

General Committee Meeting Minutes

Meeting Number: 3
March 19, 2024, 9:30 AM - 1:00 PM
Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Michael Chan Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Keith Irish Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Regrets	Regional Councillor Jim Jones	
Staff	Andy Taylor, Chief Administrative Officer Trinela Cane, Commissioner, Corporate Services Morgan Jones, Commissioner, Community Services Arvin Prasad, Commissioner, Development Services Claudia Storto, City Solicitor and Director of Human Resources Bryan Frois, Senior Manager, Executive Operations & Strategic Initiatives Joseph Silva, Treasurer	Darryl Lyons, Acting Director, Planning & Urban Design Alex Moore, Manager of Purchasing & Accounts Payable Hristina Giantsopoulos, Election/Council & Committee Coordinator Tharsikaa Irajewaran, Assistant to Council/Committee Jason Yang, Information Technology Services Daniel Brutto, Senior Planner Philip English, Planner II, Planning and Urban Design

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat,

Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

General Committee convened at 9:33 AM with Councillor Keith Irish presiding as Chair for all items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. APPROVAL OF PREVIOUS MINUTES

3.1 MINUTES OF THE FEBRUARY 27, 2024 GENERAL COMMITTEE (16.0)

Moved by Regional Councillor Joe Li

Seconded by Deputy Mayor Michael Chan

1. That the minutes of the February 27, 2024 General Committee meeting be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS

7.1 MINUTES OF THE DECEMBER 4, 2023 RACE RELATIONS COMMITTEE MEETING (16.0)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the minutes of the December 4, 2023 Race Relations Committee meeting be received for information purposes.

Carried

7.2 294-T-23 BLOCK TREE PRUNING PROGRAM (YEAR 5 OF 8) (2.21)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the report entitled “294-T-23 Block Tree Pruning Program (Year 5 of 8)” be received; and,
2. That the contracts for Tender 294-T-23 Block Tree Pruning Program (Year 5 of 8) be awarded to the lowest priced bidders as follows:
 - a. Tree Doctors Inc. (three grid areas) in the amount of \$46,300.80, inclusive of HST; and
 - b. Davey Tree Expert Co. of Canada, Limited (two grid areas) in the amount of \$343,412.04, inclusive of HST; for a total amount of \$389,712.84 (\$46,300.80 + \$343,412.04), inclusive of HST; and,
3. That the estimated costs of \$389,712.84 be funded from account 700-101-5399-23463 (Block Pruning Initiative – Year 5 of 8) with budget available of \$229,000.00; and,
4. That the budget shortfall in the amount of \$160,712.84 (\$229,000.00 - \$389,712.84) be funded from the Life Cycle Replacement and Capital Reserve Fund; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.3 2023 SUMMARY OF REMUNERATION AND EXPENSES FOR COUNCILLORS AND APPOINTEES TO BOARDS (7.0)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the report entitled “2023 Summary of Remuneration and Expenses for Councillors and Appointees to Boards” be received; and further,
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7.4 2023 YEAR-END RESULTS OF OPERATIONS (7.0)

Moved by Councillor Isa Lee

Seconded by Councillor Andrew Keyes

1. That the report titled “2023 Year-End Results of Operations” be received; and,
2. That the City’s 2023 operations net favourable variance of \$4.86M be transferred to the Life Cycle Capital Replacement and Capital Reserve Fund, as per the approved Financial Planning and Budgeting Policy; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. CONSENT REPORTS - COMMUNITY SERVICES MATTERS

8.1 ANNUAL WATER QUALITY REPORT (JANUARY – DECEMBER 2023) (5.3)

Moved by Councillor Ritch Lau

Seconded by Regional Councillor Alan Ho

1. That the report titled “Annual Water Quality Report (January-December 2023)” as required by Schedule 22 of Ontario Regulation 170/03, under the Safe Drinking Water Act, 2002, enclosed herein be received; and,
2. That the Annual 2023 Regulatory Water Quality Report (Attachment “A”), containing information for the Ministry of the Environment, Conservation and Parks (MECP) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, under the *Safe Drinking Water Act, 2002*, be received; and,
3. That Council acknowledge that staff posted the Annual 2023 Detailed Regulatory Water Quality Report on the City’s website and that it has been made available electronically and in hard copy version by February 28, 2024 as per regulations; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. REGULAR REPORTS - COMMUNITY SERVICES MATTERS

9.1 CITY OF MARKHAM COMMENTS ON THE PROPOSED GET IT DONE ACT, 2024 (BILL 162) (10.0)

Philip English, Planner II, Planning and Urban Design, addressed the Committee and made a brief presentation that outlined staff comments on the, Get it Done Act, 2024, (Bill 162), that was introduced on February 20, 2024, which proposed to amend eight statutes, including the Official Plan Amendments Act, 2023, (Bill 150). He advised that the requests in the letter from the Mayor that was sent to Minister Calandra in December 2023, in response to Bill 150, were not addressed and that the current consultation period on Bill 162, closes on March 21, 2024. Staff are requesting direction to proceed with sending another letter to Minister Calandra to request that Bill 162, be amended to reflect the original requests made in December 2023.

Staff noted that in order to meet the March 21, 2024, consultation deadline this item appeared at General Committee instead of Development Services Committee, as the next Council Meeting is scheduled for March 20, 2024, to ratify this recommendation.

The Committee discussed the proposed changes to Bill 150, their potential impact to the City and inquired about changes to the Election Act.

Councillor Reid McAlpine requested an amendment to the Main Motion to vote on the two items in point 2 of the recommendation separately, which he withdrew upon return from Confidential Session.

The Committee resolved into Confidential Session to receive legal advice on this matter in case of future litigation. Please see item 14.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Andrew Keyes

1. That the report entitled "City of Markham Comments on the Proposed Get It Done Act, 2024 (Bill 162)" dated March 19, 2024, be received; and,
2. That this report be forwarded to the Minister of Municipal Affairs and Housing as the City of Markham's comments on Bill 162; and note specifically,
 - That the City of Markham supports Modification 22 the proposed removal of the Future Urban Area Overlay; and,

- That the City of Markham requests the Province to amend Bill 162 to address other comments raised in the letter from the City dated December 5, 2023; and,
- 3. That this report be forwarded to York Region as the City of Markham's comments on Bill 162; and further,
- 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

10. MOTIONS

There were no motions.

11. NOTICES OF MOTION

11.1 BLUE BOX END OF LIFE MANAGEMENT

Councillor Karen Rea, introduced a Notice of Motion in relation to blue box end of life management that will appear on the next General Committee Meeting Agenda scheduled for April 16, 2024.

Moved by Councillor Karen Rea
Seconded by Mayor Frank Scarpitti

WHEREAS under Ontario Regulation 391/2, Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only; and,

WHEREAS 'ineligible' sources, which producers are not responsible for, include business improvement areas, places of worship, daycares, camp grounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks; and,

WHEREAS should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs.

Therefore, be it resolved:

1. That the Council of the City of Markham hereby request that the province amend Ontario Regulation 391/21, Blue Box so that producers are responsible for the end-of-life management of recycling products from all sources as stated above; and,

2. That Council hereby request the support of all Ontario Municipalities; and,
3. That this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks, Leader of the opposition, Leaders of the Liberal and Green Parties and all City of Markham MPP's; and further,
4. That a copy of this Motion to be sent to the Association of Municipalities of Ontario (AMO).

12. NEW/OTHER BUSINESS

There was no new or other business.

13. ANNOUNCEMENTS

There were no announcements.

14. CONFIDENTIAL ITEMS

The Committee resolved into Confidential Session at 10:02 AM to receive legal advice regarding Bill 150, Bill 162 and Provincial Modification 14 in relation to 10506 and 10508 Warden Avenue.

The Committee reconvened into Open Session at 10:20 AM.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

That, in accordance with Section 239 (2) of the Municipal Act, Council resolve into a private session to discuss the following confidential matters:

Carried

14.1 DEVELOPMENT AND POLICY MATTERS

14.1.1 REQUEST FOR LEGAL ADVICE, BILL 150, BILL 162 AND PROVINCIAL MODIFICATION 14 - REGARDING 10506 AND 10508 WARDEN AVENUE

**(LITIGATION OR POTENTIAL LITIGATION, INCLUDING
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS,
AFFECTING THE MUNICIPALITY OR LOCAL BOARD.)
[MUNICIPAL ACT, 2001, Section 239 (2)(e)]**

**(ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT
PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY
FOR THAT PURPOSE.) [MUNICIPAL ACT, 2001, Section 239 (2)(f)]**

15. ADJOURNMENT

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Michael Chan

That General Committee adjourn at 10:25 AM.

Carried