

Electronic General Committee Meeting Minutes

Meeting Number: 1
January 17, 2022, 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 Claudia Storto, City Solicitor and Director of Human Resources Joel Lustig, Treasurer	Bryan Frois, Chief of Staff Kimberley Kitteringham, City Clerk Hristina Giantsopoulos, Election/Council & Committee Coordinator John Wong, Technology Support Specialist II

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 current treaty holders 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.

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 9:33 AM with Regional Councillor Jack Heath presiding as Chair for all items on the agenda.

The Committee resolved into Confidential Session at 11:01 AM to address item 14.2.1 and reconvened into Open Session at 12:51 AM.

The Committee recessed for lunch at 12:52 AM and reconvened at 1:45 PM.

The Committee resolved into Confidential Session again at 1:52 PM for item 14.1.1 and reconvened into Open Session at 3:11 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE NOVEMBER 29, 2021 GENERAL COMMITTEE (16.0)

Moved by Deputy Mayor Don Hamilton

Seconded by Mayor Frank Scarpitti

1. That the minutes of the November 29, 2021 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

5.1 YORK REGION COMMUNICATIONS (13.4)

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

1. That the following communications dated December 2, 2021 from York Region be received for information purposes:
 1. 2022 Development Charges Bylaw: Policy Directions
 2. Establishing a Community Housing Development Master Plan

3. Invasive Moth (*Lymantria dispar dispar*) Outbreak in York Region
 4. Markham Resolution - Information Report on York Region 2021 Water and Wastewater Master Plan Presentation
 5. Proposed Update to Sewer Use Bylaw and Enforcement Program Fees
 6. Renewing York Region's Vision: Strong, Caring, Safe Communities - Final Report
 7. Water and Wastewater Master Plan Update Draft Infrastructure Plan
 8. Yonge North Subway Extension - Funding Considerations
2. That the following communications dated December 3, 2021 from York Region be received for information purposes:
 1. Draft York Region Official Plan
 3. That the following communications dated December 20, 2021 from York Region be received for information purposes:
 1. Unionville Seniors Hub and Community Centre

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

7.1 MINUTES OF THE NOVEMBER 1, 2021 RACE RELATIONS COMMITTEE (16.0)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the minutes of the November 1, 2021 Race Relations Committee meeting be received for information purposes.

Carried

7.2 QUESTION ON THE BALLOT - 2022 MUNICIPAL ELECTION (14.0)

S. Chapman, ext. 2097 / M. Pettit, ext. 8220 / K. Kitteringham, ext. 4729

Scott Chapman, Manager, Elections, addressed the Committee and outlined the contents of the staff report. The Committee was advised that the provision in the *Municipal Elections Act (MEA)*-providing Council with the opportunity to include a question on the ballot is optional and has never previously been exercised by Markham City Council in the past. Mr. Chapman clarified the criteria that a ballot question must adhere to in order to comply with the *MEA*, including:

- Concern a matter within the jurisdiction of the City of Markham, excluding any matters prescribed as being of ‘Provincial Interest’;
- Be worded in a clear, concise, and neutral manner; and,
- Solicit a response in the affirmative or negative (i.e., ‘yes’ or ‘no’)

It was noted that the deadline to pass a by-law authorizing a ballot question is March 1, 2022 and that at least one public meeting would be required at least 10 days before the bylaw's passage.

Moved by Councillor Andrew Keyes

Seconded by Councillor Alan Ho

1. That the report titled “Question on the Ballot – 2022 Municipal Election” dated January 17, 2022 be received for information.

Carried

7.3 RESTRICTED ACTS DURING AN ELECTION YEAR (14.0)

S. Chapman, ext. 2097 / M. Pettit, ext. 8220 / K. Kitteringham, ext. 4729

The Committee inquired about the process that would be followed to address a potential critical senior staff or statutory officer vacancy during a restricted acts situation in a municipal election year.

Andy Taylor, Chief Administrative Officer, addressed the Committee and provided comments in response.

The Committee requested that staff prepare a memo to Members of Council outlining the process described.

Moved by Councillor Khalid Usman

Seconded by Councillor Alan Ho

1. That the report titled ‘Restricted Acts in a Municipal Election Year (2022)’ dated January 17, 2022 be received for information.

Carried

**7.4 USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES
POLICY - 2022 (14.0)**

The Committee briefly discussed the Policy. Questions were raised with respect to:

1. The definition of campaign period;
2. The rules relative to newsletters for Councillors not seeking re-election in 2022;
3. Discretionary budget allotment of Council now that the Term of Council ends on November 14, 2022; and,
4. The meaning of “corporate identifiers”.

Staff will review these items and if changes are needed, they will be proposed when the matter is brought before Council.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

1. That the report titled ‘Use of Corporate Resources for Election Purposes Policy (2022)’ dated January 17, 2022 be received for information.

Carried

**7.5 MINUTES OF THE DECEMBER 6, 2021 RACE RELATIONS
COMMITTEE (16.0)**

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the minutes of the December 6, 2021 Race Relations Committee meeting be received for information purposes.

Carried

8. PRESENTATIONS - FINANCE & ADMINISTRATIVE ISSUES

**8.1 GOVERNMENT FINANCE OFFICERS ASSOCIATION
DISTINGUISHED BUDGET PRESENTATION AWARD AND CANADIAN
AWARD FOR FINANCIAL REPORTING (7.0)**

Trinela Cane, Commissioner, Corporate Services, addressed the Committee to introduce the presentation of the Government Finance Officers Association Distinguished Budget Presentation Award and the Canadian Award for Financial Reporting that were recently awarded to the City. She noted staff's dedication and due diligence in the work completed that led to this accomplishment.

Mayor Frank Scarpitti, congratulated Council and staff on being awarded the Government Finance Officers Association Distinguished Budget Presentation Award and the Canadian Award for Financial Reporting. He acknowledged Andy Taylor, Chief Administrative Officer, Trinela Cane, Commissioner, Corporate Services, Joel Lustig, Treasurer, and Lisa Chen, Senior Manager, Financial Planning, for their contributions in this achievement.

Joel Lustig, Treasurer, addressed the Committee to advise of the City's receipt of the Distinguished Budget Presentation award for the 21st consecutive year and the Canadian Award for Financial Reporting for the 20th consecutive year. He noted that the City also received Special Performance Measures Recognition for the 2021 Budget. Mr. Lustig, provided background information on the awards and indicated that the Government Finance Officers Association (GFOA) is a not-for-profit, professional association that promotes excellence in public finance by providing guidance on best practices, consulting, networking and training opportunities. Mr. Lustig, congratulated Lisa Chen, Senior Manager, Financial Planning, Veronica Siu, Manager, Budgets, Jay Pak, Manager Budgets, Kishor Soneji, Senior Accountant, and the Financial Services team.

Moved by Councillor Khalid Usman

Seconded by Councillor Alan Ho

1. That the report dated January 17, 2022 titled "Government Finance Officers Association Distinguished Budget Presentation Award and Canadian Award for Financial Reporting" be received; and,
2. That the formal presentation of the following Government Finance Officers Association (GFOA) awards be received:
 - Distinguished Budget Presentation Award and a Special Performance Measures Recognition for the annual budget for the fiscal year beginning January 1, 2021; and,
 - Canadian Award for Financial Reporting for the annual financial report for the year ended December 31, 2020; and,
3. That the following staff members be recognized for their contributions in the achievement of the GFOA Distinguished Budget Presentation Award:

- Jay Pak, Manager, Budgets, Financial Services; and,
 - Veronica Siu, Manager, Budgets, Financial Services; and further,
4. That Kishor Soneji, Senior Accountant, Financial Services be recognized for his contribution in the achievement of the GFOA Canadian Award for Excellence in Financial Reporting.

Carried

8.2 2021 IABC TORONTO OVATION AWARD OF EXCELLENCE & 2021 IABC CANADA SILVER LEAF AWARD OF EXCELLENCE (12.0)

The Mayor congratulated staff on being awarded the 2021 International Association of Business Communicators (IABC) Toronto Ovation Award of Excellence and the 2021 IABC Canada Silver Lead Award of Excellence.

Moved by Councillor Khalid Usman

Seconded by Councillor Alan Ho

1. That the 2021 IABC Toronto Ovation Award of Excellence and the 2021 IABC Canada Silver Leaf Award of Excellence be received; and,
2. That the following staff from Recreation Services and Corporate Communications be recognized for their contributions to this achievement:
 - Kimberley Kitteringham, City Clerk & Director, Legislative Services & Communications;
 - Michael Blackburn, Manager, Election Communications & Community Engagement;
 - Andrea Berry, Senior Manager, Corporate Communications & Community Engagement;
 - Jason Tsien, Senior Manager, Business Development, Recreation Services;
 - Portia Lee, Recreation Coordinator, Programs and Outreach, Recreation Services;
 - Brett Bartlett, Community Outreach Specialist, Recreation Services;
 - Sam Low, Supervisor, Community Programs, Recreation Services;
 - Nizar Moosa, Supervisor, Community Programs, Recreation Services;
 - Don Roe, Supervisor, Community Programs, Recreation Services; and,

- Mary Creighton, Director, Recreation Services.

Carried

8.3 2021 IABC TORONTO OVATION AWARDS OF EXCELLENCE & MERIT AND 2021 IABC CANADA SILVER LEAF AWARD OF MERIT (5.1)

The Mayor congratulated staff on being awarded the 2021 Toronto Ovation Awards of Excellence & Merit, and the 2021 International Association of Business Communicators (IABC) Canada Silver Leaf Award of Merit and noted the good work on the Fats, Oils, and Grease (FOG) communication campaign.

Moved by Councillor Khalid Usman

Seconded by Councillor Alan Ho

1. That the 2021 IABC Toronto Ovation awards of Excellence & Merit, and the 2021 IABC Canada Silver Leaf Award of Merit be received; and,
2. That the following staff members be acknowledged for their contributions to this achievement;
 - Eddy Wu, Director, Environmental Services;
 - Holena Newton, Water Conservation Program Specialist;
 - Claudia Marsales, Senior Manager, Waste Management & Environmental Services;
 - Juliana Aparicio, Waste Operations Assistant;
 - Kimberley Kitteringham, City Clerk & Director, Legislative Services & Communications;
 - Andrea Berry, Senior Manager, Corporate Communications & Community Engagement;
 - Michael Freethy, Coordinator, Corporate Communications; and,
 - Danielle Thom, Environmental Outreach Assistant (temporary contract).

Carried

8.4 2021 IABC GOLD QUILL AWARD OF MERIT (9.0)

Mayor Frank Scarpitti, congratulated staff on being awarded the 2021 International Business Communicators (IABC) Gold Quill Award of Merit.

Moved by Councillor Khalid Usman
 Seconded by Councillor Alan Ho

1. That the 2021 IABC Gold Quill Award of Merit be received; and,
2. That the following staff from the Elections Office & Corporate Communications be recognized for their contributions to this accomplishment:
 - Michael Blackburn, Manager, Election Communications & Community Engagement;
 - Andrea Berry, Senior Manager, Corporate Communications & Community Engagement;
 - Kimberley Kitteringham, City Clerk & Director, Legislative Services & Communications;
 - Martha Pettit, Deputy City Clerk; and,
 - Scott Chapman, Manager, Elections.

Carried

9. PRESENTATIONS - COMMUNITY SERVICES ISSUES

9.1 MARKHAM FAIRGROUNDS SEASONAL EVENT VENUE PROPOSAL (3.5)

The Committee consented to move the item forward and have it addressed after item 3.1.

Todd Silverman, General Manager, Markham Fairgrounds, addressed the Committee and presented a proposal to create a seasonal entertainment complex at the Markham Fairgrounds. He indicated that this venue will be a scalable production space that can accommodate various types and sized events and that there will be opportunities for City use.

Mayor Scarpitti, thanked Mr. Silverman for the presentation and noted the event venue is a good opportunity for the City.

The Committee discussed the following in relation to the proposal;

- Whether there are legislative requirements to be considered;
- The timing of a decision by Council;
- The capacity limits on various even types;

- Concerns regarding the implications on parking, traffic and noise during events;
- The potential liability to the City with respect to the venue, and its use during events,
- The effects of weather on the venue when it is not being used during the colder months;
- That there be consideration to partnership development with Destination Markham for promotion; and,
- That there is a potential requirement for use of adjacent land to facilitate this economic development opportunity.

Claudia Storto, City Solicitor, addressed the Committee and advised that this matter will be taken back for review by staff to address the concerns noted.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

1. That the Markham Fairgrounds Seasonal Event Venue Proposal presentation be received;
2. That staff be directed to undertake evaluation of this proposal and the impact to the City including on items such as: area traffic, noise, parking, and future City use of venue.

Carried

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

There were none.

12. NEW/OTHER BUSINESS

The Chair made an inquiry on whether the City has sidewalk snow plows that can accommodate the smaller sidewalks to avoid damage to grass.

Morgan Jones, Commissioner, Community Services, addressed the Committee and advised that there are a few locations in the City where the sidewalks are narrower than the standard sidewalk width and that staff have been advised to take extra care when

servicing these areas and to restore them as required. He noted that where contractors are providing the snow removal service, the City can hold back payment to contractors until affected areas are restored. Regional Councillor Heath advised he would have further discussion with Commissioner Jones.

13. ANNOUNCEMENTS

Mayor Scarpitti acknowledged the City of Markham Operations and Fire and Emergency Services for their work and effort in the midst of the pandemic and the winter storm.

14. CONFIDENTIAL ITEMS

The Committee resolved into Confidential Session at 11:01 AM to address item 14.2.1 and reconvened into Open Session at 12:51 AM.

The Committee resolved into Confidential Session again at 1:52 PM for item 14.1.1 and reconvened into Open Session at 3:11 PM.

Moved by Regional Councillor Joe Li
Seconded by Councillor Isa Lee

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

Carried

Moved by Regional Councillor Joe Li
Seconded by Councillor Isa Lee

That external participant, Chris Barnett, external solicitor, be permitted to attend the Confidential Session in relation to item 14.2.1.

Carried

Moved by Mayor Frank Scarpitti
Seconded by Councillor Isa Lee

That the following external participants from the Toronto and Region Conservation Area be permitted to attend the Confidential Session in relation to item 14.1.1:

- Craig Mitchell; and,
- Rehana Rajabali.

Carried

Moved by Regional Councillor Joe Li
 Seconded by Councillor Isa Lee

The committee consented to place items 14.1.1 and 14.1.2 on the January 25, 2022,
 Confidential Council Agenda for consideration.

Carried

14.1 LAND, BUILDING & PARKS CONSTRUCTION ISSUES

14.1.1 THE SECURITY OF THE PROPERTY OF THE CITY OR LOCAL BOARD; (WARD 7) [Section 239 (2)(a)] INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY OF THEM; (WARD 7) (13.0)

[Section 239 (2)(h)]

14.1.2 LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; [Section 239 (2)(e)] ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; (WARD 3) [Section 239 (2)(f)] (8.7)

233 MAIN STREET - LEGAL ADVICE

15. ADJOURNMENT

Moved by Councillor Reid McAlpine
 Seconded by Councillor Amanda Collucci

That General Committee adjourn at 3:50 PM.

Carried