



**Minutes
General Committee
September 18, 2017
Meeting Number 15**

Finance & Administrative Issues

Chair: Deputy Mayor Jack Heath
Vice Chair: Councillor Colin Campbell

Community Services Issues

Chair: Councillor Alan Ho
Vice Chair: Councillor Alex Chiu

Environment & Sustainability Issues

Chair: Councillor Valerie Burke
Vice Chair: Councillor Karen Rea

Building, Parks, & Construction Issues

Chair: Councillor Colin Campbell
Vice Chair: Regional Councillor Nirmala Armstrong

Alternate formats are available upon request.

Attendance

Mayor Frank Scarpitti (arrived at 10:00am)
Deputy Mayor Jack Heath
Regional Councillor Jim Jones (left at 1:03pm)
Regional Councillor Joe Li (arrived at 9:29am and left at 12:50pm)
Regional Councillor Nirmala Armstrong
Councillor Valerie Burke
Councillor Don Hamilton
Councillor Karen Rea
Councillor Amanda Collucci (left at 11:36am)
Councillor Logan Kanapathi
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community & Fire Services
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Joel Lustig, Treasurer
Phoebe Fu, Director of Asset Management
Kevin Ross, Manager Development Finance
Mark Visser, Senior Manager, Financial Strategy & Investment
Shane Manson, Senior Manager, Revenue & Property Tax
Mary Creighton, Director of Recreation
Robert Muir, Manager – Stormwater, Environmental Services
Alida Tari, Council/Committee Coordinator

Regrets

Councillor Alan Ho
Councillor Colin Campbell

The General Committee meeting convened at the hour of 9:14 AM with Deputy Mayor Jack Heath in the Chair. Councillor Alex Chiu Chaired Community Services items.

General Committee recessed at 11:36 AM and reconvened at 11:48 AM.

DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

**1. MINUTES OF THE JUNE 19, 2017 GENERAL COMMITTEE
AND JULY 11, 2017 SPECIAL GENERAL COMMITTEE (16.0)**
[June 19](#) [July 11](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Valerie Burke

- 1) That the minutes of the June 19, 2017 General Committee and July 11, 2017 Special General Committee meetings be confirmed.

Carried

**2. DEVELOPMENT CHARGES
BACKGROUND STUDY UPDATE (7.0)**
[Presentation](#)

Kevin Ross, Manager Development Finance addressed the Committee and provided some opening remarks with respect to the Development Charges background study.

Mr. Craig Binning, Partner, Hemson Consulting Ltd., delivered a detailed PowerPoint presentation providing an update relative to the Development Charges background study.

The Committee discussed the following relative to the Development Charges background study:

- Current trends for non-residential floor space
- Single/semi-detached dwellings – occupancy rate between these dwellings is similar
- Monitor and review the proposed threshold of 700 square feet to delineate large and small apartments
- Review the 4 storey classification in the City's Official Plan of 'high density'
- Fire Stations – consider consolidating fire services within York Region
- Benefits of having proposed policy alignment with York Region policy
- Consider additional incentives to build affordable housing

Moved by Councillor Logan Kanapathi
Seconded by Mayor Frank Scarpitti

- 1) That Council endorse the following policies to be utilized in the preparation of the Development Charges Background Study:

1. That staff be directed to institute a policy for office space as follows:
 - 100% City Wide Soft Development Charges to be charged for the first 100,000 sq. ft. of gross floor area, with a reduced charge of 25% City Wide Soft Development Charges on gross floor area exceeding the threshold.
2. That staff be directed to remove “The rate that is in effect at the time of payment” from the Development Charges Deferral Policy as a repayment assessment option.
3.
 - a) That staff update the Development Charges Deferral Policy to provide a development charge deferral for purpose-built high density rental buildings with the following terms:
 - Rate and quantum determined at building permit issuance.
 - Duration of 36 months with no interest applied, if paid within 15 days of the deferral expiration.
 - Security in the form of a charge against land.
 - Registration on title restricting change of use for 20 years.
 - b) Staff continue to review other options to make both rental and affordable housing more feasible in Markham.

Carried

3. YORK REGION COMMUNICATIONS (13.4)

The Committee inquired when York Region will be reporting back on the Retail Business Holidays Act Application. Staff advised that they will contact York Region staff and follow up. It was suggested that this matter should be considered on a future General Committee agenda.

Moved by Mayor Frank Scarpitti
Seconded by Regional Councillor Joe Li

- 1) That the following communications from York Region be received for information purposes.
 - [Highlights](#) from the June 30, 2017 York Region Council meeting.
 - [Letter](#) dated June 30, 2017 entitled “Retail Business Holidays Act Applications”
 - [Letter](#) dated June 30, 2017 entitled “2016 Annual Update on SM4RT Living Integrated Waste Management Plan Implementation” (The booklet provided as ‘Attachment 1’ is available at Clerk’s Department)

Carried

**4. MINUTES OF THE MARCH 6, 2017 AND
MAY 8, 2017 MARKHAM SPORT HALL OF FAME
COMMITTEE (16.0)**

[March 6](#) [May 8](#)

There was brief discussion regarding the difference between Sport Link and Markham Sport Hall of Fame.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the March 6, 2017 and May 8, 2017 Markham Sport Hall of Fame Board meetings be received for information purposes.

Carried

**5. MINUTES OF THE MAY 30, 2017
MARKHAM PUBLIC LIBRARY BOARD (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the May 30, 2017 Markham Public Library Board meeting be received for information purposes.

Carried

**6. MINUTES OF THE MAY 9, 2017
SENIORS ADVISORY COMMITTEE (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the May 9, 2017 Seniors Advisory Committee meeting be received for information purposes.

Carried

**7. MINUTES OF THE APRIL 18, 2017
YORK UNIVERSITY MARKHAM CAMPUS
COMMITTEE (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the April 18, 2017 York University Markham Campus Committee meeting be received for information purposes.

Carried

**8. MINUTES OF THE MAY 17, 2017
ENVIRONMENTAL ISSUES COMMITTEE
WASTE DIVERSION SUB-COMMITTEE (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the May 17, 2017 Environmental Issues Committee, Waste Diversion Sub-Committee meeting be received for information purposes

Carried

**9. MINUTES OF THE MAY 1, 2017 AND
JUNE 14, 2017 CANADA 150 INTERNATIONAL
PARTNERSHIP SUB-COMMITTEE (16.0)**

[May 1](#) [June 14](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the May 1, 2017 and June 14, 2017 Canada 150 International Partnership Sub-Committee meetings be received for information purposes.

Carried

**10. MINUTES OF THE MAY 9, 2017
MARKHAM CEMETERY BOARD (16.0)**
[Minutes](#)

The Committee inquired why a wooden fence has been installed at Quantztown cemetery. Councillor Valerie Burke requested that the damaged parts of the fence at the Thornhill cemetery be repaired.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the minutes of the May 9, 2017 Markham Cemetery Board meeting minutes be received for information purposes.

Carried

**11. APPOINTMENT OF MEMBERS TO THE
MARKHAM MAYOR'S YOUTH COUNCIL FOR
THE PERIOD OF SEPTEMBER 5, 2017 TO
JUNE 29, 2018 (16.24)**
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the Report Appointment of Members to the Markham Mayor's Youth Council for the period of September 5, 2017 to June 29, 2018 be received; and,
- 2) That the following Appointments of Members to the Markham Mayor's Youth Council be confirmed for the term September 5, 2017 to June 29, 2018:

Name	High School	Grade	Ward
Laura Florea	Thornhill Secondary School	10	1
Julia Groza	TMS School	11	1
Michelle Lam	Bayview Secondary School	11	2
Ivan Qian	Bayview Secondary School	11	2
Ashlee Jiang	PACE	12	2
Julia Ip	Markham District High School	12	3
Megan Niu	Markham District High School	12	3
Adara Hagman	St. Brother Andre Catholic High School	9	4

Maxine Bisera	St. Brother Andre Catholic High School	9	4
Peter Huang	Pierre Elliott Trudeau High School	12	4
Olivia Chan	Greensborough Public School	8	4
Jake Koszczewski	Markham District High School	11	4
Hayley Banks	Markham District High School	12	4
Grace Huang	Bayview Secondary School	11	5
Vivian Liu	Thornhill High School	11	5
Benny Lam	Bur Oak Secondary School	12	5
Kelly Hu	Bayview Secondary School	10	6
Renee Lee Wah	St Augustine Catholic High School	11	6
Felix Chan	Pierre Elliott Trudeau High School	12	6
Karthik Ganapathiraju	Pierre Elliot Trudeau High School	11	6
Janice Xu	Bayview Secondary School	11	6
Jessica Li	Bayview Secondary School	12	6
Jennifer Chen	Markham District High School	12	7
Lindsay Lee	Markham District High School	12	7
Ashley Vadivelu	Markville Secondary School	10	8

; and,

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

Carried

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

[Report](#)

Shane Manson, Senior Manager, Revenue & Property Tax addressed the Committee and summarized the details outlined in the report.

Mr. Edward Skrobal, Markham SportsDome addressed the Committee regarding Item #12 “Cancellation, Reduction or Refund of Taxes Under Sections 357 and 358 of the Municipal Act, 2001” requesting a refund of property taxes from the City of Markham of approximately \$128,606 for the Sports Dome located on the Father Michael McGivney Catholic Academy property. He believes that the assessment and classification issued by The Municipal Property Assessment Corporation (MPAC) is a factual error that has required the obligation of taxes that should never have been levied by the City for the taxation years of 2015 and 2016.

There was considerable discussion regarding whether the City of Markham has the authority to grant a tax exemption for the 2015, 2016 and part of the 2017 taxation years for the portion of the property at 5300 14th Avenue also known as Father Michael McGivney Catholic Academy occupied by the Sports Dome. Staff pointed out that the request by Mr. Skrobal does not meet any of the criteria under Section 358 of the Municipal Act, 2001, as a result staff are recommending that the City not refund the taxes levied on the property for 2015, 2016 and part of 2017.

Mr. Adam McDonald, Senior Planner, Planning Services, York Catholic District School Board (YCDSB) addressed the Committee confirming that the YCDSB adopted a resolution on March 28, 2017 granting the portion of the property occupied by the Dome a School Capital Facility and exempting it from all property taxes as of the date of passing the resolution.

Mr. Stephen Longo, Partner, WalkerWestLong addressed the Committee regarding the request for tax refund from the City for the 2015, 2016 and part of 2017 taxation years for the property known as Father Michael McGivney Catholic Academy for the portion of the land occupied by the Sports Dome. He believes that the approach taken by MPAC in assessing the Sports Dome as a commercial property was an inconsistent approach and believes that their application meets the criteria under Section 358 of the Municipal Act, 2001 and that the City has the authority to refund the 2015 and 2016 taxes due to “clerical errors.”

The Committee suggested that this matter be referred directly to the September 26, 2017 Council meeting. It was suggested that staff provide the following information at the Council meeting: the letter submitted by Mr. Longo on behalf of Mr. Skrobal; comparison of rates from the Sports Dome at Father Michael McGivney Catholic Academy versus other Sports Domes in Markham; the amount being requested to refund and further clarification on Sections 110 (16); and 358 of the Municipal Act.

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That the following recommendation be referred directly to the September 26, 2017 Council meeting:

- 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 \$71,979.01 be adjusted under Section 357 and 358 of the *Municipal Act, 2001* of which the City’s portion is estimated to be \$11,180.27; 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

**13. FLOOD CONTROL AND WATERMAIN
PROJECTS – CLEAN WATER AND
WASTEWATER FUND (CWWF) (5.4)**
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the Report entitled "Flood Control and Watermain Projects – Clean Water and Wastewater Fund (CWWF)" be received; and,
- 2) That the funding sources for Capital Project #17201 - West Thornhill Flood Control Implementation - Phase 2B with a budget of \$10,117,600 be revised as follows based on a 50% - 25% - 25% shared funding structure with the Government of Canada, Province of Ontario and City of Markham respectively:

CWWF: Government of Canada (50%) (A)		\$5,058,800
CWWF: Province of Ontario (25%) (B)		<u>\$2,529,400</u>
CWWF Total (C) = (A) + (B)		\$7,588,200
City's Portion (25%):		
Funding from Project # 17201		
Gas Tax (D)	\$2,000,000	
Stormwater Fee Reserve (E)	\$529,400	
Total City's Portion (F) = (D) + (E)		<u>\$2,529,400</u>
Total Funding (G) = (C) + (F)		\$10,117,600

; and,

- 3) That the previously approved funds from Capital Project #17201 West Thornhill Flood Control Implementation Program – Phase 2B Construction in the amount of \$7,588,200 of which \$6,550,200 from the Stormwater Fee Reserve and \$1,038,000 from the Lifecycle Replacement and Capital Reserve Fund be returned to the original funding sources; and,

- 4) That the City of Markham approve the undertaking of a new infrastructure project “Cast Iron Watermain Replacement/ Rehabilitation Program” for a total cost of \$4,119,900.00, based on a 50% - 25% - 25% shared funding structure with the Government of Canada, Province of Ontario and City of Markham respectively, to be funded from the following sources:

CWWF: Government of Canada (50%) (A)		\$2,059,950
CWWF: Province of Ontario (25%) (B)		<u>\$1,029,975</u>
CWWF Total (C) = (A) + (B)		\$3,089,925
City’s Portion (25%):		
Waterworks Reserve (D)		<u>\$1,029,975</u>
Total Funding (E) = (C) + (D)		\$4,119,900

; and,

- 5) That a new capital project in the amount of \$4,119,900 be established to undertake the work for the Cast Iron Watermain Replacement/ Rehabilitation Program; and,
- 6) That the Mayor and Clerk be authorized to execute the Clean Water and Wastewater Fund (Ontario) Transfer Payment Agreement (TPA) (and any related documents), in a form and content satisfactory to the City Solicitor and the Commissioner of Community & Fire Services, and that the Commissioner of Community & Fire Services (or designate) be authorized to act as an authorized signing officer for the City under the TPA (including for the purpose of submitting required TPA reports and confirmations); and,
- 7) That the Chief Administrative Officer (CAO) be delegated authority to award (and execute) the construction contract for the Cast Iron Watermain Replacement/ Rehabilitation work to the successful bidder, provided that the contract award amount is within budget or can be made to come within budget through selected scope changes and/or corresponding price adjustments and/or budget allocation changes; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**14. CONTRACT EXTENSION FOR GENERAL INSURANCE
AND RISK MANAGEMENT PROGRAM (7.0)**
[Report](#)

There was brief discussion regarding whether the City should RFP again to ensure that they are receiving the lowest price.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the report “Contract Extension for General Insurance and Risk Management Program” be received; and,
- 2) That contract for General Insurance and Risk Management Program be extended for a further one-year term from January 1, 2018 to January 1, 2019 to Jardine Lloyd Thompson for the amount of \$1,105,402 (inclusive of PST, exclusive of annual asset changes related to the property and automotive portfolios and coverage changes); and,
- 3) That the Treasurer be authorized to extend the contract for General Insurance and Risk Management Program for five further one-year terms (2019 to 2023) provided that it is in the best interest of the City and the premium increase per year does not exceed 5% of the cost of the previous years' insurance program, exclusive of annual asset changes related to the property and automotive portfolios and coverage changes; and,
- 4) That the Treasurer be further authorized to approve all annual asset changes related to the property and automotive portfolios and coverage changes 2018 to 2023; and,
- 5) That in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1)(c), Non-Competitive Procurement, whereby “When the extension of an existing contract would prove more cost-effective and beneficial”, the tendering process be waived; and,
- 6) That this award be funded from the annual 2018 Operating Account 840-846-5555 Insurance Premium as shown in the financial consideration section, subject to Council approval of the 2018 operating budget; and,
- 7) That any net annual budget surplus from the City’s Insurance premium and deductible operating accounts be transferred to the Insurance Reserve; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**15. JUNE – JULY 2017 STORM EVENTS REVIEW
AND FOLLOW-UP ACTIVITIES (5.3)**

[Report](#) [Presentation](#)

Robert Muir, Manager – Stormwater, Environmental Services delivered a PowerPoint presentation providing a review and follow up of activities relative to June and July 2017 Storm Events.

The Committee thanked staff for all their work in accelerating this program; waste management staff for extra garbage pick up and operation staff.

The Committee discussed the following relative to June-July 2017 Storm Events review and follow-up activities:

- Flood calls received by the City – how are they dealt with
- Benefits of the proposed private property protection program
- Potential rebates with the private property protection program
- Ensure that rebates will be retroactive to 2017
- Importance of a good communication plan to ensure that residents are fully aware of the City's program
- Information tracking of complaints received
- Flood proofing at the City Community Centres
- Changes to the building code relative to sanitary and storm water sewers

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Jack Heath

- 1) That the report and presentation entitled “June-July 2017 Storm Events Review and Follow-up Activities” be received; and,
- 2) That Council pre-approve the 2018 Capital Budget request, project #18273 “Flood Control Remediation – Study” in the amount of \$1,274,000 to be funded in the amount of \$1,109,000 from the Stormwater Fee Reserve and the remaining balance of \$165,000 from the Waterworks Reserve; and,
- 3) That Council pre-approve the 2018 Capital Budget request, project #18281 “Sanitary System Downspout Disconnection Program – Phase 6” in the amount of \$250,000 to be funded from the Waterworks Reserve; and,
- 4) That staff bring forward the corresponding Capital Budget Request Forms for each of the pre-approved projects as part of the 2018 Capital Budget process; and,

- 5) That Council approve the expansion of the Phase 5 Sanitary System Downspout Disconnection Program to include additional areas in Royal Orchard Blvd/ Romfield Circuit, Willowbrook Road, Markham Village between Church St and Paramount Road to be funded from existing capital project #17221 “Sanitary System Downspout Disconnection Program – Phase 5”; and,
- 6) That staff report back on a proposed interim Private Property Plumbing Protection Program including backwater valve and sump pump subsidy program for high risk areas, which will include program criteria, budget requirements, funding source, communication plan **and any potential rebate program with consideration to retroactive payment to 2017**; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**16. NEW/OTHER BUSINESS
MULTI-FAITH CALENDAR (16.0)**

Councillor Valerie Burke addressed the Committee requesting that staff review our policy and provide a briefing note on how to raise the awareness throughout the Corporation about the importance of trying to avoid scheduling City events on significant religious holidays.

17. CONFIDENTIAL ITEMS

Moved by Councillor Alex Chiu
Seconded by Mayor Frank Scarpitti

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into a confidential session to discuss the following matters (1:33 PM):

- (1) GENERAL COMMITTEE CONFIDENTIAL MINUTES – JUNE 19, 2017 (16.0)
[Section 239 (2) (b) (c) (f)]

General Committee confirmed the confidential meeting minutes from June 19, 2017.

- (2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 2) (8.6)
[Section 239 (2) (c)]

General Committee consented to place this on the September 26, 2017 Council agenda for consideration.

Carried

Moved by Councillor Alex Chiu
Seconded by Mayor Frank Scarpitti

That the General Committee rise from the confidential session 2:12 PM.

Carried

Adjournment

Moved by Councillor Alex Chiu
Seconded by Councillor Don Hamilton

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

Carried