



**Minutes
General Committee
June 9, 2014
Meeting Number 14**

Finance & Administrative Issues

Chair: Mayor Frank Scarpitti
Vice Chair: Councillor Carolina Moretti

Environment & Sustainability Issues

Chair: Councillor Valerie Burke
Vice Chair: Regional Councillor Joe Li

Community Services Issues

Chair: Councillor Alex Chiu
Vice Chair: Councillor Howard Shore

Building, Parks, & Construction Issues

Chair: Councillor Logan Kanapathi
Vice Chair: Councillor Colin Campbell

Alternate formats are available upon request.

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Carolina Moretti
Councillor Colin Campbell
Councillor Alan Ho
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
Joel Lustig, Treasurer
Paul Ingham, Director of Operations
Mark Visser, Senior Manager, Financial Strategies & Investments
Catherine Biss, Chief Executive Officer, Markham Public Libraries
Gord Miokovic, Manager, System Engineering
Alida Tari, Council/Committee Coordinator

The General Committee meeting convened at the hour of 9:04 AM with Mayor Frank Scarpitti in the Chair and Councillor Alex Chiu Chaired Community Services related items.

General Committee recessed at 11:56 AM and reconvened at 1:06 PM.

Disclosure of Interest

None disclosed.

1. MARKHAM ARTS COUNCIL (5.0)
[Presentation](#)

Jane Milrose, Chair of the Markham Arts Council delivered a PowerPoint presentation outlining what the Markham Arts Council is all about and requested financial support from the City of Markham. Susan Petterser and Jessica Zhu provided some information regarding the Markham Arts Council.

Jeanne Kerr-Hornell addressed the Committee regarding the Markham Arts Council and spoke in support of Markham Arts Council.

The Committee noted that the City of Markham currently funds many art programs such as the Flato Markham Theatre, Markham Museum, Varley Art Gallery, etc.

The Committee discussed the following relative to the Markham Art Council:

- The need for a strategic plan with priorities
- Consider formalizing an arrangement between the City of Markham and Markham Arts Council
- The need for a more detailed business plan that will assist the Markham Arts Council to become self sustained
- What funding resources (if any) does the City have to offer
- What level of support does the City provide to the Markham Arts Council with events such as the International Festival of Authors and other in kind support
- What is the current relationship between the City of Markham and the Markham Arts Council
- What would the monies be used for in 2014 - need detailed budget and priorities
- Funding from other levels of government (such as York Region and the Province)

The Committee suggested that staff report back in September 2014 relative to the request for financial support in the amount of \$70,000 and that some Members of Council meet with a few representatives of the Markham Art Council to discuss what can be done in the interim and report back at the June 24, 2014 Council meeting.

Diane Hallquist, Markham resident addressed the Committee regarding the Markham Arts Council and provided some information relative to strategic planning. She thanked Council for all their support to date.

Sheniz Janmohamed, Markham resident addressed the Committee with respect to the Markham Arts Council advising that she was the former Arts Administrator and spoke in support of the financial request from the City of Markham for the Markham Arts Council.

Moved by Councillor Carolina Moretti
Seconded by Regional Councillor Joe Li

- 1) That the presentation provided by Jane Milrose, Chair of the Markham Arts Council, be received; and,
- 2) **That staff be directed to report back in September 2014 regarding the request from the Markham Arts Council for financial support of \$70,000; and,**
- 3) **That the staff report include the following:**
 - the relationship between the City of Markham and the Markham Arts Council;
 - comparison of funding for art programs between the City of Markham and other municipalities;
 - available funding sources;
 - what measures can be taken to assist in making the Markham Arts Council sustainable; and,
- 4) **That Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Regional Councillor Jim Jones, Regional Councillor Joe Li, Councillor Howard Shore and Councillor Alan Ho meet with the City Treasurer, Director of Culture and three representatives from the Markham Arts Council to discuss what measures can be taken in the interim and report back at the June 24, 2014 Council meeting; and further,**
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**2. BACKFLOW PREVENTION
PROGRAM STATUS UPDATE (5.0)**
[Presentation](#)

Gord Miokovic, Manager, System Engineering delivered a PowerPoint presentation providing an update with respect to Markham's backflow prevention program.

There was brief discussion between phase I and phase II of the 8 year program.

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

- 1) That the presentation provided by Gord Miokovic, Manager, System Engineering, entitled "Markham's Backflow Prevention Program 2014 Status Update" be received.

Carried

**3. MINUTES OF THE MAY 26, 2014
GENERAL COMMITTEE (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the May 26, 2014 General Committee meeting be confirmed.

Carried

**4. MINUTES OF THE APRIL 14, 2014
VARLEY-MCKAY ART FOUNDATION
OF MARKHAM (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 14, 2014 Varley-McKay Art Foundation of Markham meeting be received for information purposes.

Carried

**5. MINUTES OF THE APRIL 29, 2014
MARKHAM PUBLIC LIBRARY BOARD (16.0)**

[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 29, 2014 Markham Public Library Board meeting be received for information purposes.

Carried

**6. MINUTES OF THE APRIL 16, 2014
ADVISORY COMMITTEE ON ACCESSIBILITY (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 16, 2014 Advisory Committee on Accessibility meeting be received for information purposes.

Carried

**7. MINUTES OF THE MAY 1, 2014
RBC MARKHAM MILLIKEN MILLS
CHILDREN'S FESTIVAL COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the May 1, 2014 RBC Markham Milliken Mills Children's Festival Committee meeting be received for information purposes.

Carried

**8. MINUTES OF THE APRIL 7, 2014
RACE RELATIONS COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 7, 2014 Race Relations Committee meeting be received for information purposes.

Carried

**9. MINUTES OF THE FEBRUARY 12, 2014
PUBLIC ART ADVISORY COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the February 12, 2014 Public Art Advisory Committee meeting be received for information purposes.

Carried

**10. MINUTES OF THE APRIL 24, 2014
SENIORS HALL OF FAME
AWARDS COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 24, 2014 Seniors Hall of Fame Awards Committee meeting be received for information purposes.

Carried

**11. MINUTES OF THE APRIL 16, 2014
ANIMAL CARE COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 16, 2014 Animal Care Committee meeting be received for information purposes.

Carried

**12. MINUTES OF THE APRIL 14, 2014
MARKHAM CANADA DAY COMMITTEE (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 14, 2014 Markham Canada Day Committee be received for information purposes.

Carried

**13. MINUTES OF THE APRIL 2, AND
MAY 7, 2014 FRIENDS OF THE
MARKHAM MUSEUM BOARD (16.0)**
[Apr. 2](#) [May 7](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 2 and May 7, 2014 Friends of the Markham Museum Board meetings be received for information purposes.

Carried

**14. MINUTES OF THE APRIL 14, 2014
FRIENDS OF THE MARKHAM MUSEUM BOARD
ANNUAL GENERAL MEETING (16.0)**
[Minutes](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the minutes of the April 14, 2014 Friends of the Markham Museum Board Annual General Meeting be received for information purposes.

Carried

**15. STATUS OF CAPITAL PROJECTS
AS OF APRIL 30, 2014 (7.5)**
[Report](#) [Attachments](#)

There was brief discussion regarding the shortfall from the award of tender 079-T-14.

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the report entitled “Status of Capital Projects as of April 30, 2014” be received; and,
- 2) That the amount of \$4,823,179 from the closure of capital projects be transferred to the sources of funding as listed on Exhibit A; and,
- 3) That the closure of projects as outlined in Exhibit B and C be approved; and,
- 4) That the Non-DC Capital Contingency Project be topped up, from the Life Cycle Replacement and Capital Reserve, by \$362,143 to the approved amount of \$250,000; and,
- 5) That the Engineering Capital Contingency Project be topped up, from the City-Wide Hard Development Charges (DC) Reserve, by \$69,078 to the approved amount of \$100,000; and,
- 6) That the Design Capital Contingency Project be topped up, from the Development Charges (DC) Reserve, by \$74,475 to the approved amount of \$100,000; and,
- 7) That the Waterworks Capital Contingency Project be topped up, from the Waterworks Stabilization/Capital Reserve, by \$46,666 to the approved amount of \$100,000; and,
- 8) That the shortfall of \$139,233.06 from the Award of Tender 079-T-14 8100 Warden Data Centre Retrofit be funded from the appropriate surplus funds being returned from closed capital projects; and,
- 9) That the funding for the following parcels of land be changed to the corresponding reserves; and further,

Parcel	Original Funding	Recommended Funding
16 Main Street, Unionville (Pan Am Site)	General Portfolio Investment Balance	Land Acquisition Reserve Fund 50.8% Development Charges Reserves 44.3% Non-DC Growth Reserve Fund 4.9%
Karachi Drive (former site for South East Community Centre & Library)	Development Charges Reserves 90% Non-DC Growth Reserve Fund 10%	Parks 5% Cash-in-lieu Reserve Fund 76.5% Land Acquisition Reserve Fund 23.5%
YMCA Blvd (NW corner of Kennedy Rd and 407)	Development Charges Reserves 90% Non-DC Growth Reserve Fund 10%	Land Acquisition Reserve Fund
160 Dudley Ave (former St. Luke's Catholic School land)	Parks 5% Cash-in-lieu Reserve Fund	Land Acquisition Reserve Fund

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

Carried

**16. ONTARIO ICE STORM ASSISTANCE PROGRAM –
EXPRESSION OF INTEREST (5.7)**
[Report](#) [Attachments](#)

There was brief discussion regarding the remaining clean-up of fallen trees in water channels such as streams.

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the report dated June 11th, 2014 entitled “Ontario Ice Storm Assistance Program – Expression of Interest” be received; and,
- 2) That the City submit an expression of interest for assistance under the Ontario Ice Storm Assistance Program with evidence to support ice damage and estimates of ice storm costs by June 16, 2014; and,
- 3) That the Treasurer or his delegate be authorized to submit claims on behalf of the City; and further,

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

Carried

**17. DEVELOPMENT CHARGE DEFERRAL REQUEST –
MON SHEONG FOUNDATION (7.11)**
[Report](#) [Attachments](#)

Jeffrey Lem, Miller Thompson, on behalf of the Mon Sheong Foundation addressed the Committee regarding the request to defer the development charges and stated some concerns. He is requesting that the development charges be phased over three years; requesting that the indexing/interest be waived and that a letter of credit not be required.

The Committee discussed the importance of the Letter of Credit and that York Region will require one. There was discussion regarding whether non-profit long-term health care facilities should be exempt from indexing. Staff noted that the proposed recommendation is in accordance to the Council approved policy. The Committee suggested that this item be referred directly to the June 11, 2014 Council meeting. The Committee requested that staff provide the dollar amount of the interest.

Chairan Tim Kwan, Mon Sheong Foundation - Chair addressed the Committee to respond to a question raised regarding the anticipated percentage of residents that will be from Markham. He advised that currently there is a waiting list with over 3,000 Markham residents looking for a senior care facility.

Moved by Deputy Mayor Jack Heath
Seconded by Regional Councillor Joe Li

That the following recommendation be referred directly to the June 11, 2014 Council meeting:

- 1) That the report titled “Development Charge Deferral Request – Mon Sheong Foundation” be received; and,
- 2) That the Development Charge Deferral request in respect of the construction of a Seniors Care Facility at 1 and 2 Sun Yat-Sen Avenue by the Mon Sheong Foundation not be approved; and,

- 3) That, should Council approve the Development Charge Deferral request, the Mayor and Clerk be authorized and directed to enter into an agreement with the applicant to secure the following terms of approval:
- (a) Phased payment with a defined timeline of not more than three years for full payment of the development charges.
 - (b) Payment of 25% of the total City development charges due for 1 and 2 Sun Yat-Sen Avenue on the issuance of the building permit for the above grade/structural works, with payment of the remaining 75% in three equal annual installments commencing twelve months after issuance of the above grade/structural building permit.
 - (c) Refund of 75% of the Area Specific and City Wide Hard development charges paid at the issuance of the below grade building permit which amounts to \$417,529 (75% of the \$556,705 paid).
 - (d) The development charges be calculated and paid at the higher of (1) the rate that is in effect at the time of payment, (2) the indexed rate from the date of building permit issuance, (3) the rate in effect at building permit issuance plus accrued interest at the Bank of Canada Prime Business Rate or (4) the rate in effect at building permit issuance plus the average cost of borrowing through the Region of York, if applicable.
 - (e) Provision of security in a form satisfactory to the Treasurer to secure the outstanding development charges obligation, in the amount of 110% of outstanding development charges (based on a 3 year term) to protect against any increase in the rates; and further,
- 4) That staff be directed to do all things necessary to give effect to these recommendations.

Carried

18. AWARD OF TENDER 079-T-14
8100 WARDEN DATA CENTRE RETROFIT (7.12)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the report entitled “Award of Tender 079-T-14 8100 Warden Data Centre Retrofit” be received; and,

- 2) That the contract for the 8100 Warden Data Centre Retrofit be awarded to the lowest priced bidder, Climatemp Systems (2009) Ltd., in the amount of \$580,192.78 inclusive of HST impact; and,
- 3) That a contingency in the amount of \$58,019.28 (10%), inclusive of HST impact be established to cover any additional construction costs and that the Director of Asset Management be authorized to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That the award be funded from the ITS Capital Account 049-6900-14083-005 “IT Disaster Recovery (Business Continuity)”;
- 5) That the funding shortfall in the amount of \$139,233.06 be funded from the appropriate surplus funds being returned from closed capital projects as identified in the report titled “Status of Capital Projects as of April 30th, 2014”; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**19. AWARD OF CONTRACT 285-R-13,
MARKHAM PUBLIC LIBRARY MATERIAL AND
PROCESSING SERVICES (7.12)**

[Report](#)

Brenda Librecz, Commissioner of Community & Fire Services delivered a brief PowerPoint presentation regarding the City of Markham's policies related to Capital project procurement policy and the difference in policies at the Markham Public Library. It was noted that over the summer the Commissioner of Community & Fire Services and the Chief Executive Officer, Markham Public Library will be preparing a document that will outline roles and expectations between the City of Markham and MPL in order to avoid misalignments in the future between policy differences and the two organizations in order to have clarity with respect to roles and expectations on all areas of interaction.

There was discussion regarding the budget process and the Library Act.

Moved by Councillor Alan Ho
Seconded by Councillor Howard Shore

- 1) That the report entitled “Award of Contract 285-R-13 Markham Public Library Material & Processing Services” be received; and,

- 2) That contract 285-R-13 include the Annual Library collection and Opening Day collection for South East Branch scheduled to open in Q4 2015; and,
- 3) That contract 285-R-13 be awarded to the highest ranked and lowest priced bidder Library Services Centre (“LSC”) for English and French materials in the total amount of \$6,343,475.62 inclusive of HST for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- English & French materials
 - 2014 June – December \$ 749,164.71
 - 2015 January – December \$1,130,133.33
 - 2016 January – December \$1,130,133.33
 - 2017 January – December \$1,152,736.00
 - 2018 January – December \$1,175,790.72

Section B: Opening Day Collection for South East Branch Q4 2015

- English & French materials \$1,005,517.53; and,

- 4) That contract 285-R-13 be awarded to the highest ranked and second lowest priced bidder Library Services Centre (“LSC”) for multilingual materials (Asian and European language materials) in the amount of \$1,556,226.92 inclusive of HST for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- Multilingual materials – Asian and European language materials
 - 2014 June – December \$185,674.41
 - 2015 January – December \$280,094.40
 - 2016 January – December \$280,094.40
 - 2017 January – December \$285,696.29
 - 2018 January – December \$291,410.22

Section B: Opening Day Collection for South East Branch Q4 2015

- Multilingual materials – Asian and European language materials \$233,257.20; and,

- 5) That contract 285-R-13 be awarded to the highest ranked and lowest priced bidder Chinese Publications for Canadian Libraries Ltd. (“CPCL”) for Chinese only multilingual materials in the amount of \$1,792,628.43 for a period of four (4) years, seven months for the following:

Section A: Annual Collection for the seven (7) current branches

- Multilingual materials – Chinese only
 - 2014 June – December \$218,212.46
 - 2015 January – December \$329,178.84
 - 2016 January – December \$329,178.84
 - 2017 January – December \$332,470.63
 - 2018 January – December \$335,795.34

Section B: Opening Day Collection for South East Branch Q4 2015

- Multilingual materials – Chinese only \$247,792.32; and,
- 6) That the award for the seven (7) current branches from June – December 2014 in the amount of \$1,153,051.58 (\$749,164.71 + \$185,674.41 + \$218,212.46) inclusive of HST be funded from account # 076-5350-14172-005 - Library Collections as detailed in the Financial Considerations; and,
 - 7) That the award for the seven (7) current branches from year 2015 – 2018 (January – December) be funded from the respective years' capital budget accounts, **subject to Council approval of the annual capital budgets**; and,
 - 8) That the Library Board be permitted **on a one-time basis only** to expend the remaining balance of \$192,490.42 in the 2014 Library Capital Budget account #076-5350-14172-005 "Library Collections" on additional French and multilingual materials to meet annual Library collection requirements; and,
 - 9) That the award for the Southeast Branch Opening day collection in the amount of \$1,486,567.05 (\$1,005,517.53 + \$233,257.20 + \$247,792.32) inclusive of HST be funded from account #070-5350-13892-005 - SECC&L - Library Collection as detailed in the Financial Considerations; and,
 - 10) That the remaining balance in the amount of \$833,932.95 be returned to original funding source from the Opening Day Library Collections – South East, Account #070-5350-13892-005 - SECC&L - Library Collection; and,
 - 11) That the Director of Administration for the Markham Public Library, have the authority to re-allocate contract amounts to the Library collection accounts (listed in financial considerations section) within the budget limit of each account to adapt to publishing trends, change in material formats and community needs; and,
 - 12) That Staff be authorized to amend the purchase order amounts in years 2015 – 2018 to reflect potential changes to the Markham Public Library operating budget accounts as approved by Council during the annual budgeting process; and further,
 - 13) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**20. NEW BUILDING CANADA PLAN -
INFRASTRUCTURE FUND APPLICATION (5.0)**

[Report](#) [Attachments](#)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the report “New Building Canada Plan - Infrastructure Fund Application” be received; and,
- 2) That staff be authorized to apply for infrastructure funding for Markham’s flood control program to the Ministry of Infrastructure as soon as applications are formally accepted; and,
- 3) That a copy of this staff report and Council’s approval, be forwarded to the Ministry of Infrastructure, signaling that Markham’s Flood Control Program is a priority and that Markham intends to apply for funding for it under the New Building Canada Plan – Infrastructure Fund; and,
- 4) That staff report back on how to allocate the funds if a favourable response is received from the Ministry of Infrastructure; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**21. BACKFLOW PREVENTION
PROGRAM STATUS UPDATE (5.0)**

[Report](#)

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

- 1) That the report entitled “Backflow Prevention Program Status Update” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

22. BRAMPTON HOUSING COMPLEX DEADLY FIRE (5.0)

Councillor Don Hamilton advised the Committee of the recent fire in a Brampton housing complex. He enquired about the City of Markham's building code. Staff noted that under today's building code town-homes are required to have fire separation every so many units to avoid this very thing from occurring. It was also noted that this is an existing building that falls under previous legislation that dates back several decades.

23. IN-CAMERA MATTERS

Moved by Councillor Colin Campbell
Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the Municipal Act, General Committee resolve into an in-camera session to discuss the following confidential matters (1:50 PM):

- (1) GENERAL COMMITTEE IN-CAMERA MINUTES - MAY 5, 2014 (16.0)
[Section 239 (2) (b) (b) (d) (b) (c) (c) (f), (a) (c) (f), (b) (a)]
- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS AND RESIGNATIONS) (16.24)
[Section 239 (2) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (WARD 4) (7.0 & 16.11)
[Section 239 (2) (c)]
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES AND ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE (MEMBER OF A BOARD/COMMITTEE) (3.0)
[Section 239 (2) (b) (f)]

Carried

Moved by Councillor Alan Ho
Seconded by Councillor Valerie Burke

That the General Committee rise from the in-camera session 3:07 PM.

Carried

Adjournment

Moved by Councillor Alex Chiu
Seconded by Councillor Colin Campbell

That the General Committee meeting adjourn at 3:08 PM.

Carried