



MINUTES
GENERAL COMMITTEE
June 11, 2012
Meeting No. 16

Finance & Administrative Issues

Chair: Mayor Frank Scarpitti
Vice Chair: Councillor Carolina Moretti

Community Services Issues

Chair: Councillor Alex Chiu
Vice Chair: Councillor Howard Shore

Environment & Sustainability Issues

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

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
Catherine Conrad, Town Solicitor
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community & Fire Services
Trinela Cane, Commissioner of Corporate Services
Kimberley Kitteringham, Town Clerk
Peter Loukes, Director, Environmental Services
Joel Lustig, Treasurer
Bill Snowball, Fire Chief
Mark Visser, Senior Manager Financial Strategy & Investment
Mary Creighton, Director Recreation
Christopher Alexander, Supervisor, Licensing & Animal Services
Stephen Huycke, Public Service & Records Coordinator
Paul Wealleans, Director, Revenues
Martha Pettit, Deputy Clerk
Alida Tari, Council/Committee Coordinator

The General Committee convened at the hour of 9:07 a.m. with Councillor Carolina Moretti in the Chair. Mayor Frank Scarpitti assumed the Chair at 9:20 a.m. Councillor Alex Chiu Chaired Community Services related items and Councillor Valerie Burke Chaired Environment and Sustainability.

The General Committee meeting recessed at 12:00 p.m. and reconvened at 12:14 p.m.

DISCLOSURE OF INTEREST

Councillor Carolina Moretti disclosed an interest with respect to Item #14, as she is the owner of 82 Peter Street and did not take part in the discussion of or vote on the question of the approval of such matter.

Mayor Frank Scarpitti disclosed an interest with respect to Item #19, as he has a member of family who lives in the pilot community area, and did not take part in the discussion of or vote on the question of the approval of such matter.

1. FILLING OF COUNCILLOR VACANCIES (9.0)

[Presentation](#)

Kimberley Kitteringham, Town Clerk delivered a PowerPoint presentation regarding Filling of Councillor Vacancies.

The Committee discussed the following:

- Whether a policy is necessary
- Rules and exceptions legislated by the Municipal Elections Act
- By-elections to fill Council vacancies is an openness and transparent process
- Whether a separate by-election fund should be created
- Investigate whether the Association of Municipalities of Ontario (AMO) would set up a fund that the various municipalities contribute to and draw from when required
- Ensure the policy is very clear on the cut-off date to permit a by-election
- Should the policy has a different cut-off dates for a by-election for Ward Council Vacancy versus filling a Regional Council vacancy and Mayor vacancy

The Committee inquired whether a current Member of Council would have to resign if he/she decides to run at the Federal or Provincial level. Staff confirmed that they will investigate this and respond to Members of Council by e-mail.

Moved by Regional Councillor Gord Landon
Seconded by Councillor Colin Campbell

- 1) That the presentation by Ms. Kimberley Kitteringham, Town Clerk, entitled “Filling of Councillor Vacancies” be received; and,
- 2) **That staff be directed to prepare a report outlining a proposed policy that would permit a by-election to fill a Council vacancy that occurs within the first three years of term and that appointment be used for any other vacancies occurring during the last year of term.**

CARRIED

2. DEVELOPMENT CHARGE UPDATE (7.11)

[Presentation](#)

Mark Visser, Senior Manager Financial Strategy & Investment delivered a PowerPoint presentation providing an update regarding Development Charges.

It was suggested that the Chair and Vice-Chair of the Development Services Committee be appointed to the Development Charge Subcommittee.

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alex Chiu

- 1) That the presentation by Mark Visser, Senior Manager Financial Strategy & Investment, entitled “Development Charge Update ” be received; and,
- 2) **That a Council Development Charge Subcommittee be endorsed; and further,**
- 3) **That the Chair and Vice Chair of the Finance and Administrative Issues; Chair and Vice-Chair of the Development Services Committee, and the Chair and Vice Chair of the Budget Subcommittee be appointed to the Council Development Charge Subcommittee.**

CARRIED

**3. MINUTES OF THE MAY 23, 2012
GENERAL COMMITTEE (16.0)**

[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the Minutes of the May 23, 2012 General Committee be confirmed.

CARRIED

**4. MINUTES OF THE FEBRUARY 14, MARCH 13, 2012
SENIORS ADVISORY COMMITTEE (16.0)**

[February](#) [March](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the Minutes of the February 14, March 13, 2012 Seniors Advisory Committee be received for information purposes.

CARRIED

**5. MINUTES OF THE APRIL 23, 2012
PUBLIC LIBRARY BOARD (16.0)**

[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the April 23, 2012 Public Library Board be received for information purposes.

CARRIED

**6. MINUTES OF THE MAY 29, 2012
PUBLIC INFORMATION MEETING
PROPOSED CHANGE TO CITY STATUS (16.0)**

[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the May 29, 2012 Public Information Meeting Proposed Change To City Status be received for information purposes.

CARRIED

**7. MINUTES OF THE MAY 2, 2012
THE FRIENDS OF THE MARKHAM MUSEUM
FOUNDATION BOARD (16.0)**

[Minutes](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the Minutes of the May 2, 2012 The Friends of the Markham Museum Foundation Board be received for information purposes.

CARRIED

**8. DEVELOPMENT CHARGE REIMBURSEMENT
BOX GROVE DEVELOPERS GROUP INC. (7.11)**

[Report](#) [Attachment A](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the report entitled “Development Charge Reimbursement – Box Grove Developers Group Inc.” be received; and,
- 2) That Council authorize Town Wide Hard Development Charge reimbursement for the lesser of \$573,813 (the amount included in the 2008 Development Charge Background

Study) and the actual cost of the infrastructure (currently estimated at \$555,043) to Box Grove Developers Group Inc., for the construction of sidewalks and illumination on the Box Grove Collector Road (future Don Cousens Parkway); and,

- 3) That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement in conjunction with the Box Grove Collector Road & 14th Avenue Realignment Construction and Reimbursement Agreement dated March 2, 2012 with Box Grove Developers Group Inc.; and,
- 4) That the Development Charge Reimbursement Agreement be prepared in accordance with the Town's Development Charge Credit and Reimbursement Policy, with Box Grove Developers Group Inc. or their successors, to the satisfaction of the Treasurer and Town Solicitor; and further,
- 5) That staff be directed to do all things necessary to give effect to this report.

CARRIED

9. PAYMENT ACCEPTANCE POLICY (7.0)

[Report](#) [Attachment](#)

There was brief discussion regarding the proposed service charge fees and it was confirmed that donations received by payment through credit cards will not be charged a service fee.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the report entitled "Payment Acceptance Policy" be received; and,
- 2) That Council approve the Payment Acceptance Policy; and,
- 3) That existing "Credit Card Acceptance Policy" be replaced by the attached "Payment Acceptance Policy"; and,
- 4) That the maximum credit card transaction limit be increased to \$5,000; and,
- 5) That during the next CPI fee increase all user fees within the current Markham Fee Bylaw (2002-276) be increased by 0.5% in addition to the CPI increase; and,
- 6) That the projected merchant fee cost be incorporated into the 2013 Planning Applications Fee Bylaw (211-83) and the **Building Permit Fees** Bylaw (2011-62) updates; and,
- 7) That all future Markham fees incorporate the cost of Credit & Debit Card Merchant fees; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**10. POSTPONEMENT OF MARKHAM'S DEBT
FROM POWERSTREAM AND MARKHAM
DISTRICT ENERGY INC. – DELEGATED AUTHORITY (8.0)**
[Report](#)

There was discussion regarding postponement, subordination and backstop.

The Committee suggested that future postponements be presented at a Markham Enterprise Corporation (MEC) meeting and that MEC provide a recommendation to be considered by Markham Council.

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Howard Shore

- 1) That the report entitled "Postponement of Markham's Debt from PowerStream and Markham District Energy Inc. – Delegated Authority" dated June 6, 2012 be received; and,
- 2) That the Mayor and Clerk be authorized and directed to execute postponements of Markham's Promissory Note or other debt from PowerStream, and any other documents required, to facilitate PowerStream refinancing initiatives from time to time, subject to approval of the Chief Administrative Officer; and,
- 3) That the Mayor and Clerk be authorized and directed to execute postponements of Markham District Energy debt to Markham, and any other documents required, to facilitate Markham District Energy Inc. financing or re-financing initiatives from time to time; and,
- 4) **That a brief presentation be provided at the June 25, 2012 MEC regarding this proposal; and,**
- 5) **That PowerStream update Markham Enterprises Corporation's Board of Directors quarterly on its debt and any upcoming financing initiatives requiring action or approval by the Town of Markham or Markham Enterprises Corporation; and further,**
- 6) That staff be directed to do all things necessary to give effect to the recommendations of this report.

CARRIED

**11. PROHIBITING THE KEEPING OF AFRICAN
DWARF FROGS IN MARKHAM (2.8)**
[Report](#) [Attachment A](#)

There was brief discussion regarding the other species that are also prohibited in the proposed by-law.

Councillor Valerie Burke thanked Kimberley Kitteringham, Bill Wiles and Christopher Alexander for all their work in bringing this by-law forward.

The Committee suggested that a presentation be made to the Animal Care Committee regarding this by-law.

Moved by Councillor Valerie Burke
Seconded by Councillor Alex Chiu

- 1) That the report titled 'Prohibiting the Keeping of African Dwarf Frogs in Markham' be received; and,
- 2) That Attachment 'A'- the 'Proposed Amendment to the Animal Control By-law to Prohibit the Keeping of African Dwarf Frog By-law' be enacted; and,
- 3) **That this report be forwarded to the Association of Municipalities of Ontario (AMO); and further,**
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**12. 091-S-12 WARD BOUNDARY REVIEW
PROCESS (9.2)**
[Report](#) [Attachment A](#)

Stephen Huycke, Public Service & Records Coordinator delivered a PowerPoint presentation regarding the Ward Boundary Review Process.

There was brief discussion regarding whether the Ward Boundary review should be done through internal staff resources or by Dr. Robert Williams.

The Committee briefly discussed whether the option to increase the number of Wards should be removed. Staff advised that the proposed parameters should remain to ensure that a fulsome review is achieved.

It was suggested that the consultant consider the possibility of each Regional Councillor representing a specific community within the Town of Markham (Village of Markham, Unionville, Milliken Mills and Thornhill). Staff advised that issues pertaining to Regional Councillors is outside the scope of this review of local Ward boundaries.

The Committee requested that staff circulate a copy of the options considered in the 2005 Ward Boundary review.

Moved by Councillor Carolina Moretti
Seconded by Deputy Mayor Jack Heath

- 1) That the report entitled “091-S-12 Ward Boundary Review Process” be received; and,
- 2) That the “2012 Markham Ward Boundary Review – Terms of Reference” be approved; and,
- 3) That the tendering process be waived in accordance with Purchasing By-Law 2004-341 Part II, Section 7, Item 1(h), Non Competitive Procurement, and staff be authorized to award a contract to Dr. Robert Williams for consulting services for the 2012 Ward Boundary Review Process in the amount of \$31,816.69 (including disbursements and HST); and,
- 4) That the Ward Boundary Review in the amount of \$31,816.69 be funded from account #310-101-5699-12089 “Establishment of New Ward Boundaries”; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**13. CONSOLIDATION OF THE BY-LAW LICENSING,
PERMIT AND SERVICES FEES (2.0)**

[Report](#) [Attachment A](#) [Attachment B](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

- 1) That the report titled “Consolidation of the By-law Licensing, Permit and Service Fees” be received for information purposes; and
- 2) That Attachment ‘A’ - Consolidated Licensing, Permit and Service Fee By-law be enacted to provide for the consolidation of the licensing, permit and service fees collected by the By-law Enforcement and Licensing Section of Legislative Services; and
- 3) That By-law 2002-276 be amended by deleting the Corporate Services – By-law and Enforcement License Fee Table; and
- 4) That By-law 2002-284 be repealed; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**14. JUNE 2012 - CANCELLATION, REDUCTION
OR REFUND OF TAXES UNDER SECTIONS
357 AND 358 OF THE MUNICIPAL ACT, 2001(7.3)**

[Report](#)

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

- 1) That taxes totalling approximately \$446,528.88 be adjusted under Section 357 (in the amount of \$346,965.34) and Section 358 (in the amount of \$99,563.54) of the *Municipal Act, 2001* of which the Town's portion is estimated to be \$79,154.46; and,
- 2) That the associated interest be cancelled in proportion to the tax adjustments; and,
- 3) That the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**15. THE ONTARIO MINISTRY OF ENVIRONMENT
–MARKHAM DISTRIBUTION SYSTEM – DRINKING
WATER SYSTEM INSPECTION REPORT (5.3)**

[Report](#) [Attachment A](#)

There was brief discussion regarding whether the drinking fountains in parks will be functional again. Staff advised that they are currently reviewing some different approaches such as water refill stations.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the report entitled “ The Ontario Ministry of Environment – Markham Distribution System – Drinking Water system Inspection Report” be received; and,
- 2) That the Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**16. MARKHAM FIRE & EMERGENCY
SERVICES 2011 ANNUAL SERVICE REPORT (7.15)**

[Report](#)

The Committee inquired what the brochure is used for. Staff advised that it is used as a marketing tool.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

- 1) That the 2011 Annual Service Report from the Markham Fire and Emergency Services (MFES) be received.

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

CARRIED

17. INTEGRATED LEISURE MASTER PLAN – STATUS REPORT (6.0)

[Report](#)

Ms. Brenda Librecz, Commissioner of Community & Fire Services summarized the details outlined in the report.

There was discussion regarding the Consultation process with both community members and sports groups. Staff confirmed that all Members of Council will be invited to the Open House regarding the 100 acre park.

Moved by Mayor Frank Scarpitti
Seconded by Deputy Mayor Jack Heath

- 1) That the report entitled “Integrated Leisure Master Plan – Status Report” be received as information.

CARRIED

18. NAMING OF THE NEW COMMUNITY CENTRE & LIBRARY IN EAST MARKHAM (6.6)

[Report](#)

Moved by Councillor Colin Campbell
Seconded by Mayor Frank Scarpitti

- 1) That the report “Naming of the new Community Centre and Library in East Markham” be received; and,
- 2) That Council approve “Cornell Community Centre and Library” as the name for the new centre in east Markham; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

19. ENBRIDGE COMMUNITY RETROFIT PILOT (5.7)

[Report](#)

Staff provided the Committee with a verbal presentation summarizing the details outlined in the report.

It was suggested that the following Members of Council be champions of this pilot: Regional Councillor Gord Landon, Councillor Don Hamilton and Councillor Colin Campbell.

Moved by Councillor Don Hamilton

Seconded by Councillor Colin Campbell

- 1) That Markham partner with Enbridge Gas Distribution and others to develop and implement a natural gas conservation pilot community retrofit in postal area L3P; and,
- 2) That up to \$25,000 of funding from account 230-10153999345 Green Print Community Sustainability Plan be allocated for marketing and promotion of this pilot to the Community; and,
- 3) That, funding be contingent on Greenprint messaging and Markham branding appearing in all program marketing materials to the satisfaction of the Sustainability Office and Communications and Community Relations; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

NEW BUSINESS

There was no new business.

20. IN-CAMERA MATTERS

Moved by Councillor Alan Ho

Seconded by Councillor Don Hamilton

That, in accordance with Section 239 (2) (e) of the *Municipal Act*, General Committee resolve into an in-camera session to discuss the following confidential matters (12:40 p.m.):

- 1) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and,
- 2) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

Moved by Regional Councillor Jim Jones
Seconded by Councillor Howard Shore

That the General Committee rise from the in-camera session (1:10 p.m.)

CARRIED

ADJOURNMENT

That the General Committee meeting adjourn at 1:12 p.m.