



Council Meeting

Minutes

C#15-19

Tuesday, April 9, 2019, 1:00 p.m.

Council Chambers

225 East Beaver Creek Road

Richmond Hill, Ontario

Council Members Present: Mayor Barrow
Regional and Local Councillor DiPaola
Regional and Local Councillor Perrelli
Councillor Beros
Councillor Muench
Councillor Liu
Councillor West
Councillor Cilevitz

Regrets: Councillor Chan

Staff Members Present:

N. Garbe, Chief Administrative Officer
I. Brutto, Commissioner of Environment and Infrastructure Services
M. Dempster, Commissioner of Corporate and Financial Services
I. Simanovskis, Commissioner of Community Services
K. Kwan, Commissioner of Planning and Regulatory Services
A. Dimilta, Town Solicitor
M. Makrigiorgos, Regional and Local Councillor Chief of Staff
D. Joslin, Director, Recreation and Culture
P. Masaro, Director, Design and Construction Services
C. Moore, Manager, Communication Services
C. Morgan, Manager, Event Services
J. Wychreschuk, Manager, Water Resources
A. Caldana, Events Coordinator
K. Delidjakova, Water Resources Coordinator
D. DiRuscio, Events Coordinator
A. Munafo, Natural Environment Coordinator

K. Sampson, Community Development Coordinator
W. Withers, Water Resources Coordinator
M. Zikovitz, Arts Supervisor
D. Severino, Events Assistant
J. Hambleton, Administrative Assistant To Members Of Council
S. Margolin, Administrative Assistant To Members Of Council
R. Pham-Nguyen, Administrative Assistant to Members of Council
J. Hypolite, IT Service Desk Technical Analyst
M. Bourdeau, Natural Environment Analyst
K. Lyn, Natural Environment Analyst
A. Jose, Natural Resources Intern
E. Trendos, Natural Resources Intern
L. Chan, Communications Advisor
L. Hood, Communications Advisor
S. Huycke, Town Clerk
L. Sampogna, Council/Committee Coordinator

1. Call to Order/National Anthem

The Mayor called the meeting to order at 1:00 p.m.

2. Public Forum (not to exceed 15 minutes)

The following member of the public addressed Council during the Public Forum:

Alon Szpindel, on behalf of the Jewish Youth Network, 9135 Bathurst Street, expressed appreciation and gratitude to Members of Council and staff for their ongoing support and approval of the development charges deferral request for a new community facility. Mr. Szpindel presented the local councillor, Councillor Cilevitz, with a plaque acknowledging her dedicated efforts throughout the process.

3. Council Announcements

Councillor Beros announced the 778 Banshee Squadron, Royal Canadian Air Cadets, celebrated its 50th anniversary with a Gala Dinner held on April 6th. He advised the gala was very well attended, and highlighted the evening events including the guest speaker Brigadier-General Moritsugu, his cadet career and the message conveyed to the cadets.

4. Introduction of Emergency/Time Sensitive Matters

There were no emergency/time sensitive matters raised by Members of Council.

5. Adoption of Agenda

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor Liu

That the agenda be adopted as distributed by the Clerk.

Carried

6. Disclosures of Pecuniary Interest and General Nature Thereof

Mayor Barrow declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Closed Session Agenda Item 17.1 a) related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to potential litigation and litigation affecting the municipality in respect to a Member Motion regarding the Town of Richmond Hill ats. C. Perrelli - (CW Item 12.1), as he was named in the matter. Mayor Barrow left Council Chambers and did not participate in the discussion or voting on this item.

Councillor Cilevitz declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Agenda Item 13.1 regarding the Minutes of the Committee of the Whole meeting CW#05-19 held on April 2, 2019, specifically with Item 13.1.1 SRCFS.19.010 regarding the Extension of contract for the provision of Integrity Commissioner services, as she was in litigation with the named party. Councillor Cilevitz left her seat and did not participate in the discussion or voting on this item.

Councillor Cilevitz declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Closed Session Agenda Item 17.1 a) related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to potential litigation and litigation affecting the municipality in respect to a Member Motion regarding the Town of Richmond Hill ats. C. Perrelli - (CW Item 12.1), as she was named in the matter. Councillor Cilevitz left Council Chambers and did not participate in the discussion or voting on this item.

Councillor West declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Closed Session Agenda Item 17.1 a) related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to potential litigation and litigation affecting the municipality in respect to a Member Motion regarding the Town of

Richmond Hill ats. C. Perrelli - (CW Item 12.1), as he was named in the matter. Councillor West left Council Chambers and did not participate in the discussion or voting on this item.

Regional and Local Councillor Perrelli declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Closed Session Agenda Item 17.1 a) related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to potential litigation and litigation affecting the municipality in respect to a Member Motion regarding the Town of Richmond Hill ats. C. Perrelli - (CW Item 12.1), as he received legal advice. Regional and Local Councillor Perrelli left Council Chambers and did not participate in the discussion or voting on this item.

Councillor Liu declared a pecuniary interest under the *Municipal Conflict of Interest Act* on Closed Session Agenda Item 17.1 a) related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to potential litigation and litigation affecting the municipality in respect to a Member Motion regarding the Town of Richmond Hill ats. C. Perrelli - (CW Item 12.1), as he was named in the matter. Councillor Liu left Council Chambers and did not participate in the discussion or voting on this item.

7. Adoption of Previous Council Minutes

7.1 Special Council Meeting C#11-19 held March 20, 2019

Moved by: Councillor West
Seconded by: Councillor Liu

That the minutes of Special Council Meeting C#11-19 held on March 20, 2019, be adopted.

Carried

7.2 Council Public Meeting C#12-19 held March 20, 2019

Moved by: Regional and Local Councillor Perrelli
Seconded by: Councillor Cilevitz

That the minutes of Council Public Meeting C#12-19 held on March 20, 2019, be adopted.

Carried

7.3 Council Meeting C#13-19 held March 25, 2019

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the minutes of Council Meeting C#13-19 held on March 25, 2019, be adopted.

Carried Unanimously

8. Identification of Items Requiring Separate Discussion

Council consented to separate Items 13.1.1, 14.1 and 16.5 for separate discussion.

9. Adoption of Remainder of Agenda Items

On a motion of Councillor Muench, seconded by Regional and Local Councillor DiPaola, Council adopted those items not identified for separate discussion, as well as By-laws 33-19, 38-19, 52-19 and 55-19.

10. Public Hearings

There were no public hearings.

11. Presentations

11.1 Presentation by Christine Morgan, Manager, Event Services, to Mayor Barrow and Members of Council of the Municipality of the Year Award and Top 100 Festivals and Events Award - Canada Day awarded by Festivals and Events Ontario

Christine Morgan, Manager, Events Services, made a presentation to Mayor Barrow and Members of Council of the 2018 Top 100 Festivals and Events in Ontario designation awarded by Festivals and Events Ontario (FEO) for two of Richmond Hill's events: Municipality of the Year, and Canada Day Celebrations. She provided background information on the criteria used to select winning events, noted awards won by Richmond Hill in past years from FEO, and highlighted the events were enjoyed by residents which contributed to the vibrancy of the municipality. Ms. Morgan presented Mayor Barrow with the awards from Festivals and Events Ontario.

11.2 Presentation by Italo Brutto, Commissioner, Environment and Infrastructure Services, to Mayor Barrow and Members of Council regarding three environmental awards

Italo Brutto, Commissioner, Environment and Infrastructure Services, made a presentation to Mayor Barrow and Members of Council of the 2018 awards for a range of environmental activities which included: International Society of Arboriculture Gold Leaf Award, the Tree Canada Public Education Award for Richmond Hill's Community Stewardship Program, and the Ontario Public Works Association (OPWA) Project of the Year award in the Environment category for Richmond Hill's Elgin Mills Greenway project. Commissioner Brutto highlighted the significant impacts made in the community over a number of years and extended his appreciation to all staff for their contributions in making Richmond Hill a vibrant place, and to the organizations and partners for their ongoing commitment and involvement with the City for the success of the many projects. Commissioner Brutto presented Mayor Barrow with the three environmental awards.

12. Delegations

There were no delegations.

13. Committee and Staff Reports

13.1 Minutes - Committee of the Whole meeting CW#05-19 held April 2, 2019

That the minutes of the Committee of the Whole meeting CW#05-19 held April 2, 2019 be adopted as circulated and the following recommendations approved:

13.1.1 SRCFS.19.010 – Extension of contract for the provision of Integrity Commissioner services - (CW Item 11.2)

Moved by: Regional and Local Councillor DiPaola
Seconded by: Councillor West

a) That staff report SRCFS.19.010 regarding the extension of contract for the provision of integrity commissioner services be received;

b) That staff be authorized to extend the contract for the provision of integrity commissioner services, awarded to ADR Chambers Inc.

in June 2018, for up to four additional one-year year terms, subject to satisfactory provisions of the services as determined by the Town Clerk.

Carried

13.1.2 SRPRS.19.051 – Request to Terminate and Deregister a Site Plan Agreement – Bob Assadi and Maryam Parsa - 10 Long Hill Drive – File Number D06-19003 - (CW Item 11.3)

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor DiPaola

a) That staff report SRPRS.19.051 be received and that the request made by Ajmal Farid Ahmad to deregister the Site Plan Agreement made between The Corporation of The Town of Richmond Hill, Bob Assadi and Maryam Parsa for lands known as Part of Lot 9, Plan 5509 (Municipal Address: 10 Long Hill Drive), Town File D06-14102, be approved;

b) That the Mayor and Clerk be authorized to execute a Termination Agreement with Ajmal Farid Ahmad upon written recommendation of the Commissioner of Planning and Regulatory Services.

Carried

13.1.3 SRPRS.19.057 – Naming of Parks - (CW Item 11.4)

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor DiPaola

a) That the proposed names “Briggs Parkette” and “Rockwell Parkette” be approved in principle for the sites described in staff report SRPRS.19.057;

b) That the proposed names be advertised in *The Liberal* newspaper and on the Town’s website with a request for public comments in accordance with the Town’s *Policy for Naming and Renaming Town Parks, Open Space and Recreation Facilities*;

c) That staff report back to Council regarding public comments of the proposed names and with final recommendations for naming the sites.

Carried

13.1.4 SRPRS.19.064 – Request for Direction – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Earlglen Investments Inc. – 921 19th Avenue - File Numbers D02-03044 and D03-03010 – LPAT Case PL051273 - (CW Item 11.5)

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor DiPaola

a) That Staff Report SRPRS.19.064 be received for information purposes;

b) That the Local Planning Appeal Tribunal be advised as follows:

i. That Council supports the revised Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Earlglen Investments Inc. for lands known as Part of Lot 30, Concession 2, E.Y.S. (Municipal Address: 921 19th Avenue), Town Files D02-03044 and D03-03010, for the principle reasons outlined in Staff Report SRPRS.19.064, subject to the following:

a) That the subject lands be rezoned from Agricultural (A1) Zone under By-law 2325-68, as amended, and Urban (UR) Zone under By-law 128-04, as amended, to Residential Wide Shallow Two (RWS2) Zone, Multiple Residential Four (RM4) Zone, Park (P) Zone, Environmental Protection Two (EPA2) Zone and Open Space (O) Zone under By-law 55-15, as amended, with site specific provisions as set out in Appendix B;

b) That the Local Planning Appeal Tribunal be requested to withhold the issuance of its Final Order with respect to the applicant's Zoning By-law Amendment until such time as the Town advises the Tribunal that:

i. the draft amending Zoning By-law as set out in Appendix B hereto has been finalized to the satisfaction of the Commissioner of Planning and Regulatory Services; and,

ii. the applicant has paid the applicable processing fee in accordance with the Town's Tariff of Fees By-law;

c) That the draft Plan of Subdivision attached as Map 6 to Staff Report SRPRS.19.064 be draft approved, subject to the conditions

of draft approval as set out in Appendix C hereto and the payment of the applicable processing fee in accordance with the Town's Tariff of Fees By-law;

d) That the Local Planning Appeal Tribunal delegate authority to the Town to clear conditions of draft plan approval and to issue final subdivision approval for the proposed development;

c) That 425 persons equivalent of servicing allocation (142 Townhouse dwelling units) be assigned to the subject lands to facilitate the first phase of development and that the authority to assign additional servicing allocation to a future phase(s) of development on the subject lands be delegated to the Commissioner of Planning and Regulatory Services subject to the criteria in the Town's Interim Growth Management Strategy;

d) That the assigned servicing allocation be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11;

e) That the Commissioner of Planning and Regulatory Services be authorized to approve and execute any agreements or documentation as necessary to implement the revised development proposal described in Staff Report SRPRS.19.064; and,

f) That appropriate Town staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject applications.

Carried

13.1.5 SRPRS.19.072 - Building By-law - (CW Item 11.6) - (Proposed By-law 55-19)

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor DiPaola

a) That draft By-law 55-19 attached as Appendix A to staff report SRPRS.19.072 be enacted.

Carried

13.1.6 SRPRS.19.058 – Authorization to Execute an Amending Subdivision Agreement for Plan 65M-4631 - File Number D03-07008 et al. - (CW Item 11.7)

Moved by: Councillor Muench
Seconded by: Regional and Local Councillor DiPaola

a) That upon the written recommendation of the Commissioner of Planning and Regulatory Services, the Mayor and Clerk be authorized to execute an amending subdivision agreement with the registered land owners within plan 65M-4631 to replace the utility coordination plans.

Carried

14. Other Business

14.1 Mayor Barrow - Council Events

Moved by: Councillor West
Seconded by: Councillor Cilevitz

Whereas the City of Richmond Hill Festivals and Events Strategy includes definitions for Local Events, Community Events, Signature Events and Mega Events;

Whereas under the Policy, Mayor and Council Events including the Councillor Ward Events coordinated by the Community Liaison Staff of the Mayor and Council Office are categorized as Local Events or Community Events in the Strategy;

Therefore it is recommended that Council approve that all Mayor and Council Events, including Regional Council Events and Councillor Ward Events, be included in the Town Events category of the Policy for the purpose of collaboration with internal Departments for in-kind support and services.

Carried Unanimously

15. Emergency/Time Sensitive Matters

There were no emergency/time sensitive matters.

16. By-laws

Moved by: Councillor Muench
Seconded by: Regional and Local Councillor DiPaola

That the following By-laws be approved:

- 16.1 By-law 33-19 - A By-law to Adopt Amendment 13 of the Town of Richmond Hill Official Plan
- 16.2 By-law 38-19 - A By-law to Amend By-law 38-95, as amended
- 16.3 By-law 52-19 - A By-law to Remove Certain Lands from Part Lot Control
- 16.4 By-law 55-19 - Building By-law to update appointments to the Chief Building Official, Deputy Chief Official and Inspectors

Carried

- 16.5 By-law 56-19 - A By-law to change the name of The Corporation of the Town of Richmond Hill to The Corporation of the City of Richmond Hill

Moved by: Councillor Beros

Seconded by: Regional and Local Councillor Perrelli

That By-law 56-19, A By-law to change the name of the Corporation of the Town of Richmond Hill to The Corporation of the City of Richmond Hill, be passed.

A recorded vote was taken:

In favour: (7): Councillor Muench, Councillor Liu, Mayor Barrow, Regional and Local Councillor DiPaola, Regional and Local Councillor Perrelli, Councillor Beros, Councillor West

Opposed: (1): Councillor Cilevitz

Carried (7 to 1)

17. Closed Session

17.1 Resolution to Move Into closed Session and General Nature Thereof:

Moved by: Regional and Local Councillor Perrelli

Seconded by: Regional and Local Councillor DiPaola

That Council move into Closed Session:

a) To consider a matter related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Section 239(2)(f) of the *Municipal Act, 2001*, S.O. 2001, c. 25); and related to potential litigation and litigation affecting the municipality (Section 239(2)(e) of the *Municipal Act, 2001*, S.O. 2001, c. 25) in respect

to a Member Motion regarding the Town of Richmond Hill ats. C. Perrelli - (CW Item 12.1);

b) To consider a matter related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Section 239(2)(f) of the *Municipal Act, 2001*, S.O. 2001, c. 25); in respect to a Member Motion regarding the Richmond Hill Centre for the Performing Arts - (CW Item 12.2).

Carried

17.2 Resolution to Reconvene in Open Session

Council moved into closed session and then returned to open session (1:28 p.m. to 2:08 p.m.)

17.3 Adoption of Recommendations Arising from the Closed Session Meeting

b) Member Motion by Regional and Local Councillor Perrelli - Resolve into a closed session meeting regarding a contract with the Richmond Hill Centre for the Performing Arts

(Referred from the April 2, 2019 Committee of the Whole meeting)

Moved by: Regional and Local Councillor Perrelli
Seconded by: Councillor Beros

a) That Council resolves to end the exclusive rental of the Richmond Hill Centre for the Performing Arts of the lobby/plaza suite area at the discounted community group affiliation rate effective immediately.

Motion to Refer:

Moved by: Councillor Cilevitz
Seconded by: Councillor West

a) That consideration of the motion in respect to the rental of the lobby/plaza suite be referred to the May 7, 2019 Committee of the Whole meeting and staff be directed to provide a full report on the issues.

A recorded vote was taken:

In favour: (3): Councillor Cilevitz, Mayor Barrow, Councillor West

Opposed: (4): Regional and Local Councillor DiPaola, Regional and Local Councillor Perrelli, Councillor Muench, Councillor Beros

Absent: (1): Councillor Liu

Motion to Refer Failed to Carry (3 to 4)

Motion to Amend:

Moved by: Councillor Beros

Seconded by: Regional and Local Councillor Perrelli

That the motion be amended to read as follows:

a) That Council resolves to end the exclusive rental of the Richmond Hill Centre for the Performing Arts at the discounted community group affiliation rate effective immediately.

A recorded vote was taken:

In favour: (4): Regional and Local Councillor DiPaola, Councillor Muench, Councillor Beros, Regional and Local Councillor Perrelli

Opposed: (3): Councillor Cilevitz, Mayor Barrow, Councillor West

Absent: (1): Councillor Liu

Motion to Amend Carried (4 to 3)

Motion to Refer:

Moved by: Councillor Cilevitz

Seconded by: Councillor West

a) That consideration of the motion, as amended, in respect to the rental of the Richmond Hill Centre for the Performing Arts be referred to the May 7, 2019 Committee of the Whole meeting and staff be directed to provide a full report on the issues including consultation with stakeholders.

A recorded vote was taken:

In favour: (3): Councillor West, Mayor Barrow, Councillor Cilevitz

Opposed: (4): Regional and Local Councillor DiPaola, Councillor Beros, Regional and Local Councillor Perrelli, Councillor Muench

Absent: (1): Councillor Liu

Motion to Refer Failed to Carry (3 to 4)

Main Motion as Amended:

Moved by: Regional and Local Councillor Perrelli

Seconded by: Councillor Beros

a) That Council resolves to end the exclusive rental of the Richmond Hill Centre for the Performing Arts at the discounted community group affiliation rate effective immediately.

A recorded vote was taken:

In favour: (4): Councillor Beros, Councillor Muench, Regional and Local Councillor DiPaola, Regional and Local Councillor Perrelli

Opposed: (3): Councillor Cilevitz, Mayor Barrow, Councillor West

Absent: (1): Councillor Liu

Main Motion as Amended Carried (4 to 3)

18. By-law to Confirm the Proceedings of Council at this Meeting

18.1 By-law 62-19

Moved by: Regional and Local Councillor DiPaola

Seconded by: Councillor Cilevitz

That By-law 62-19, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

19. Adjournment

Moved by: Councillor Cilevitz

Seconded by: Regional and Local Councillor DiPaola

That the meeting be adjourned.

Carried

The meeting was adjourned at 2:39 p.m.

April 9, 2019

C#15-19

Dave Barrow, Mayor

Stephen M.A. Huycke, Town Clerk