

# Minutes General Committee June 22, 2015 Meeting Number 21

Finance & Administrative IssuesChair:Deputy Mayor Jack HeathVice Chair:Councillor Colin Campbell

#### **Community Services Issues**

Chair: Councillor Alan Ho Vice Chair: Councillor Alex Chiu

#### **Environment & Sustainability Issues**

Chair:Councillor Valerie BurkeVice Chair:Councillor Karen Rea

Building, Parks, & Construction Issues Chair: Councillor Colin Campbell

Chair:Councillor Colin CampbellVice Chair:Regional Councillor Nirmala Armstrong

#### Alternate formats are available upon request.

#### **Attendance**

Mayor Frank Scarpitti Deputy Mayor Jack Heath Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Nirmala Armstrong Councillor Valerie Burke Councillor Alan Ho Councillor Don Hamilton Councillor Karen Rea Councillor Colin Campbell Councillor Amanda Collucci Councillor Logan Kanapathi Councillor Alex Chiu Andy Taylor, Chief Administrative Officer Jim Baird, Commissioner of Development Services Trinela Cane, Commissioner of Corporate Services Brenda Librecz, Commissioner of Community & Fire Services Catherine Conrad, City Solicitor Kimberley Kitteringham, City Clerk Martha Pettit, Deputy City Clerk Joel Lustig, Treasurer Mohammed Hosseini-Ara, Acting Director of Culture Christopher Alexander, Acting Manager By-law Enforcement and Regulatory Services Alida Tari, Council/Committee Coordinator

The General Committee meeting convened at the hour of 1:15 PM with Deputy Mayor Jack Heath in the Chair and Councillor Alan Ho Chaired Community Services related items.

#### **Disclosure of Interest**

Councillor Valerie Burke disclosed an interest with respect to item #9 (the Pomona Mills Parks Conservationists (PMPC) application), by nature of being a co-founder and very active member of the executive team, and did not take part in the discussion or vote on this matter.

#### 1. MARKHAM ARTS COUNCIL ARTS AND CULTURE LIVE HERE - PROGRESS REPORT JUNE 2015 (6.0) Presentation MAC Survey 2014 Results

Jane Milrose, Chair Markham Arts Council delivered a PowerPoint presentation entitled "Markham Arts Council Arts and Culture Live Here – Progress report June 2015."

Shawna Dimitri addressed the Committee and spoke in support of the Markham Arts Council and provided some information regarding the York Slam program.

Sharda Still Project Manager for LaVaLab addressed the Committee and provided some information regarding the Trillium Grant received to support the LaVaLab.

The Committee inquired if the Markham Arts Council (MAC) had a strategic plan and if they did that it be forwarded to City staff for review.

The Committee discussed the following regarding the Markham Arts Council:

- Interest free loan of \$66,000 received from the City of Markham in 2012
- Annual Celebrate Markham grants in the amount of \$19,000 received (including advance payment in 2014 of the \$19,000 Celebrate Markham Grant for 2015)
- Additional quarterly funding of \$15,000 received from the City of Markham
- Trillium Grant to assist LaVaLab
- Need to replace some of the staff on the current payroll with volunteers
- When is LaVaLab anticipated to be a source of revenue for MAC

Moved by Mayor Frank Scarpitti Seconded by Deputy Mayor Jack Heath

1) That the presentation by Ms. Jane Milrose, Chair Markham Arts Council entitled "Markham Arts Council Arts and Culture Live Here – Progress Report June 2015", be received **and referred back to staff for a report.** 

Carried

### 2. 2015 FUNDING FOR KINDRED SPIRITS ORCHESTRA & MARKHAM ARTS COUNCIL (7.6) Report

Carol Walsh, Markham resident addressed the Committee and spoke in support of the 2015 funding for the Kindred Spirits Orchestra.

Jobert Sevilleno, President and CAO of Kindred Spirits Orchestra addressed the Committee and spoke in support of the funding for the Kindred Spirits Orchestra.

Kristian Alexander, Music Director addressed the Committee and delivered a PowerPoint presentation regarding the Kindred Spirits Orchestra. He spoke in support of the funding for the Kindred Spirits Orchestra.

The Committee discussed whether Kindred Spirits Orchestra should be part of the Celebrate Markham Grant program or whether it is should be separate.

The Committee suggested that report and recommendation be referred to the Celebrate Markham Grant process/discussions. There was discussion regarding the importance of keeping the Celebrate Markham policy separate from the funding allocation.

Moved by Deputy Mayor Jack Heath Seconded by Regional Councillor Jim Jones

- That the report dated June 15, 2015 entitled "2015 Funding for Kindred Spirits Orchestra & Markham Arts Council" be received and referred to the process/discussions relative to the Celebrate Markham Grants; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

### 3. ANIMAL STOREFRONT (CAT ADOPTION AND EDUCATION CENTRE) (2.8) Report

Martha Pettit, Deputy City Clerk and Christopher Alexander, Acting Manager By-law Enforcement and Regulatory Services delivered a PowerPoint presentation regarding the proposal of an animal storefront.

There was discussion regarding how this animal storefront proposal differs from a PetSmart store.

Esther Attard, Markham resident addressed the Committee regarding the Animal Storefront proposal and spoke in support.

Denielle Duncan, Markham resident addressed the Committee with respect to the Animal Storefront proposal and spoke in support.

Bernice Royce, Markham resident addressed the Committee regarding the Animal Storefront proposal and spoke in support.

Liz White, on behalf of Animal Alliance, addressed the Committee with respect to the Animal Storefront proposal and spoke in support.

Janet Andrews, Markham resident addressed the Committee regarding the Animal Storefront proposal and spoke in support.

Nicholas Ross, Markham resident addressed the Committee with respect to the Animal Storefront proposal and spoke in support.

The Committee suggested that staff work with the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) regarding potential adoption fee revenue sharing.

The Committee commended the Animal Care Committee for putting \$30,000 of their budget towards the Animal Storefront proposal and suggested that some form of recognition (eg. a plaque) be placed in the Animal Storefront.

The Committee thanked all the staff involved in bringing this bold initiative forward.

Moved by Councillor Valerie Burke Seconded by Mayor Frank Scarpitti

- 1) That the report entitled "Animal Storefront (Cat Adoption and Education Centre)" be received; and,
- 2) That a Cat Adoption and Education Centre (CAEC) be opened in the Thornhill Community Centre and Library; and,
- 3) That the operating costs associated with the CAEC in the amount of \$99,191 be funded from account 310-320-5370 (Animal Control); and,
- 4) That the cost for retrofitting the CAEC in the amount of \$115,150.00 be funded from a new capital project called, "Cat Adoption and Education Centre"; and,
- 5) That the shortfall associated with the capital start-up costs in the amount of \$35,150.00 be funded from the Non-Development Charge Capital Contingency; and,
- 6) That staff be authorized to enter into a contract with the Ontario Society for the Prevention of Cruelty to Animals for the provision of managing the CAEC for a term of three years, in a form satisfactory to the City Clerk and City Solicitor; and,
- 7) That staff report back to Council within three years of the opening of the CAEC with an assessment of the storefront operation; and,
- 8) That staff be directed to pursue with the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) a possible adoption fee revenue sharing arrangement; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

# 4. JESUS THE KING MELKITE CATHOLIC CHURCH – NOISE EXEMPTION REQUEST (2.10) <u>Report</u>

Eli Gideon addressed the Committee regarding the noise exemption request for Jesus the King Melkite Catholic Church to permit for amplified sound beyond 5:00 p.m. He is requesting that Committee grant a noise exemption for three days until 11:00 p.m.

Tarek Marroushi addressed the Committee with respect to the noise exemption request for Jesus the King Melkite Catholic Church to permit for amplified sound beyond 5:00 p.m. He reviewed the proposed changes to assist in mitigating the impact on the neighbours.

The Committee discussed whether the noise exemption should be granted for two days or three days. There was discussion regarding whether this event should be relocated to a different location.

Diana Dahnz, Markham resident addressed the Committee regarding the noise exemption request for Jesus the King Melkite Catholic Church to permit for amplified sound beyond 5:00 p.m. and spoke in opposition.

Michael Fragale, Markham resident addressed the Committee with respect to the noise exemption request for Jesus the King Melkite Catholic Church to permit for amplified sound beyond 5:00 p.m. and spoke in opposition.

Moved by Regional Councillor Nirmala Armstrong Seconded by Regional Councillor Jim Jones

- 1) That the report entitled "Jesus the King Melkite Catholic Church-Noise Exemption Request" be received; and,
- 2) That Council grant a noise exemption from Section 3.2 of the City of Markham's Noise By-law 2003-137 to Jesus the King Melkite Catholic Church to allow for amplified sound until 11:00 p.m. on Friday July 31, 2015 and Saturday August 1, 2015 and until 10:00 p.m. on Sunday August 2, 2015; and,
- **3**) That staff be directed to work with the festival organizers to consider potential alternative solution for their festival in 2016; and,
- 4) That staff be directed to monitor the 2015 festival in terms of residential impact; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

5. BUILDING MARKHAM'S FUTURE TOGETHER 2015 TO 2019 UPDATE (16.23) Report Appendix A Appendix B Appendix C Appendix D

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Joe Li

## That the following be referred directly to the June 23, 2015 Council meeting:

- 1) That the report entitled Building Markham's Future Together (BMFT) Council's Strategic Plan 2015 to 2019 Summary of findings from the Training and Education Sessions and Proposed Public Engagement Program be received; and,
- 2) That the summary of the Council Training and Education Sessions held on April 20, 2015, April 24, 2015 and May 13, 2015 as outlined in Appendices A, B, C and D attached be endorsed; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

#### 6. MINUTES OF THE JUNE 15, 2015 GENERAL COMMITTEE (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the June 15, 2015 General Committee meeting be confirmed.

Carried

#### 7. MINUTES OF THE JUNE 8, 2015 CANADA DAY COMMITTEE (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the June 8, 2015 Canada Day Committee meeting be received for information purposes.

#### 8. MINUTES OF THE MAY 21, 2015 MARKHAM ENVIRONMENTAL ADVISORY COMMITTEE (16.0) <u>Minutes</u>

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the May 21, 2015 Markham Environmental Advisory Committee meeting be received for information purposes.

Carried

#### 9. MINUTES OF THE JUNE 17, 2015 ENVIRONMENTAL ISSUES COMMITTEE (16.0) Minutes Report

Councillor Valerie Burke addressed the Committee and requested that the minutes be amended to state "....active member of the executive team..."

Moved by Councillor Don Hamilton Seconded by Councillor Alan Ho

- 1) That the minutes of the June 17, 2015 Environmental Issues Committee meeting be received for information purposes; and,
- 2) That the below recommendations from the report entitled "Markham Environmental Sustainability Fund (MESF) Funding Applications, Spring 2015" adopted at the June 17, 2015 Environmental Issues Committee be endorsed:
  - (a) That the Spring 2015 MESF funding applications be approved:
    - i) Ontario Streams East Don River Rehabilitation Initiative request for \$5,742.00
    - ii) The Living City Foundation, TRCA Creating Habitat Through the Seasons request for \$8,300
    - iii) TRCA on behalf of Pomona Mills Park Conservationists (PMPC) –River Elbow Community Planting request for \$1,469; and,
  - (b) That the funds be provided from the 2015 Markham Environmental Sustainability Fund (MESF), account #87 2800168; and further,
  - (c) That Staff be authorized to do all things necessary to give effect to the above.

#### 10. MINUTES OF THE APRIL 16, 2015 GERMAN MILLS COMMUNITY CENTRE BOARD (16.0) Minutes

Councillor Valerie Burke requested that the minutes be amended to replace the words "....advertise the GMCC in their newsletter" to "....advertise the GMCC on their website."

Moved by Councillor Don Hamilton Seconded by Councillor Alan Ho

1) That the minutes of the April 16, 2015 German Mills Community Centre Board meeting be received for information purposes.

Carried

#### 11. MINUTES OF THE FEBRUARY 26, 2015 AND MARCH 26, 2015 HEINTZMAN HOUSE BOARD (16.0) February March

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the February 26, 2015 and March 26, 2015 Heintzman House Board meeting be received for information purposes.

Carried

#### 12. MINUTES OF THE JANUARY 7, 2015 PUBLIC ART ADVISORY COMMITTEE (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the January 7, 2015 Public Art Advisory Committee meeting be received for information purposes.

Carried

#### 13. MINUTES OF THE JUNE 15, 2015 YORK UNIVERSITY MARKHAM CAMPUS COMMITTEE (16.0) <u>Minutes</u>

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the June 15, 2015 York University Markham Campus Committee meeting be received for information purposes.

Carried

#### 14. MINUTES OF THE MAY 20, 2015 ADVISORY COMMITTEE ON ACCESSIBILITY (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the May 20, 2015 Advisory Committee on Accessibility meeting be received for information purposes.

Carried

#### 15. MINUTES OF THE MAY 11, 2015 VARLEY–MCKAY ART FOUNDATION OF MARKHAM (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the May 11, 2015 Varley-McKay Art Foundation of Markham meeting be received for information purposes.

Carried

#### 16. MINUTES OF THE FEBRUARY 10, 2015 AND MAY 15, 2014 VARLEY-MCKAY ART FOUNDATION ANNUAL MEETING OF MEMBERS (16.0) Feb 10 Minutes May 15 Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the February 10, 2015 and May 15, 2014 Varley-McKay Art Foundation Annual Meetings of Members be received for information purposes.

#### 17. MINUTES OF THE MAY 20, 2015 ANIMAL CARE COMMITTEE (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the May 20, 2015 Animal Care Committee meeting be received for information purposes.

Carried

#### 18. MINUTES OF THE MAY 12, 2015 SENIORS' ADVISORY COMMITTEE (16.0) Minutes

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

1) That the minutes of the May 12, 2015 Seniors' Advisory Committee meeting be received for information purposes.

Carried

#### 19. AWARD OF PROPOSAL 058-R-14 SUPPLY AND IMPLEMENTATION OF ELECTRONIC DEVELOPMENT PLAN SERVICE DELIVERY SYSTEM (7.12) Report

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

- 1) That the report entitled "Award of Proposal 058-R-14 Supply and Implementation of Electronic Development Plan Service Delivery System" be received; and,
- 2) That the contract for Supply and Implementation of Electronic Plan Service Delivery System from Proposal 058-R-14 be awarded to the highest ranked/lowest priced bidder, Avolve Software Corporation in the amount of \$949,664.12 (inclusive of HST), of which \$659,203.32 is for the software and implementation costs and \$290,460.80 is for four years of support and maintenance; and,
- 3) That the software and implementation costs for 058-R-14 be funded from account #084-5350-14070-005 Supply and Implementation of Electronic Plan Service Delivery System in the amount of \$659,203.32 (inclusive of HST); and,

4) That the software support and maintenance fee in the amount of \$290,460.80 (inclusive of HST) over a four year term be funded from #400-404-5361 Computer Hardware, in the amounts of;

Year 2 (2017) - \$70,472.67 Year 3 (2018) - \$71,882.12 Year 4 (2019) - \$73,319.85 <u>Year 5 (2020) - \$74,786.16</u> Total - \$290,460.08; and,

- 5) That Avolve Software Corporation be designated as the preferred vendor for the City's electronic plan service needs for the five year term of this contract; and,
- 6) That the Chief Information Officer be authorized to approve the annual support and maintenance from year six onwards subject to approval of the annual Operating Budget; and,
- 7) That Report "058-R-14 for Supply and Implementation of Electronic Plan Service Delivery System" be included as part of the June 23 Council Meeting agenda; further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

#### 20. CONTRACT EXTENSION FOR WINTER MAINTENANCE CONTRACTS: (095-T-08) SUPPLY AND OPERATION OF TANDEM/SINGLE AXLE COMBINATION PLOWS AND (032-T-08) SIDEWALK WINTER MAINTENANCE (7.12) <u>Report</u>

Moved by Regional Councillor Jim Jones Seconded by Councillor Amanda Collucci

- That the report entitled "Contract Extension for Winter Maintenance Contracts: (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows and (032-T-08) Sidewalk Winter Maintenance" be received; and,
- 2) That Contract (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows be extended to D. Crupi & Sons Limited for an additional three (3) years (November 1, 2015 to April 1<sup>st</sup>, 2018) as per the original 2008 contract term in the estimated annual contractual value of \$1,896,955.00 inclusive of HST; and,
- 3) That Staff be authorized to extend Contract (095-T-08) Supply and Operation of Tandem/Single Axle Combination Plows D. Crupi & Sons Limited for a further five (5) years (November 1, 2018 to April 1<sup>st</sup>, 2023) at the sole discretion of the City in the estimated annual contractual value of \$1,896,955 .00 inclusive of HST; and,

- 4) That Contract (032-T-08) Sidewalk Winter Maintenance be extended to VTA Construction Ltd. and De Ferrari Construction Limited for an additional three (3) years (November 1, 2015 to April 1<sup>st</sup>, 2018) as per the original 2008 contract term in the estimated annual contractual value of \$ 2,088,234.00 inclusive of HST; and,
- 5) That Staff be authorized to extend Contract (032-T-08) Sidewalk Winter Maintenance be extended to VTA Construction Ltd. and De Ferrari Construction Limited to VTA Construction Ltd. and De Ferrari Construction Limited for a further five (5) years (November 1, 2018 to April 1<sup>st</sup>, 2023) at the sole discretion of the City in the estimated annual contractual value of \$2,088,234.00 inclusive of HST; and,
- 6) That the tendering process be waived for recommendations # 3 and 5 in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (c) which states "when the extension of an existing contract would prove more cost-effective or beneficial"; and,
- 7) That the 2016 2023 budgets and the corresponding purchase orders be adjusted for a price escalation allowance based on the Consumer Price Index (CPI), Canada All-items (March to March); and,
- 8) That the 2016 2023 budgets and the corresponding purchase orders be adjusted for growth (increase in kilometers of roadway) based on the Council approved service levels; and,
- 9) That funds be provided from the Accounts identified in the Financial Considerations section in the annual amount of \$ 3,985,189.00 (\$1,896,955.00+ \$2,088,234.00) inclusive of HST; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

#### 21. ENBRIDGE FRANCHISE AGREEMENT - RENEWAL (8.2) Report Attachment A Attachment B

Moved by Councillor Colin Campbell Seconded by Councillor Logan Kanapathi

- 1) That the report entitled "Enbridge Franchise Agreement Renewal", dated June 15, 2015, be received; and,
- 2) That Council approve the form of the Franchise Agreement and draft By-law attached hereto and authorize the submission thereof, and any other documents required, to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act*; and,

- 3) That Council request the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the Franchise Agreement and attached draft By-law, pursuant to the provisions of Section 9 of the *Municipal Franchises Act*; and,
- 4) That the Mayor and Clerk be authorized to enter into the Franchise Agreement with Enbridge Gas Distribution Inc. to give effect to the forgoing, said agreement to be in a form and content satisfactory to the Chief Administrative Officer and the City Solicitor; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

#### 22. TO2015 PAN AM/PARAPAN AM GAMES - JUNE 2015 STATUS UPDATE (6.0) Report Attachment A Attachment B

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Joe Li

# That the following be referred directly to the June 23, 2015 Council meeting:

- 1) That the report TO2015 Pan Am/Parapan Am Games June 2015 Status Update be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

## 23. QUEBEC CITY AVAC INSTALLATION TOUR (5.7) Report

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Joe Li

#### That the following be referred directly to the June 23, 2015 Council meeting:

- 1) That the report entitled "Quebec City AVAC Installation Tour" be received; and
- 2) That the four members of the AVAC Feasibility Working Group to attend the tour of Quebec City's AVAC installation scheduled for September 2015; and,
- 3) That the cost of the tour be funded from MESF AVAC Feasibility funds to a maximum of \$4,000; and further,

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

Carried

#### 24. COMMUNICATIONS REGARDING THE ITEM TITLED "ANIMAL STOREFRONT (CAT ADOPTION AND EDUCATION CENTRE)" (2.8) <u>Communication</u>

Moved by Councillor Logan Kanapathi Seconded by Councillor Alan Ho

- 1) That the following communications providing comments with respect to the item titled "Animal Storefront (Cat Adoption and Education Centre)" be received:
  - 1. Pamela Young
  - 2. Cheryl Lam
  - 3. Terri Daniels
  - 4. Brian Daniels
  - 5. Paul Duncan
  - 6. Janet Andrews
  - 7. Liz White
  - 8. Donna Bush
  - 9. Trudi Ross
  - 10. Michael Garbary
  - 11. Judi Chan
  - 12. Mrs. M. Watts
  - 13. Ricky Kong
  - 14. Aviva Harari-Marovitz
  - 15. Kathy Krosel

Carried

#### **NEW BUSINESS**

There was no new business.

# 25. IN-CAMERA MATTERS (16.0, 16.24, 8.6 & 8.7)

Moved by Mayor Frank Scarpitti Seconded by Regional Councillor Joe Li

# That the following in-camera matters be referred directly to the June 23, 2015 Council meeting:

- (1) GENERAL COMMITTEE IN-CAMERA MINUTES - JUNE 15, 2015 (16.0) [Section 239 (2) (a) (c)]
- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS) (16.24) [Section 239 (2) (b)]
- (3) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD (WARD 5) (8.7) [Section 239 (2) (a)]
- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (8.6) [Section 239 (2) (c)]

Carried

#### Adjournment

Moved by Councillor Alex Chiu Seconded by Regional Councillor Nirmala Armstrong

That the General Committee meeting adjourn at 7:13 PM.