

General Committee Meeting Minutes

Meeting Number: 17

June 20, 2023, 9:00 AM - 1:00 PM

Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Michael Chan	Councillor Karen Rea
	Regional Councillor Jim Jones	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Alan Ho	Councillor Juanita Nathan
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Ritch Lau	
Staff	Andy Taylor, Chief Administrative Officer	Graham Seaman, Director, Sustainability & Asset Management
	Trinela Cane, Commissioner, Corporate Services	Darryl Lyons, Acting Director, Planning & Urban Design
	Alice Lam, Acting Commissioner, Community Services	Alex Moore, Manager of Purchasing & Accounts Payable
	Arvin Prasad, Commissioner, Development Services	Chris Rickett, Director, Economic Development, Culture and Entrepreneurship
	Bryan Frois, Chief of Staff	Mark Visser, Sr Manager Strategy Innovation & Investments
	Kimberley Kitteringham, City Clerk	Eddy Wu, Acting Director, Environmental Services
	Michael Toshakovski, Deputy City Solicitor	Hristina Giantsopoulos, Election/Council & Committee Coordinator
	Sumon Acharjee, Chief Information Officer	John Wong, Technology Support Specialist II
	Adam Grant, Fire Chief	Morgan Jones, Commissioner, Community Services
	Stephanie DiPerna, Director, Building Standards	Joseph Silva, Treasurer
	Mary Creighton, Director, Recreation Services	Tanya Lewinberg, Public Realm Coordinator
	Hersh Tencer, Manager, Real Property	

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 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.

General Committee convened at 9:08 AM with Councillor Keith Irish presiding as Chair.

General Committee recessed at 11:07 AM and reconvened at 11:20 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

There were none disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE MAY 23, 2023 GENERAL COMMITTEE (16.0)

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Jim Jones

1. That the minutes of the May 23, 2023 General Committee meeting be confirmed.

Carried

4. PRESENTATIONS

4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)

Mayor Scarpitti addressed the committee to provide opening remarks and thanked as well as congratulated staff for their contributions to the City.

The following staff members were recognized for their service by commission:

CAO's Office

Daniel Epton, Senior Graphic Designer, Corporate Communication, 15 years

Michael Tong, Human Resources Specialist, People Services, 10 years

Community Services Commission

Helena Frantzke, Waterworks Quality Co-ordinator, Environmental Services, 15 years

Nan Zi, Wastewater Hydraulic Engineer, Environmental Services, 5 years

David Simpson, Facility Operator II, Recreation Services, 5 years

Corporate Services Commission

Michelle Perry, Letters of Credit Administrator, Financial Services, 15 years

Christos Gogos, Municipal Law Enforcement Officer 1, By-law & Regulatory Services, 10 years

Grace Lombardi, Supervisor, Municipal Law Enforcement, By-law & Regulatory Services, 10 years

Imran Hyat, Space and Accommodation Planner, Sustainability & Asset Management, 10 years

Development Services Commission

Abdullah Hossain, Senior Environmental Engineer, Engineering, 15 years

Nicholas Ondiaka, Architectural Plans Examiner II, Building Standards, 5 years

5. DEPUTATIONS

There were no deputations.

6. COMMUNICATIONS

There were no communications.

7. PETITIONS

There were no petitions.

8. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS

8.1 MINUTES OF THE APRIL 24, 2023 MARKHAM PUBLIC LIBRARY BOARD MEETING (16.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Alan Ho

1. That the minutes of the April 24, 2023 Markham Public Library Board meeting be received for information purposes.

Carried

8.2 136-S-23 PURCHASE OF COMPUTING DEVICES AND MONITORS THROUGH THE ONTARIO GOVERNMENT PERSONAL

**COMPUTING DEVICES AND SERVICES (PCDS) AGREEMENT #14952
(7.9)**

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Alan Ho

1. That the report entitled “136-S-23 Purchase of Computing Devices and Monitors through the Ontario Government Personal Computing Devices and Services (PCDS) Agreement #14952” be received; and,
2. That the Province of Ontario supplier Compucom Canada Co. (“Compucom”) be the preferred supplier for the City of Markham for a period of five (5) years effective September 1, 2023 at the same itemized prices as those of the Province with an option for an additional two (2) year extension for personal computing devices and services; and,
3. That the City’s Tender process be waived as the Ontario Government has undergone their own competitive process and in accordance with Purchasing By-Law 2017-8, Part II, Section 7 Non Competitive Procurement, item 1 (g) which states “Where it is in the City’s best interest not to solicit a competitive bid”; and,
4. That the total award of \$2,074,763.00 inclusive of HST impact, be funded from the 2023 approved capital account 049-6150-23413-005 Computing Device Replacement; and,
5. That the Chief Information Officer and Sr. Manager, Procurement & Accounts Payable be authorized to approve any new purchases related to this contract needed due to growth during the term of this contract, subject to budget approval, in a form satisfactory to the City Solicitor and at the sole discretion of the City; and,
6. That the Mayor and City Clerk be authorized to execute a Personal Computing Devices and Service Agreement with the Province of Ontario and Compucom in a form satisfactory to the City Solicitor; and,
7. That the Mayor and City Clerk be authorized to execute any future Province of Ontario procurement agreements in related to ITS requirements such as, cellular phone acquisition/plans, IT Security products, Printers, Server and computer acquisition etc., where it is in the City’s best interest not to solicit an additional competitive bid where it is within an approved budget and upon receipt of the Chief Administrative Officer’s approval; and further,

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

Carried

8.3 134-S-23 AUTOMATED MATERIAL HANDLING EQUIPMENT FOR ANGUS GLEN, MARKHAM VILLAGE, MILLIKEN MILLS LIBRARIES (7.9)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Alan Ho

1. That the report entitled “134-S-23 Automated Material Handling Equipment for Angus Glen, Markham Village, Milliken Mills Libraries” be received; and,
2. That staff be authorized to award a contract to Bibliotheca Canada Inc. for Angus Glen Branch for one (1) flex AMH System 9-bin sorter with one (1) patron return and one (1) staff induction station; for twelve (12) RFID Staff Workstations (4 for Angus Glen, and 4 for Markham Village (Admin) and 4 for Milliken Mills), for four (4) self-check kiosks for Angus Glen, and four (4) RFID security gates (1 for Angus Glen, 1 for Milliken Mills and 2 for Markham Village) in the amount of \$ 385,730.58 (including freight, installation, training and HST impact); and,
3. That the capital costs for lifecycle replacement of these items for Angus Glen, Markham Village and Milliken Mills branches be funded from capital project 23415, Library Bibliotheca Replacement, GL account 049-6150-23415-005, with an available budget of \$559,680.00; and,
4. That the net operating budget impact for maintenance is a cost savings of \$3,315.62 inclusive of HST to the ITS Computer Hardware Acct #400-404-5460 following the expiry of the one-year warranty period, which will be addressed during the 2025 operating budget process; and,
5. That the tendering process be waived in accordance with Purchasing By-Law 2017-8, Part II, Section 11.1 (b) Non Competitive Procurement, “Where there is only one source of supply for the goods to be purchased; and,
6. That Bibliotheca Canada Inc. be designated as the preferred vendor for the City’s Library Automated Material Handling Equipment needs at the sole discretion of the City and Bibliotheca Canada Inc. Automated Material Handling Equipment [Library Hardware] for the remaining four (4) out of

the five (5) year life cycle term (2025 to 2028) in the estimated amounts of;

- a. Life Cycle (Year 1: 2025) - None
 - b. Life Cycle (Year 2: 2026) - \$ 787,059*
 - c. Life Cycle (Year 3: 2027) - None
 - d. Life Cycle (Year 4: 2028) - \$ 91,991**
\$ 879,050
- o *Subject to Council approval of the 2025 capital budget for the Aaniin, Markham Village and Thornhill Branches; and,
 - o **Subject to Council approval of the 2027 capital budget for Milliken Mills Libraries; and,

7. That the Chief Administrative Officer and Commissioner, Community Services be authorized to approve any new purchases related to this contract needed due to growth and/or future Library Automated Material Handling Equipment [Library Hardware] upgrades due to change in technology related to the project during the remaining four (4) out of the five (5) year lifecycle term (2025 to 2028), subject to the Expenditure Control Policy and budget approval, in a form satisfactory to the City Solicitor and at the sole discretion of the City; and further,

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

Carried

8.4 TENDER 058-T-23 AODA PLAYGROUND REFURBISHMENTS (7.9)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Alan Ho

1. That the report entitled “Tender 058-T-23 AODA Playground Refurbishments” be received; and,
2. That the contract for Tender 058-T-23 AODA Playground Refurbishments be awarded to the lowest priced bidder, Forest Ridge Landscaping Inc. in the amount of \$1,392,225.93, inclusive of HST; and,
3. That a contingency in the amount of \$69,611.30 inclusive of HST, be established to cover any additional construction costs and that

authorization to approve expending of the contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,

4. That the estimated costs of \$1,461,837.23 (\$1,392,225.93+ \$69,611.30) be funded from the capital project 23012 AODA Playground Refurbishments, GL account 059-6150-23012-005, which has an available budget of \$990,947.00; and,
5. That the budget shortfall in the amount of \$470,890.23 (\$1,461,837.23 - \$990,947.00) be funded from Facility Ramp up Reserve; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.5 2024 BUDGET SCHEDULE (7.0)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Alan Ho

1. That the report dated June 20, 2023 entitled “2024 Budget Schedule” be received; and,
2. That the following schedule for the 2024 Budget be approved with the dates and times below:
 1. **Meeting #1** – Tuesday, October 3, 2023 (9 a.m. to 12 p.m.)
 2. **Meeting #2** – Friday, October 6, 2023 (9 a.m. to 12 p.m.)
 3. **Meeting #3** – Monday, October 16, 2023 (10 a.m. to 1 p.m.)
 4. **Meeting #4** – Monday, October 23, 2023 (9 a.m. to 12 p.m.)
 5. **Meeting #5** – Wednesday, October 25, 2023 (9 a.m. to 12 p.m.)
 6. ***Meeting #6** – Monday, November 13, 2023 (10 a.m. to 1 p.m.)
 7. ***Meeting #7** – Wednesday, November 15, 2023 (9 a.m. to 12 p.m.)
 1. **Additional meetings as required*
 8. **General Committee** – Tuesday, November 21, 2023 (930 a.m. to 1 p.m.) – Budget item to be presented at General Committee Meeting - draft presentation on the proposed 2024 Budget for the public meeting

9. ***Public Meeting*** – Thursday, November 23, 2023 (7 p.m. to 9 p.m.) – Budget item to be presented at Public Meeting - Feedback from the public meeting will be incorporated into the report to Council
10. ***General Committee*** – Tuesday December 5, 2023 – Feedback from Public Meeting and Final Budget Recommendations
11. ***Council Decision*** – Wednesday, December 13, 2023 (1 p.m. to 4 p.m.) – Budget item to be presented at Council Meeting
12. ***Press Conference*** – Thursday, December 14, 2023 (1 p.m.) and,
3. That the following schedule for the 2024 Water & Wastewater Rate be approved with the dates and times below:
 1. ***General Committee*** – Tuesday, November 7, 2023 (930 a.m. to 1 p.m.) - Budget item to be presented at General Committee
 2. ***Public Meeting*** – Tuesday, November 14, 2023 (6 p.m.) – Feedback from the public meeting will be incorporated into the report to Council
 3. ***Council Decision*** – Wednesday, November 29, 2023 (1 p.m. to 4 p.m.) – Budget item to be presented at Council Meeting; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - ENVIRONMENT & SUSTAINABILITY MATTERS

9.1 TREE BY-LAW UPDATE (2.0)

Alice Lam, Director of Operations, addressed the Committee to provided opening remarks and noted that the presentation is in response to the May 24, 2022, Council Meeting resolution that provided direction to staff to report back with additional recommendations to the Tree Preservation By-Law and related processes. Ms. Lam introduced Tanya Lewinberg, Public Realm Coordinator, and together presented, Tree Preservation By-Law Review and Update. The presentation provided an overview of the purpose and principle of the City's Tree Preservation By-Law, recommended updates, and results of the public consultations.

The Committee discussed the following items during the presentation:

- Concerns with the cash-in lieu calculation regarding the removal of hedges in instances where a hedge may be replaced with another hedge;
- Inquiries related to the definition of hedges;
- Inquiries and concerns related to cash-in lieu calculations;
- A request for clarification regarding the process for requesting a tree permit and the similarity of that to requesting to remove a hedge;
- An Inquiry regarding infringement of tree branches from an adjacent neighbor's property and the conditions surrounding when they can be cut or pruned;
- Concerns with trees that were planted close to a fence line and the impact it has had on surrounding areas and adjacent properties;
- An inquiry into how close to the fence can a tree be planted;
- A suggestion regarding enhanced tree control to assist with tree canopy preservation;
- That the farm community be exempted from provisions of the preservation by law;
- That restrictions imposed by the by-law may result in trees being cut prior to reaching the prescribed size where it would otherwise be prohibited;
- The impact of the by-law on designated farmland;
- The impact of the by-law changes to residents undergoing construction, building a pool, landfill developments; and,
- The removal of dead or diseased trees and the requirement of a permit.

The Committee thanked staff for the presentation and consented to vote on each of the new seven recommendations separately for their inclusion in the by-law revision. The Committee also consented that hedges are not to be included in the by-law.

The Committee requested that staff review the impacts of growing trees on surrounding areas and adjacent properties and to provide suggested solutions in relation to size of properties and tree placement.

Moved by Councillor Amanda Collucci
Seconded by Councillor Juanita Nathan

1. That the report and presentation entitled “Tree Preservation By-law Review and Update II” dated June 20, 2023 be received; and,
2. That Staff be directed to amend the Tree Preservation By-law and related processes recommended in this report for formal By-law readings; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Jim Jones

1. That the Tree Preservation By-Law and its current update exclude hedges; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Reid McAlpine

Seconded by Councillor Andrew Keyes

1. That the Tree Preservation by-law and its current update include 'active farm coordination'; and further,
2. 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 Deputy Mayor Michael Chan

1. That the Tree Preservation By-Law and its current update include all City trees regardless of their size, and private trees, ≥ 20 centimeters; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Isa Lee

Seconded by Councillor Amanda Collucci

1. That the infill construction related fee be added to the Fee By-Law; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Alan Ho

1. That the Tree Preservation By-Law and current update include a securities requirement for tree preservation barriers and for existing trees remaining on site for all construction related permits; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Reid McAlpine

Seconded by Mayor Frank Scarpitti

1. That the Tree Preservation By-Law and current update include the use of the Aggregate Caliper Method to evaluate illegal removals with a centimeter for centimeter replacement value; and further,
2. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the current update include conditional planting size for non-construction permits of 3 centimeters caliper; and further,

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

Carried

10. PRESENTATIONS - ENVIRONMENT & SUSTAINABILITY MATTERS

10.1 BLUE BOX TRANSITION UPDATE (5.1)

Morgan Jones, Commissioner, Community Services, addressed the Committee to introduce Claudia Marsales, Sr Manager Waste Management & Environment, who provided an update on the activities that have taken place over the last year in preparation for the upcoming switch to the blue box program. Ms. Marsales presented details on the current blue box program, legislative changes, information on producers and their funding amounts to municipalities, variations to the blue box program and when they will be implemented. The City will transition to the new program in January 2026 together with all York Region Local Area Municipalities. Ms. Marsales advised that staff will report back to Council with the legal and financial analysis of all options relating to the new blue box program, the status of the long term contract with Miller Waste and potentially maintaining operation of the blue box program with reimbursement from the Province for those costs.

The Committee thanked staff for the full presentation and discussed the following in relation to the presentation and the impact of the blue box changes to the City;

- An inquiry related to residential units that are above businesses and whether their waste will be collected as a result of the future discontinuance of blue box service to Business Improvement Areas, businesses, commercial and institutional facilities;
- Concerns with potential changes to bi-weekly service and the current long term contract with Miller Waste;
- An inquiry related to the blue boxes that are placed next to the community mail boxes;
- Concerns related to the blue box service stoppage to some areas including, Business Improvement Areas, churches, and businesses;
- An inquiry regarding Key Performance Indicators and if they have been established to measure the impact of recycling efforts; and,

- The possibility of maintaining the current blue box service standards and receiving reimbursement from Circular Materials Ontario and have the City be responsible for the difference.

Staff provided information in relation to the inquiries and will provide additional information in the Fall, 2023.

Moved by Mayor Frank Scarpitti

Seconded by Regional Councillor Joe Li

1. That the presentation entitled “Blue Box Transition Update” be received; and,
2. That Staff will report back following discussions with Circular Materials Ontario and Miller Waste Systems and provide a recommendation to General Committee in September with regards to the status of Markham’s current collection contract; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

11. MOTIONS

There were no motions.

12. NOTICES OF MOTION

There were no notices of motions.

13. NEW/OTHER BUSINESS

There was no new or other business.

13.1 BRIEFING MEMO, BID OPPORTUNITY – LITTLE NHL (NATIVE HOCKEY LEAGUE)TOURNAMENT 2024

Morgan Jones, Commissioner, Community Services and Mary Creighton, Director, Recreation Services, addressed the Committee to advise of the City's interest in submitting a bid to host the Little NHL hockey tournament in 2024. Staff requested direction and approval from Markham City Council to move forward with this submission.

Staff provided a high level overview of the economic development opportunities for the City and identified potential partnerships with neighbouring municipalities to meet the financial and resource commitments.

The Committee discussed the following in relation to the event and bid submission:

- The substantial resourcing requirements for this event and the City's ability to meet them;
- The hotel accommodation capacity within the City;
- The response and funding availability from Destination Markham;
- The number of other potential bidders for this event;
- The location of previous Little NHL hockey tournaments; and,
- The capacity of the City's ice venues.

The Committee thanked staff for the information and provided direction to staff to proceed with a bid submission.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

That the Committee permit this item to be added to the agenda and discussed as New Business.

Carried by a Two Thirds Vote

Moved by Mayor Frank Scarpitti

Seconded by Councillor Juanita Nathan

1. That the briefing memo entitled BID OPPORTUNITY – Little NHL (Native Hockey League) Tournament 2024 be received; and,
2. That Markham Council approve the submission of a letter of intent advising that the City of Markham, has interest to submit a bid to host the 2024 Little Native Hockey League Tournament (Little NHL); and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

14. ANNOUNCEMENTS

There were no announcements.

15. CONFIDENTIAL ITEMS

General Committee resolved into confidential session at 1:03 PM.

Moved by Councillor Juanita Nathan

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

15.1 FINANCE & ADMINISTRATIVE MATTERS

15.1.1 GENERAL COMMITTEE CONFIDENTIAL MINUTES - MAY 23, 2023; (16.0) [Municipal Act, 2001, Section 239 (2) (a)(c)(e)]

The Committee confirmed the General Committee Confidential Minutes of May 23, 2023.

15.1.2 A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD; (8.2) [Municipal Act, 2001, Section 239 (2) (c)]

The Committee consented to place this item on the June 28, 2023 Confidential Council Meeting Agenda for consideration.

15.1.3 REIMBURSEMENTS FOR CAPITAL INFRASTRUCTURE (7.11)

The Committee consented to place this item on the June 28, 2023 Confidential Council Meeting Agenda for consideration.

16. ADJOURNMENT

General Committee adjourned from confidential session at 1:58 PM and did not report out on any matter.

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Alan Ho

That General Committee adjourn from confidential session and not return to open session or report out on any matter.

Carried