff clarified that creating a lobbyist registry would include capital, operational, maintenance, and educational costs. Using existing software to support the lobbyist registry would help manage the cost of the program. The policies and

regulations created to support the program would make it a “Made in Markham” solution.

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

1. That the presentation by Kimberley Kitteringham, City Clerk & Director of Legislative Services and Corporate Communications entitled “Lobbyist Registration & Disclosure Systems in Ontario” be received; and,
2. **That Council approve the implementation of a Lobbyist Registry in principle; and,**
3. **That, in the preparation of the proposed Lobbyist Registry, staff undertake a best practice review and broadly consult with stakeholders including Members of Council, BiLD, the Public Affairs Association of Canada (PAAC), and the public; and,**
4. That staff report back to General Committee in the first quarter of 2022 on:
  - **a proposed Lobbyist Registry system for Markham;**
  - a proposed Lobbyist Registry By-law;
  - an online Lobbyist Registry process;
  - a proposed *Lobbyist Code of Conduct*;
  - the appointment of a Lobbyist Registrar for Markham – including **but not limited to** the feasibility & costs associated with adding Lobbyist Registrar duties to those already performed by the City’s Integrity Commissioner; and further,
5. That staff be authorized to do all things necessary to give effect to this resolution.

**Carried**

## **9. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES**

### **9.1 DELEGATION OF APPOINTMENT OF CHIEF BUILDING OFFICIAL, DEPUTIES AND INSPECTORS (10.13)**

There was no discussion on this item.

Moved by Councillor Karen Rea

Seconded by Regional Councillor Jim Jones

1. That by-law 2021-x, respecting the appointment of a Chief Building Official, Deputy Chief Building Officials and to delegate Council authority to appoint inspectors to the Chief Building Official, for the enforcement of the Building Code Act, 1992 and Building Code be approved; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **9.2 MINUTES AND NOTES OF THE NOVEMBER 16, 2021 MARKHAM SUB-COMMITTEE (16.0)**

The following deputations were provided on the November 16, 2021, Markham Sub-Committee Minutes:

1. Fred Peters spoke in opposition to the staff recommendation to support option one due to it not addressing the community's objectives, and spoke in support of option two, which better addresses the community's concerns.
2. Darrell Hefferman spoke in opposition to option one and in support of option two, as it better addresses the community's objective of accelerating the improvement of the water quality and creating a safe green space for residents.

Regional Councillor Jack Heath, Chair of the Markham Sub-Committee, advised that the resolution developed at the Markham Sub-Committee is a blend of options one and two, and that it requests staff to report-back to the Sub-Committee in six months on suggestions in the Friends of Swan Lake Park's presentation.

Rob Muir, Manager of Stormwater, clarified that the Markham Sub-Committee recommendation enhances draft resolutions by adding funds to the 2022 budget to relocate the geese, and for fish management, instead of in 2023. Mr. Muir advised that option two would be considerably more costly.

The Committee briefly discussed the option proposed by the Friends of Swan Lake Park to raise and lower water levels in Swan Lake to improve water quality, and the associated costs and issues with this option. The Committee also discussed the challenges with relocating the geese.

Moved by Councillor Karen Rea  
 Seconded by Councillor Andrew Keyes

1. That the minutes and notes of the November 16, 2021 Markham Sub-Committee meeting be received for information purposes.

**Carried**

Moved by Councillor Karen Rea  
 Seconded by Councillor Andrew Keyes

1. That the report entitled “Swan Lake Water Quality Management Plan” be received; and,
2. That Staff implement the Plan presented as Option 1 including proposed Core and new Complementary measures beginning in 2023; and,
3. That an additional \$2.35M over 25 years be reflected in the 2022 Lifecycle Reserve Update; and,
4. That an additional \$10K be added to the 2022 Budget for geese relocation, and fish management at Swan Lake; and,
5. That Staff report back annually on water quality results and evaluation of adapted Core and Complementary measures for consideration in Phase 2 of the strategy through the Markham Sub Committee with the participation of the Friends of Swan Lake Park; and,
6. That staff report back to the Markham Sub Committee within the next 6 months (before the end of June) to discuss suggestions in Friends of Swan Lake Park in today’s presentation and other concerns that have arisen; and further,
7. 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 motions.

**12. NEW/OTHER BUSINESS**

There was no new/other business.

**13. ANNOUNCEMENTS**

There were no announcements.

**14. CONFIDENTIAL ITEMS**

Moved by Councillor Alan Ho  
Seconded by Councillor Reid McAlpine

That the Confidential General Committee Minutes from the June 14, July 13, and September 13, 2021 meeting be adopted as presented; and further,

That the confidential Items 14.1.1 and 14.2.1 be referred to the December 14, 2021 Council Meeting.

**Carried**

The General Committee did not enter a Confidential Session to discuss the following items:

**14.1 FINANCE & ADMINISTRATIVE ISSUES**

**14.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES- JUNE 14, JULY 13, AND SEPTEMBER 13, 2021 (16.0) [ Section 239 (2) ()]**

**14.2 LAND, BUILDING & PARKS CONSTRUCTION ISSUES**

**14.2.1 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 8)(8.6) [Section 239 (2)(c)]**

**14.2.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE CITY OR LOCAL BOARD; (WARD 2)(8.6) [Section 239 (2) (c)]**

**15. ADJOURNMENT**

General Committee adjourned at 4:58 PM.