

Electronic General Committee Meeting Minutes

Meeting Number: 11
May 24, 2022, 9:30 AM - 3:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton 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
Regrets	Regional Councillor Jack Heath	
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 Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Adam Grant, Fire Chief Mary Creighton, Director, Recreation Services Frank Clarizio, Director, Engineering Graham Seaman, Director, Sustainability & Asset Management Alex Moore, Manager of Purchasing & Accounts Payable	Morgan Jones, Commissioner, Community Services Shane Manson, Senior Manager, Revenue & Property Taxation Mark Visser, Sr Manager Strategy Innovation & Investments Hristina Giantsopoulos, Election/Council & Committee Coordinator John Wong, Technology Support Specialist II Sumon Acharjee, Chief Information Officer Chris Rickett, Director, Economic Development, Culture and Entrepreneurship Kevin Ross, Manager, Development Finance & Payroll Alice Lam, Director, Operations Christy Lehman, Supervisor, Animal Care Tanya Lewinberg, Public Realm Coordinator

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*, this meeting was conducted in a hybrid format where members of General Committee, staff, and Members of the public participated both in-person and remotely.

General Committee convened at 9:36 AM with Councillor Khalid Usman presiding as Chair.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE MAY 9, 2022 GENERAL COMMITTEE (16.0)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Joe Li

1. That the minutes of the May 9, 2022 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were deputations in relation to item 9.1. Please see the item for details.

5. COMMUNICATIONS

There were communications related to items 8.1 and 9.1.

Moved by Mayor Frank Scarpitti
 Seconded by Councillor Keith Irish

That the written communication in relation to items 8.1 and 9.1 be received.

Carried

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE ISSUES

**7.1 MINUTES OF THE MARCH 7, 2022 RACE RELATIONS COMMITTEE
 (16.0)**

Moved by Councillor Amanda Collucci
 Seconded by Councillor Karen Rea

1. That the minutes of the March 7, 2022 Race Relations Committee meeting be received for information purposes.

Carried

**7.2 MINUTES OF THE MARCH 31, 2022 HEINTZMAN HOUSE
 COMMUNITY CENTRE BOARD (16.0)**

Moved by Councillor Amanda Collucci
 Seconded by Councillor Karen Rea

1. That the minutes of the March 31, 2022 Heintzman House Committee Centre Board meeting be received for information purposes.

Carried

7.3 2022 TAX RATES AND LEVY BY-LAW (7.0)

There was an inquiry regarding waste collection of residential condominium properties and local improvement charges for sewer hook-ups.

Moved by Councillor Reid McAlpine
 Seconded by Councillor Isa Lee

1. That the report dated May 21, 2022 entitled “2022 Tax Rates and Levy By-law” be received; and,

2. That a by-law to provide for the levy and collection of property taxes totalling \$786,656,638 required by the City of Markham, the Regional Municipality of York, Province of Ontario (Education) and Business Improvement Areas, in a form substantially similar to Appendix A (attached), satisfactory to the City Solicitor and provides for the mailing of notices and requesting payment of taxes for the year 2022, as set out as follows, be approved; and,

TAX LEVYING BODY	2022 TAX LEVY AMOUNT
City of Markham	\$169,403,513
Region of York	\$364,684,559
Province of Ontario (Education)	\$252,114,705
Markham Village BIA	\$239,640
Unionville BIA	\$214,221
Total	\$786,656,638

3. That staff be authorized to levy against Markham Stouffville Hospital and Seneca College the annual levy pursuant to Section 323 of the *Municipal Act, 2001*, as outlined in Section 9 of the attached by-law once the required information is received from the Ministry of Training, Colleges and Universities; and,

4. That the attached by-law be passed to authorize the 2022 Tax Rates and Levy By-law; and further,

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

Carried

7.4 2022 MARCH YEAR-TO-DATE RESULTS OF OPERATIONS (7.0)

There was an inquiry related to the water charges and if they refer to water volume or value.

Moved by Councillor Reid McAlpine

Seconded by Councillor Amanda Collucci

1. That the report titled “2022 March Year-To-Date Results of Operations” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7.5 STAFF AWARDED CONTRACTS FOR THE MONTH OF APRIL 2022
(7.12)**

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the report entitled “Staff Awarded Contracts for the Month of April 2022” be received; and,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7.6 CANCELLATION, REDUCTION OR REFUND OF TAXES UNDER
SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)**

There was an inquiry in relation to the reclassification of properties in 2018 and the current reporting of it.

Moved by Councillor Reid McAlpine

Seconded by Councillor Karen Rea

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 \$374,170 be adjusted under Section 357 and 358 of the *Municipal Act, 2001* of which the City’s portion is estimated to be \$75,148; 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

7.7 TAX WRITE-OFFS IN ACCORDANCE WITH SECTION 354 OF THE MUNICIPAL ACT, 2001 (7.3)

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the report entitled Tax Write-offs in Accordance with Section 354 of the *Municipal Act, 2001* be received; and,
2. That taxes for 2021 totalling \$129,347 as set out in this report, of which the City's portion is \$30,849 be written-off pursuant to Section 354 of the *Municipal Act, 2001*; and,
3. That the City of Markham's portion of the taxes be charged to the Tax Write-off Account 820-820-7040; and,
4. That the Treasurer be directed to remove these amounts from the Collector's Roll; and,
5. That the associated interest be cancelled in proportion to the tax adjustments; and further,
6. That staff be authorized to and directed to do all things necessary to give effect to this resolutions.

Carried

7.8 DEVELOPMENT CHARGES DECEMBER 31, 2021 RESERVE BALANCES AND ANNUAL ACTIVITY OF THE ACCOUNTS (7.11)

Moved by Councillor Amanda Collucci

Seconded by Councillor Karen Rea

1. That the report titled "Development Charges December 31, 2021 Reserve Balances and Annual Activity of the Accounts" be received by Council as required under Section 43(1) of the *Development Charges Act, 1997, as amended*; and,
2. That staff be directed to do all things necessary to give effect to this report.

Carried

7.9 047-T-22 SUPPLY AND DELIVERY OF FOUR (4) THREE TON FLATBEDS EQUIPPED WITH PLOWS (7.0)

There was a inquiry related to the separate report provided for this contract.

Moved by Councillor Reid McAlpine

Seconded by Regional Councillor Joe Li

1. That the report entitled “047-T-22 Supply and Delivery of Four (4) Three Ton Flatbeds Equipped with Plows” be received; and,
2. That the contract for the supply and delivery of four (4) three ton flatbeds equipped with plows be awarded to the lowest priced bidder, Downtown Autogroup, in the total amount of \$471,410.40, inclusive of HST; and,
3. That the award in the amount of \$471,410.40 be funded from project #22170 Corporate Fleet Replacement – Non-Fire (account 057-6150-22170-005) with a budget available of \$386,180.00 and,
4. That the budget shortfall in the amount of \$85,230.40 (\$471,410.40 - \$386,180.00) be funded from the Life Cycle 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

8. PRESENTATION - FINANCE & ADMINISTRATIVE ISSUES

8.1 ANIMAL SERVICES - YEAR IN REVIEW (2.8)

Martha Pettit, Deputy Clerk, addressed the Committee to provide introductory remarks on the in-house transition of animal services operations and noted that the City has received substantial positive feedback from the community since the transition took place in April 2021. She introduced, Christy Lehman, Supervisor, Animal Care, who provided an overview of the first year of service which included a summary of animal service outcomes, public engagement initiatives, and a financial review.

The Committee thanked staff for their work and the presentation and made the following inquiries

- The type of population control measures available with respect to Canada Geese;

- Whether the current staffing model is appropriate to maintain this level of service; and,
- The availability of ward statistics on call volumes and activity.

Staff provided information in relation to the Committee's inquiries.

The Committee requested information on geese control strategies and additional progress updates.

Moved by Councillor Keith Irish

Seconded by Councillor Andrew Keyes

1. That the presentation entitled "Animal Services Year in Review" be received; and further,
2. That the written communication from Areez Remtulla, be received.

Carried

9. PRESENTATIONS - COMMUNITY SERVICES ISSUES

9.1 TREE PRESERVATION BY-LAW REVIEW AND UPDATE (2.0)

Alice Lam, Director, Operations, addressed the Committee to provide a brief summary of the report and introduced Tanya Lewinberg, Acting Senior Manager of Business, Fleet and Public Realm, who presented the Tree Preservation By-Law Review and Update, which provided an overview of the proposed changes to the Tree Preservation By-Law and strategies to protect and increase the City's tree canopy.

The Committee heard the following deputations:

Christiane Berger-Free expressed support to the recommendations and suggested additional consideration to shrubs and hedges.

Ian Berger-Free expressed support to the recommendations and noted that fruit trees are not included in the report and should have separate consideration.

The Committee thanked the deputants for attending the meeting today and staff for this update presentation.

There was discussion on the following in relation to the presentation:

- That shrubs and hedges should not be included in the by-law review;
- The course of action when a tree that was denied a permit to be removed falls and causes damage;

- That the by-laws are too strict and restricting;
- The impact to trees on development boundary lines;
- The overall enforcement and monitoring of tree replacements, replanting conditions and letters of credit, especially, at the time of a sale;
- The fees for permits for residential and commercial requests in relation to swimming pool installations;
- That there be consideration to include permit issuance on a system such as e-Plan to permit public viewing of permits;
- That tree measurements should be taken from the outside of the tree when next to the house;
- That the developers should be responsible to maintain the fencing around trees within their projects;
- The materials that are used for the tree protection fencing for infill developments;
- A suggestion that a public meeting on this topic be held and communicated to the public in the late fall;
- That there be consideration for the inclusion of the appropriate distance a tree may be planted from a fence or property line in the by-law;
- The definition of a shared tree and what areas (the trunk or root system) are considered to determine ownership;
- That the health, structure and species of a tree be considered when reviewing a tree permit request, i.e. Manitoba Maples are less valuable than Sugar Maple trees and that the planting of Manitoba maples should be discouraged;
- That the City should provide signage for a small fee;
- A suggestion that arborist companies should be licensed; and,
- The City's recourse options where there is illegal tree injury.

The Committee consented to make a friendly amendment to the resolution and add that staff review provisions for the protection of hedges.

Staff advised that the purpose of the by-law is to preserve the City's tree canopy and an education campaign will be launched after the formal by-law amendment. Staff will return in 2023 with additional information to amend the by-law.

Moved by Councillor Karen Rea
 Seconded by Councillor Reid McAlpine

1. That the report and presentation entitled “Tree Preservation By-law Review and Update” be received; and,
2. **That the recommendations for amendments to the Tree Preservation By-law and related processes in this report be approved in principal; and,**
3. **That staff report back to Committee with additional recommendations that provide for the protection of hedges; and further,**
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Karen Rea
 Seconded by Councillor Reid McAlpine

That the deputations from Christiane and Ian Bergauer-Free be received.

Carried

10. REGULAR REPORTS - FINANCE & ADMINISTRATIVE ISSUES

10.1 CELEBRATE MARKHAM GRANT PROGRAM - APRIL 1, 2022 - MARCH 31, 2023 - (2022-2023) FUNDING APPROVALS AND ANNUAL PROGRAM REVIEW (7.6)

Chris Rickett, Director, Economic Development, addressed the Committee and presented, Celebrate Markham Grant Program - April 1, 2022 - March 21, 2023 Funding Approvals and Annual Program Review, which provided information on current and future City events and their proposed funding.

The Committee thanked staff for the presentation and welcome the gradual return of in-person events. There was discussion in relation to the funding request and venue locations:

- The one-time submission of audited reports from various organizations and if they are all up to date;
- That the Canada Day event was moved from Milne Damn to the Markham Fairgrounds and whether other City events are changing locations;

- The required investment to produce a large event and accompanying logistics; and,
- The new organizations to evaluate this year with the additional funding due to the carryover from last year.

Staff advised that Canada Day is coming back in the post-Covid recovery mode and will take place at the Markham Fairgrounds where larger crowds can be better accommodated.

Moved by Councillor Alan Ho

Seconded by Mayor Frank Scarpitti

1. That the report titled, “Celebrate Markham Grant Program – April 1, 2022 - March 31, 2023 (2022-23) - Funding Approvals and Annual Program Review” be received; and,
2. That Council approve the recommendations of the Interdepartmental Staff Review Committee in Attachment 2, which includes 66 Celebrate Markham applicants, totaling \$309,150; and,
3. That the one-time-carry forward funds totaling \$207,425 from the 2021-2022 Funding Cycle be allocated to the 2022-2023 Funding Cycle in accordance with the Community Grant Application funding envelopes as follows:
 - a. Culture Events Programs \$51,050
 - b. Major Community Events \$89,500
 - c. Seniors’ Clubs \$32,650
 - d. Sport Events \$34,225; and,
4. That the remaining \$154,275 from the 2021-2022 Funding Cycle be returned as a surplus to the 2022 operating budget; and,
5. That Celebrate Markham Interdepartmental Review Committee be assigned delegated authority to review and approve additional applications using the 2022 operating budget surplus funds in the Sports Events category in the amount of \$31,525 and any unused funds be returned to source at the end of the 2023-2024 Funding Cycle; and,
6. That Markham Arts Council receive a net amount of \$23,400 (Celebrate Markham Grant of \$30,000 less the final loan repayment in 2022 in the amount of \$6,600 for their annual programs and activities) conditional on receiving and approving 2021/22 audited financial statements; and,

7. That the unused 2020 and 2021 Canada Day funds in the amount of \$89,550 be allocated to the 2022 Canada Day event and any remaining funds be returned to the original funding source; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10.2 2022 DEVELOPMENT CHARGES BACKGROUND STUDY & COMMUNITY BENEFITS CHARGES (7.11)

Joel Lustig, Treasurer, addressed the Committee and provided introductory remarks regarding the completion of the Community Benefits Charges Strategy and the Development Charges Background Study, inclusive of policy changes and respective by-laws. He thanked Members of Council on the Development Charges Sub-Committee for their continued support and acknowledged the following staff members for their significant contributions: Kevin Ross, Manager, Development Finance & Payroll, Shannon Neville, Senior Financial Analyst, Mark Visser, Sr Manager Strategy Innovation & Investments, Frank Clarizio, Director, Engineering, Loy Cheah, Senior Manager, Transportation, Alain Cachola, Senior Manager Infrastructure & Capital Works, Samson Wat, Senior Project Engineer, Nhat Nguyen, Senior Manager, Development & Environmental Engineering, David Plant, Senior Manager, Parks, Horticulture and Forestry, Raymond Law, Senior Manager of Business, Fleet & Public Realm, Liza Semilla, Supervisor, Business Support, Debbie Walker, Director, Library Strategy and Planning, Michelle Sawh, Director, Administration, Patrick Pan, Manager, Facilities and Workplace Safety, Claudia Marsales, Senior Manager of Waste and Environmental Management, Michael DiPasquale, Supervisor, Waste Management Operations, Jason Fenn, Mary Creighton, Director, Recreation Services, Jason Tsien, Senior Manager, Business Development, Adam Grant, Fire Chief, Matt Keay, Deputy Fire Chief, Michael Toshakovski, Deputy City Solicitor, Francesco Santaguido, Assistant City Solicitor, Hersh Tencer, Senior Manager, Real Property, as well as Hemson Consulting.

Craig Binning, Hemson Consulting, addressed the Committee and presented, Development Charges and Community Benefits Charges Final Adjustments which outlined the statutory requirements, recommended policy changes, information on the public consultations, and the updated by-laws.

A brief discussion ensued regarding the increase in Development Charge rates and that they are not directly connected to the rate of inflation but are a reflection

of the costs for the required infrastructure and amenities that arises from the development of the land. There was also an inquiry related to in-kind contributions in lieu of cash payments for the Community Benefits Charge and the type of contributions that may be accepted in consultation with the land owner.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

That item 10.2 be moved forward on the agenda and addressed before communications.

Carried

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Jim Jones

1. That the report on the “2022 Development Charges Background Study and Community Benefits Charges” be received; and,
2. That Council determine that no further public meeting is required, pursuant to Section 12 of the *Development Charges Act 1997*, as amended; and,
3. That Council approve the Development Charge Background Study prepared by Hemson Consulting Ltd. dated May 2022; and,
4. That Council affirm its intention to ensure that the increase in the need for services to service anticipated development will be met; and,
5. That Council affirm its intention that development related to post 2031 capacity identified in the Background Study shall be paid for by development charges or other similar charges; and,
6. That Council affirm its intention that infrastructure related to post 2031 development identified in the background study shall be paid for by development charges or similar charges; and,
7. That Council recognizes that there are operating costs associated with the implementation of the capital program; and,
8. That Council approve the policy changes as outlined in this report; and,
9. That Council enact the City Wide Hard, City Wide Soft and Area Specific Development Charges by-laws, effective June 17th, 2022; and,

10. That Council affirm its intention that the future excess capacity identified in the Development Charges Background Study, dated May 2022, prepared by Hemson Consulting Ltd. shall be paid for by the development charges; and,
11. That staff be authorized to increase the Capital Administration Fees to 9% of the project costs, to be effective for capital works from January 1, 2023 and beyond; and,
12. That Council acknowledges the consultations held with the development industry regarding the Community Benefits Charge Strategy as contemplated in the *Planning Act*; and,
13. That Council receive and approve the Community Benefits Charges Strategy; and,
14. That Council enact the Community Benefits Charge by-law effective May 31st, 2022; and,
15. That these recommendations, including the implementing by-laws, be forwarded to the May 31st, 2022 Council meeting for adoption; and further,
16. That staff be directed to do all things necessary to give effect to this report.

Carried

11. MOTIONS

There were no motions.

12. NOTICES OF MOTION

There were no notices of motion.

13. NEW/OTHER BUSINESS

The Committee acknowledged and thanked staff for their quick response to the storm over the weekend and inquired about the next steps and communication to residents on clean-up progress, Alectra status, and additional yard waste pick-ups.

Staff advised that the City is moving into a recovery phase and will continue to prioritize and triage damaged areas that require City services. The main focus is to clear the trees on the roads.

Moved by Councillor Karen Rea

Seconded by Mayor Frank Scarpitti

That in consideration of the, Use of Corporate Resources for Election Purposes Policy, Members of Council may forward City communications to residents about the additional yard waste pick-up to assist with recovery and clean-up efforts after the storm that occurred this past weekend.

Carried by a Two Thirds Vote

14. ANNOUNCEMENTS

There were no announcements.

15. ADJOURNMENT

Moved by Regional Councillor Jim Jones
Seconded by Councillor Reid McAlpine

That General Committee adjourn at 1:34 PM.

Carried