



## **Council Meeting Agenda**

**C#01-18**

**Monday, January 29, 2018, 7:30 p.m.**

**Council Chambers**

**225 East Beaver Creek Road**

**Richmond Hill, Ontario**

*His Worship  
Mayor Dave Barrow*

### **Pages**

1. **Call to Order/Statement**
2. **Public Forum (not to exceed 15 minutes)**
3. **Council Announcements**
4. **Introduction of Emergency/Time Sensitive Matters**
5. **Adoption of Agenda**
6. **Disclosures of Pecuniary Interest and General Nature Thereof**
7. **Adoption of Previous Council Minutes**
  - 7.1 Council Public Meeting C#42-17 held December 6, 2017 13
  - 7.2 Council Meeting C#43-17 held December 11, 2017 17
8. **Identification of Items Requiring Separate Discussion**
9. **Adoption of Remainder of Agenda Items**
10. **Public Hearings**
11. **Presentations**
  - 11.1 Presentation by Neil Garbe, CAO and 2017 United Way Campaign Chair for the United Way of York Region, to Marc Keohane, United Way

Toronto and York Region, on behalf of the Town of Richmond Hill 2017  
United Way Campaign Committee

12. Delegations

13. Committee and Staff Reports

- 13.1 Minutes - Committee of the Whole meeting CW#01-18 held on January 22, 2018 35

The Committee of the Whole presents its Report for meeting CW#01-18 held on January 22, 2018 and respectfully recommends that the minutes be adopted as circulated and the following recommendations be approved:

- 13.1.1 Minutes - Youth Action Committee meetings held on November 22, 2017 and December 6, 2017 - (CW Item 11.1)

**That the minutes of the Youth Action Committee meetings held on November 22, 2017 and December 6, 2017, be adopted as circulated.**

- 13.1.2 SRCAO.18.01 – Review of Policies Under Section 270 of the Municipal Act, 2001 – Revised Delegation Policy - (CW Item 11.4)

**That staff report SRCAO.18.01 regarding the Review of Policies Under Section 270 of the *Municipal Act, 2001*, Revised Delegation Policy, be referred back to staff to provide additional information and a presentation at a future meeting.**

- 13.1.3 SRCFS.18.001 - Semi-Annual Report - Non Competitive Acquisitions - (CW Item 11.5)

**a) That staff report SRCFS.18.001, regarding semi-annual report for non-competitive acquisitions, be received for information purposes only.**

- 13.1.4 SRCFS.18.004 - Approval of Non-Competitive Acquisition for IT Professional Resources - (CW Item 11.6)

**a) That the contract for the provision of professional resources for the implementation of specific IT projects to be carried out in 2018, be awarded non-competitively to TEEMA Solutions Group for a cost not exceeding \$500,000 (exclusive of taxes)**

to provide Town of Richmond Hill external resources (Project Manager, Change Manager, Business Analyst, Quality Assurance) to work on the 2018 approved projects, pursuant to Procurement Policy By-Law 113-16, Appendix "B", item (g) as the purchase is exceptionally advantageous to the Town;

b) That the Mayor and the Clerk be authorized to execute any and all necessary documentation to effect the contract upon the recommendation of the Commissioner of Corporate and Financial Services.

13.1.5 SRCS.18.02 - 2018 Community and Cultural Grant Program - (CW Item 11.7)

a) That the Community and Cultural Grant applications listed in Appendix "A" to staff report SRCS.18.02, be received;

b) That Community and Cultural Grants totaling \$65,000 be provided to the following organizations and individual artists:

- Elgin West Seniors Association - \$2,000
- Home on the Hill Supportive Housing - \$3,500
- ImprovAbility! - \$2,100
- Richmond Hill Canoe Club - \$3,500
- Richmond Hill Lawn Bowling Club - \$1,400
- The Amici Circle of Friends - \$2,800
- York Region Senior Tamils' Centre - \$3,000
- Andrea End - \$1,400
- Bindu Shah - \$3,000
- Habon Jibril - \$1,000
- Josephine Vaccaro-Chang - \$600
- Lilita Tannis - \$2,500
- Oleg Samokhin - \$1,500
- Artucate Canada - \$3,000

- Association of Iranian Canadians For Nowruz Festivals - \$2,000
- Chorus York - \$4,000
- High Notes Avante Productions - \$3,500
- International Watercolour Society - \$4,000
- Opera York - \$4,500
- Richmond Hill Centennial Pipe Band - \$1,500
- Richmond Hill Concert Band - \$1,500
- Richmond Hill Group of Artists - \$1,500
- Richmond Hill Philharmonic Orchestra - \$3,000
- Shadowpath Theatre Productions - \$3,000
- Toronto Chinese Ai Yue Philharmonic Arts Center - \$2,500
- York Region Chamber Music - \$2,700

13.1.6 SRPRS.18.008 – Request for Approval – Zoning By-law Amendment – Joseph Simao and Vivian Chan Simao - 94 and 98 Bond Crescent – Town File D02-17010 - (CW Item 11.8)

a) That the Zoning By-law Amendment application submitted by Joseph Simao and Vivian Chan Simao for the lands known as Lots 1 and 2, Registered Plan 561 (Municipal addresses: 94 and 98 Bond Crescent), Town File D02-17010, be approved, subject to the following:

i) That the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Six (R6) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.008;

b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

13.1.7 SRPRS.18.011 - Request for Approval – Zoning By-law Amendment and Site Plan Amendment Applications – 1857481

Ontario Inc. - 386, 396 and 400 Highway 7 East – Town Files D02-17025 and D06-17064 - (CW Item 11.9)

- a) That the Zoning By-law Amendment application submitted by 1857481 Ontario Inc. to remove the Holding (H) provisions from the Zoning By-law affecting the lands known as Part of Lot 11, Concession 2, E.Y.S (Municipal Addresses: 386, 396 and 400 Highway 7 East), Town File D02-17025, be approved;
- b) That Council approve servicing allocation for 354 persons equivalent population (172 units) to the subject lands;
- c) That all comments concerning the related Site Plan Amendment application, Town File D06-17064, be referred back to staff.

13.1.8 SRPRS.18.012 - Request for Approval – Draft Plan of Condominium – Siteline (9211 Bayview) Inc. - 9211 Bayview Avenue – Town File D05-12007 (19CDM(R)-12007) - (CW Item 11.10)

a) That the proposed draft Plan of Condominium (Common Element) submitted by Siteline (9211 Bayview Ave) Inc. for lands known as Block 1, Registered Plan 65M-4501 (Municipal Address: 9211 Bayview Avenue), Town File D05-12007 (19CDM(R)-12007), be draft approved subject to the following conditions:

- i) That draft approval be subject to the conditions as set out in Appendix “A” to staff report SRPRS.18.012;
- ii) That prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the Town’s Tariff of Fees By-law 79-17;
- iii) That the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix “A” to staff report SRPRS.18.012.

13.1.9 SRPRS.18.020 – Request for Approval – Zoning By-law Amendment Application – Jebraeil Vossoughi – 36 Portage Avenue - Town File D02-16015 - (CW Item 11.11)

a) That the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493,

**Plan 133 (Municipal Address: 36 Portage Avenue), Town File D02-16015, be approved, subject to the following:**

**i) That the subject lands be rezoned from the provisions of By-law 986, as amended, to Semi-Detached One (RD1) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPRS.18.020;**

**ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

**13.1.10 SRPRS.18.024- Request for Approval – Zoning By-law Amendment Application – Carol Wilkinson - 23 Long Hill Drive – Town File D02-17023 - (CW Item 11.12)**

**a) That the Zoning By-law Amendment application submitted by Carol Wilkinson for lands known as Lot 17, Plan 5509, municipally known as 23 Long Hill Drive, Town File D02-17023, be approved, subject to the following;**

**i) That the subject lands be rezoned from Rural Residential (RR1) Zone under By-law 2325-68, as amended, to Single Detached Six (R6) Zone, under By-law 235-97, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.024; and,**

**ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.**

**13.1.11 SRPRS.18.023 - Request for Approval – Private Street Naming Application – Stateview Homes (Rialto Towns) Inc. - 168 and 176 Elgin Mills Road West – Town File D15-17054 - (CW Item 11.13)**

**a) That staff report SRPRS.18.023 regarding a Private Street Naming Application submitted by Stateview Homes (Rialto Towns) Inc. for the lands known as Part of Lots 4 and 5, Registered Plan 2404, Town File Number D15-17054, be approved subject to the following:**

i) That the proposed private street names (Deep River Lane (P) and Rainy River Lane (P)) be approved in accordance with SRPRS.18.023;

ii) That staff be directed to bring forward a by-law to a regularly scheduled Council meeting to implement the proposed private street names.

- 13.1.12 SRPRS.18.014 - Authorization To Acquire Easement - Corsica Development Inc. - Town File D03-10001- (CW Item 11.14)

a) That the Town acquire an easement over lands being:

Part of Block 463, Plan 65M-4547, designated as Part 1, Plan 65R-37361, Part of Block 462, Plan 65M-4547, designated as Part 2, Plan 65R-37361, Part of Block 461, Plan 65M-4547, designated as Part 3, Plan 65R-37361, Part of Block 460, Plan 65M-4547, designated as Part 4, Plan 65R-37361, Part of Block 459, Plan 65M-4547, designated as Part 5, Plan 65R-37361, Part of Block 458, Plan 65M-4547, designated as Part 6, Plan 65R-37361, Part of Block 457, Plan 65M-4547, designated as Part 7, Plan 65R-37361, Part of Block 456, Plan 65M-4547, designated as Part 8, Plan 65R-37361, free of all costs and encumbrances.

b) That part of the foot reserve on Plan 2260, described as Part 4, Plan 65R-10984 be established as a public highway to become part of Hillview Drive.

- 13.1.13 SRPRS.18.001 - Assumption of Municipal Services - Great Land (Yonge 16th) Inc. - Related Site Plan File: D06-08038 - Town Files L03-GR and L03 -11003 - (CW Item 11.15) - (Proposed By-law 17-18)

a) That the assumption of the external sanitary sewer, located within the existing right of way of 16th Avenue, the 16th Avenue Service Road, and within a Town easement over Part of Lot 41, Concession 1, described as Parts 1 to 4 on Plan 65R-35815, be approved.

- 13.1.14 SRPRS.18.005 - Assumption of Municipal Services - North Valley Developments Ltd - Plan 65M-4321 - File 19T-05008 - Town File D03-05008 - (CW Item 11.16) - (Proposed By-law 17-18)

- a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4321 (Subdivision File 19T-05008), be approved;
- b) That the assumption of the external aboveground municipal services within the Bloomington Road road allowance, associated with Subdivision File 19T-05008, be approved;
- c) That the assumption of the external aboveground municipal services within the Paradelle Drive road allowance, and aboveground and belowground municipal services within the Worthington Avenue road allowance, associated with Subdivision File 19T-05008, be approved;
- d) That Finesse Court within the limits of Plan 65M-4321 (Subdivision File 19T-05008), be assumed as public highway.

13.1.15 SRPRS.18.040 - Budget Approval for Town Contribution towards Storm Drainage Works - 22 Elm Grove Avenue - Town File B043/16 - (CW Item 11.17)

- a) That the Town approve a budget in the amount of \$100,000.00 as a Town contribution towards storm drainage works required at 22 Elm Grove Avenue, as a condition of approval for the related consent application;
- b) That the source of funding for this budget be the Water Quality Protection Charge Reserve.

13.2 Extract - Heritage Richmond Hill Committee HRH#08-17 held on December 5, 2017 - (CW Item 11.2)

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SRPRS.17.209 - Application to Demolish House at 41 Elgin Mills Road East - File Number D12-07172

(Referred from the January 22, 2018 Committee of the Whole Meeting)

- a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;
- b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

- 13.3 SRPRS.18.006 – 41 Elgin Mills Road East - Heritage Designation By-law - (CW Item 11.3) - (Proposed By-law 2-18) 53

(Referred from the January 22, 2018 Committee of the Whole Meeting)

a) That By-law 2-18, attached as Appendix A to staff report SRPRS.18.006 be adopted to designate Elgin Mills Road East (site of the William Neal House) as being a property of cultural heritage value to interest under Part IV, Section 29, of the *Ontario Heritage Act*;

b) That Notice of Passing of the By-law be mailed to the Ontario Heritage Trust and the property owner.

14. Other Business

- 14.1 Councillor Chan - Ballot Question in 2018 Municipal Election 89

WHEREAS Richmond Hill changed its name from the Village of Richmond Hill to the Town of Richmond Hill in 1957;

WHEREAS the Town of Richmond Hill has grown substantially to a *New Kind of Urban* with a population of over 210,000 people at this time;

WHEREAS Council has considered member's motion to name the Town of Richmond Hill to the City of Richmond Hill on June 27, 2016 that had failed to carry;

WHEREAS it has been the practice of Council as a good government to consult with the public on issues impacting the Town of Richmond Hill;

WHEREAS questions on municipal interests may be placed on ballots to receive the views of the public during the municipal election to be held on October 22, 2018;

WHEREAS questions on ballots in the municipal election shall only be binding upon receiving support from 50% plus one among the voters in the municipal election;

NOW THEREFORE BE RESOLVED that Council consider placing the following question on the ballot at the municipal election on October 22, 2018:

*Are you in favour of naming the municipality as the City of Richmond Hill? and*

That the Town Clerk be directed to schedule a Special Council meeting

on or prior to February 26, 2018, to permit the public to comment on the proposed question on the ballot as required by the *Municipal Elections Act*, and

That the Town Clerk be directed to provide notice of intent to adopt a By-law authorizing the question on the ballot at least 10 days prior to the Council meeting in February 26, 2018, and report back to Council Meeting with necessary By-law for enactment on February 26, 2018.

**15. Emergency/Time Sensitive Matters**

**16. By-laws**

- 16.1 By-law 1-18 - A By-law to Amend By-law 190-87, as amended

Explanation: As approved by Council at its meeting held December 11, 2017 - 1730917 Ontario Inc. - 11384 Yonge Street - File D02-16020

- 16.2 By-law 2-18 - A By-law to Authorize the Designation of 41 Elgin Mills Road East (The William Neal House) Under the Ontario Heritage Act

Explanation: Agenda Item 13.1.3

- 16.3 By-law 17-18 - A By-law to assume external sanitary sewer; above ground and below ground municipal services; and assume certain lands as public highway

Explanation: Agenda Items 13.1.15 and 13.1.16

**17. Closed Session**

- 17.1 Resolution to Move into Closed Session Meeting and General Nature Thereof:

**To consider personal matters about identifiable individuals, including municipal or local board employees with respect to the citizen appointment process for the Richmond Hill Public Library Board (Section 239(2)(b) of the *Municipal Act, 2001*)**

- 17.2 Resolution to Reconvene in Open Session

- 17.3 Adoption of Recommendations Arising from the Closed Session Meeting (if required)

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

18.1 By-law 18-18

**19. Adjournment**





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**Council Public Meeting  
C#42-17**

**Wednesday, December 6, 2017  
7:30 p.m.**

**Council Chambers  
Richmond Hill Town Hall  
225 East Beaver Creek Road  
Richmond Hill, Ontario**

**Mayor Dave Barrow**

**Minutes**

A meeting under the *Planning Act* of the Council of the Town of Richmond Hill was held on Wednesday, December 6, 2017 at 7:30 p.m. in the Council Chambers.

The following Members of Council were present:

Mayor Barrow  
Regional and Local Councillor Spatafora  
Regional and Local Councillor Hogg  
Councillor Muench  
Councillor Liu  
Councillor West  
Councillor Cilevitz  
Councillor Chan

Regrets:

Councillor Beros

The following members of Staff were present:

K. Kwan, Commissioner of Planning and Regulatory Services  
P. Lee, Director, Policy Planning  
G. Manderson, Director, Strategic Initiatives  
S. von Kursell, Manager, Policy  
M. Dobbie, Senior Planner - Policy  
M. Matyjewicz, Planner II - Policy  
J. Hypolite, IT Service Desk Technical Analyst  
G. Collier, Deputy Town Clerk  
K. Hurley, Council/Committee Coordinator

Mayor Barrow read the Public Hearing Statement.

**Adoption of Agenda**

Moved by: Councillor Chan  
Seconded by: Regional and Local Councillor Hogg

That the agenda be adopted as distributed by the Clerk with the following addition:

1. Correspondence from Cheryl Giblon, Chair of the Board, Richmond Hill Board of Trade, dated December 6, 2017

Carried

### **Disclosures of Pecuniary Interest and General Nature Thereof**

There were no disclosures of pecuniary interest by Members of Council under the *Municipal Conflict of Interest Act*.

### **Scheduled Business**

#### **3.1 Draft Community Improvement Project Area By-law and Draft Richmond Hill Community Improvement Plan – File Number D18-17001 – (Staff Report SRPRS.17.190)**

Michal Matyjewicz of the Planning and Regulatory Services Department made a presentation regarding the Draft Community Improvement Project Area By-law and Draft Richmond Hill Community Improvement Plan. He reviewed what a Community Improvement Plan (CIP) was; purpose and goals; policy context for Richmond Hill; rationale and benefits; study process; draft CIP areas; and draft CIP programs.

M. Matyjewicz provided an overview of the Tax Increment Equivalent Grant for office space; Building Renovation Grant; Façade, Landscape and Signage Improvement Grant; supporting programs identified; and potential benefits for each to the Town. He concluded the presentation by reviewing next steps in the process and advised that staff's recommendation was that the staff report, including the Draft Community Improvement Project Area By-law and Draft Richmond Hill Office Development and Downtown Local Centre CIP, be received for information purposes only and all comments be referred back to staff.

Shan Dhingra, 1702-100 County Court Boulevard, Brampton, advised that he was a former resident of Richmond Hill and still had an interest in the municipality. He expressed his support of a Community Improvement Plan, noting that the City of Brampton was also looking to implement on a different scale, and that he was in attendance to express his interest in the greening initiatives available through a CIP.

Moved by: Regional and Local Councillor Hogg  
Seconded by: Regional and Local Councillor Spatafora

That staff report SRPRS.17.190 and the Draft Community Improvement Project Area By-law, attached as Appendix 'A' to staff report SRPRS.17.190, and Draft Richmond Hill Office Development and Downtown Local Centre Community Improvement Plan, attached as Appendix 'B' to staff report SRPRS.17.190, be received and that all comments be referred back to staff.

Carried

### **Adjournment**

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

That the meeting be adjourned.

Carried

The meeting was adjourned at 8:15 p.m.

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Dave Barrow  
Mayor

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Gloria Collier  
Deputy Town Clerk





## **Council Meeting**

### **Minutes**

**C#43-17**

**Monday, December 11, 2017, 7:30 p.m.**

**Council Chambers**

**225 East Beaver Creek Road**

**Richmond Hill, Ontario**

Council Members Present:

- Regional and Local Councillor Spatafora
- Regional and Local Councillor Hogg
- Mayor Barrow
- Councillor Beros
- Councillor Muench
- Councillor Liu
- Councillor West
- Councillor Cilevitz
- Councillor Chan

Staff Members Present:

- N. Garbe, Chief Administrative Officer
- S. Baker, Commissioner of Community Services
- I. Brutto, Commissioner of Environment and Infrastructure Services
- M. Dempster, Commissioner of Corporate and Financial Services
- P. Lee, Acting Commissioner of Planning and Regulatory Services
- A. Dimilta, Town Solicitor
- P. Waddell, IT Service Desk Technical Analyst
- A. O'Malley, Communications Advisor
- S. Huycke, Town Clerk
- L. Sampogna, Council/Committee Clerk

**1. Call to Order/Statement**

Mayor Barrow called the meeting to order at 7:30 p.m.

**2. Public Forum (not to exceed 15 minutes)**

There were no members of the public who addressed Council during the Public Forum.

**3. Council Announcements**

Councillor Chan advised of his attendance at the commemorative ceremony for the 80<sup>th</sup> anniversary of the Nanking Massacre held in Toronto this past weekend. He highlighted speakers and the number of people in attendance, and noted that the Ontario Legislature adopted a resolution recognizing December 13<sup>th</sup> as the annual commemorative day for the Nanking Massacre in Ontario.

Councillor West advised of the holiday concerts held this past weekend at the Richmond Hill Centre for the Performing Arts: *Beauty and the Beast* musical performance by the Arts Program from Alexander Mackenzie High School, and *Holiday Letters* performance by the Richmond Hill Philharmonic Orchestra. Councillor West congratulated all performers for the outstanding shows and acknowledged the exceptional arts talent in Richmond Hill.

**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 Hogg  
Seconded by: Councillor Cilevitz

That the agenda be adopted as distributed by the Clerk with the following additions:

- a) Correspondence from Emma Barron, Assistant Manager, Land Development, Primont Homes, dated December 8, 2017, regarding Private Street Naming Application submitted by Primont Homes (Bayview) Inc. - Item 13.3
- b) Correspondence from Marianne Yake, Richmond Hill Naturalists, dated December 11, 2017, regarding the National Historic Site Nomination for the David Dunlap Observatory - Item 13.4
- c) Correspondence from Sharon Lei, 33 Hillhurst Drive, regarding Legalization of Cannabis
- d) Correspondence from Dennis and Lillian Langfried, 16 Boake Trail, regarding Legalization of Cannabis
- e) Delegation - Sharon Lei, 33 Hillhurst Drive

Carried Unanimously

**6. Disclosures of Pecuniary Interest and General Nature Thereof**

Regional and Local Councillor Spatafora declared a pecuniary interest on Item 13.1.16 related to staff report SRPRS.17.166, Release Existing Municipal Servicing Easement at 10830 Bayview Avenue (Garden Commercial Property Corp.), as a family member has an interest in the company. Regional and Local Councillor Spatafora did not take part in consideration or voting on Item 13.1.16.

## **7. Adoption of Previous Council Minutes**

### **7.1 Council Public Meeting C#40-17 held November 15, 2017**

Moved by: Councillor Chan

Seconded by: Regional and Local Councillor Spatafora

That the minutes of Council Public Meeting C#40-17 held on November 15, 2017 be adopted.

Carried

### **7.2 Council Meeting C#41-17 held November 27, 2017**

Moved by: Councillor Cilevitz

Seconded by: Regional and Local Councillor Hogg

That the minutes of Council Meeting C#41-17 held on November 27, 2017 be adopted.

Carried

## **8. Identification of Items Requiring Separate Discussion**

Council consented to separate Items 13.1.3, 13.1.8, 13.1.10, 13.1.16, and 13.4.

## **9. Adoption of Remainder of Agenda Items**

On a motion of Councillor West, seconded by Regional and Local Councillor Hogg, Council adopted those Items not identified for separate discussion.

## **10. Public Hearings**

There were no public hearings.

## **11. Presentations**

There were no presentations.

**12. Delegations****12.1 Nancy Lai See Leung, 135 Birch Avenue, regarding the Zoning By-law Amendment Application submitted by Jewish Youth Network for 9131 and 9135 Bathurst Street - (staff report SRPRS.17.198) - (Item 13.1.10)**

Nancy Lai See Leung, 135 Birch Avenue, addressed Council regarding the proposed application submitted by the Jewish Youth Network for 9131 and 9135 Bathurst Street. She advised of her attendance at previous meetings and noted she was opposed to the application as there were similar establishments currently in the area. Ms. Leung raised concerns related to increased traffic and potential youth misconduct at the community centre.

**12.2 Murray Evans, Evans Planning Inc., representing Jewish Youth Network, regarding the Zoning By-law Amendment Application submitted by Jewish Youth Network, 9131 and 9135 Bathurst Street - (Item 13.1.10)**

Murray Evans, Evans Planning Inc., agent for the applicant, addressed Council regarding the proposed application submitted by the Jewish Youth Network for 9131 and 9135 Bathurst Street. He advised of past meetings and processes for the proposed application and noted the intent for the application was to mitigate and minimize any impact to the neighbouring areas. He stated the application replicated a single-family home, and reviewed the proposed side yard, height, screening, fence, and landscaping. Mr. Evans advised the proposed development was an appropriate location for this use to benefit the community and requested Council adopt staff's recommendations.

**12.3 Armond Martin, 22 Garden Avenue, regarding Legalization of Cannabis - (Item 13.1.3)**

Armond Martin, 22 Garden Avenue, was not in attendance.

**12.4 Richard Dubreuil, 22 Garden Avenue, regarding Legalization of Cannabis - (Item 13.1.3)**

Richard Dubreuil, 22 Garden Avenue, was not in attendance.

**12.5 Yahua Pan, 90 Serano Crescent, regarding Legalization of Cannabis - (Item 13.1.3)**

Yahua Pan, 90 Serano Crescent, was not in attendance.

**12.6 Alan Van Raalte, 3 Prince Albert Court, regarding Legalization of Cannabis - (Item 13.1.3)**

Alan Van Raalte, 3 Prince Albert Court, addressed Council regarding the legalization of cannabis in Richmond Hill. He advised that he was in support of the recommendation adopted at the December 4, 2017 Committee of the Whole meeting and expressed his opposition to setting up a retail shop for the sale of cannabis in Richmond Hill as it would be a threat to families, demotivating to youth, and could lead to an increase of binge drinking.

**12.7 Ivy Meng, 24 Lytton Blvd., regarding Legalization of Cannabis - (Item 13.1.3)**

Ivy Meng, 24 Lytton Blvd., addressed Council regarding the legalization of cannabis in Richmond Hill. She advised that she was opposed to setting up a retail shop for the sale of cannabis in Richmond Hill and explained the effects of cannabis to the brain, body, and long-term use. Ms. Meng extended her appreciation and support to Council for the recommendation adopted at the December 4, 2017 Committee of the Whole meeting, which in her opinion, would help protect children's futures.

**12.8 Lillian Langfried, 16 Boake Trail, regarding Legalization of Cannabis (Item 13.1.3)**

Lillian Langfried, 16 Boake Trail, was not in attendance.

**12.9 Daisy Wai, 22 Shaftsbury Avenue, regarding Legalization of Cannabis - (Item 13.1.3)**

Daisy Wai, 22 Shaftsbury Avenue, addressed Council regarding the legalization of cannabis in Richmond Hill. She advised of her disappointment with the Province bringing this matter to the municipal level and indicated that in speaking with residents, they had a number of concerns with a retail shop in Richmond Hill. Ms. Wai advised that she was in support with the comments made by the previous speakers and

requested that Council continue to communicate to the Province that Richmond Hill was opposed to setting up a retail shop in the community.

**12.10 Sharon Lei, 33 Hillhurst Drive, regarding Legalization of Cannabis - (Item 13.1.3)**

Sharon Lei, 33 Hillhurst Drive, addressed Council regarding the legalization of cannabis in Richmond Hill. She advised that she was opposed to setting up a retail shop in the community and shared her personal experience with cannabis, as further detailed in her correspondence submitted at the meeting.

**13. Committee and Staff Reports**

**13.1 Minutes - Committee of the Whole meeting CW#18-17 held on December 4, 2017**

That the minutes of the Committee of the Whole meeting CW#18-17 held on December 4, 2017 be adopted as circulated and the following recommendations be approved:

**13.1.1 Minutes - Youth Action Committee meeting held on November 8, 2017 (CW Item 11.1)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

That the minutes of the Youth Action Committee meeting held on November 8, 2017, be adopted as circulated.

Carried Unanimously

**13.1.2 SRCFS.17.052 - Information Governance Policy (CW Item 11.2)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That staff report SRCFS.17.052 be received;

b) That the proposed Information Governance Policy, attached as Attachment 'A' to staff report SRCFS.17.052, be approved;

c) That the Town Clerk be authorized to make amendments to the Information Governance Policy for the purposes of aligning the

policy with any amendments to the *Municipal Act, 2001* and the *Municipal Freedom of Information and Privacy Act*;

d) That a By-law to repeal By-laws 424-89, 115-92, 343-92, 180-94, 170-95, 284-95, 177-98, and 188-02 be enacted upon implementation of a revised Records Classification and Retention Policy pursuant to the Information Governance Policy.

Carried Unanimously

### **13.1.3 SRCAO.17.30 - Legalization of Cannabis (CW Item 11.3)**

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

a) That the Council of the Town of Richmond Hill advise the Attorney General, the Minister of Municipal Affairs and Housing, Reza Moridi, MPP - Richmond Hill and Dr. Helena Jaczek, MPP - Oak Ridges - Markham that Richmond Hill is not a willing host of a cannabis retail location in our community;

b) That staff report SRCAO.17.30 regarding the legalization of cannabis be received and all comments from Council be forwarded by the Town Clerk to the Attorney General, the Minister of Municipal Affairs and Housing, Reza Moridi, MPP - Richmond Hill and Dr. Helena Jaczek, MPP - Oak Ridges - Markham for consideration;

c) That a copy of staff report SRCAO.17.30 and all recommendations from Council be forwarded by the Town Clerk to the Association of Municipalities of Ontario for information;

d) That upon legalization, the Town's Employee Code of Conduct be updated to add cannabis as one of the substances that must not impair an employee at work.

An Amendment was:

Moved by: Councillor Beros  
Seconded by: Councillor Muench

That clause a) of the motion be amended to read as follows:

a) That the Council of the Town of Richmond Hill advise the Attorney General, the Minister of Municipal Affairs and Housing,

Reza Moridi, MPP - Richmond Hill and Dr. Helena Jaczek, MPP - Oak Ridges - Markham that Richmond Hill is not a willing host of a cannabis retail location until the financial questions, social questions, framework questions and enforcement questions are answered by the provincial government.

Motion to Amend Failed to Carry

Main Motion:

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

- a) That the Council of the Town of Richmond Hill advise the Attorney General, the Minister of Municipal Affairs and Housing, Reza Moridi, MPP - Richmond Hill and Dr. Helena Jaczek, MPP - Oak Ridges - Markham that Richmond Hill is not a willing host of a cannabis retail location in our community;
- b) That staff report SRCAO.17.30 regarding the legalization of cannabis be received and all comments from Council be forwarded by the Town Clerk to the Attorney General, the Minister of Municipal Affairs and Housing, Reza Moridi, MPP - Richmond Hill and Dr. Helena Jaczek, MPP - Oak Ridges - Markham for consideration;
- c) That a copy of staff report SRCAO.17.30 and all recommendations from Council be forwarded by the Town Clerk to the Association of Municipalities of Ontario for information;
- d) That upon legalization, the Town's Employee Code of Conduct be updated to add cannabis as one of the substances that must not impair an employee at work.

A recorded vote was taken:

In favour: (7): Regional and Local Councillor Spatafora , Regional and Local Councillor Hogg, Mayor Barrow, Councillor Liu, Councillor West, Councillor Cilevitz, and Councillor Chan

Opposed: (2): Councillor Beros, and Councillor Muench

Carried (7 to 2)

**13.1.4 SRCS.17.24 - Recreation Facility Development Partnership Framework (CW Item 11.4)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the Partnership Principles as outlined in staff report SRCS.17.24 be approved;

b) That Council endorse the formation of a Town of Richmond Hill Partnership Facility Team led by the Community Services Department to coordinate the Town's recreation facility development partnership efforts.

Carried Unanimously

**13.1.5 SRPRS.17.194 – Acquire Easement for Snively Wetland Outlet Improvements - File Number D03-94022 (CW Item 11.5)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the acquisition of an easement more particularly described as Part of Lot 1, Plan 200, shown as Part 1 on a Draft Reference Plan prepared by J.D. Barnes Limited, Reference No. 02-21-904-11 (part of P.I.N. 03209-0233) be authorized.

Carried Unanimously

**13.1.6 SRPRS.17.195 – Authorization to Execute Servicing Incentive Agreement Leslie Elgin Developments Inc. – 19T-04009 Phase 2 - File Number D03-04009 Phase 2 (CW Item 11.6)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the Mayor and Clerk be authorized to execute a Servicing Incentive Program agreement for Subdivision File 19T-04009 Phase 2 with the Region of York and Leslie Elgin Developments, upon the recommendation of the Commissioner of Planning and Regulatory Services and upon the Region confirming to the Town that Leslie Elgin Developments Inc. has satisfied the Region requirements regarding its Servicing Incentive Program.

Carried Unanimously

**13.1.7 SRPRS.17.178 – Request for Approval – Draft Plan of Condominium – Carrville South Development Corp. - multiple addresses on Sombrero Lane and Stallibrass Lane – File Number D05-16011 (19CDM(R)-16011) (CW Item 11.7)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the proposed draft Plan of Condominium submitted by Carrville South Development Corp. for lands known Part of Lots 13 and 14, Registered Plan 1960, (municipal addresses: 5, 6, 7, 8, 9, 10, 11 and 12 Sombrero Lane and 31, 33, 35, 37, 39, 43, 45, 47 and 49 Stallibrass Lane) (previously 715, 719 and 725 Carrville Road), File Number D05-16011 (19CDM(R)-16011), be draft approved subject to the following condition:

i) that draft approval be subject to the conditions as set out in Appendix 'A' to staff report SRPRS.17.178.

Carried Unanimously

**13.1.8 SRPRS.17.196 - Request for Approval - Private Street Naming Application - Primont Homes (Bayview) Inc. - File Number D15-17038 (CW Item 11.8)**

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor Hogg

a) That staff report SRCFS.17.196, regarding the Private Street Naming Application submitted by Primont Homes (Bayview) Inc., be referred to staff.

Carried

**13.1.9 SRPRS.17.207 - To amend By-law 52-09 to reflect changes to the Municipal Elections Act (CW Item 11.9)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That a By-law to amend the Richmond Hill Sign By-law 52-09, be enacted to amend the following provisions pertaining to election signage:

- i) That the definition of “Voting Day” be added, and defined as “the day on which the final vote is to be taken in an election”,
- ii) That the definition of “Election Sign” be amended, and defined as "means a sign which advertises or promotes the election of a political party or a Candidate for federal, provincial, municipal or school board election"; and includes any Sign of a Registered Third-party Advertiser,
- iii) That section 6.6.8(b) be amended to read “in the case of a municipal election, 28 days (4 weeks) prior to Voting Day”,
- iv) That a definition for “Registered Third-Party Advertiser” be added, and defined as; “in relation to an election in a municipality, an individual, corporation or trade union that is registered under Section 88.6 of the *Municipal Elections Act*”,
- v) That a definition for “Third-Party Advertisement” be added, and defined as “an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing (a) a candidate, or (b) a “yes” or “no” answer to a question referred to in subsection 8(1),(2) or (3) of the *Municipal Elections Act*, and, for greater certainty, includes any election sign of a Registered Third-Party Advertiser.”
- vi) That the following new section 6.6.12 be included:  
  
“In the case of a municipal election, a Person who is neither a Candidate nor a Registered Third-party Advertiser shall not be permitted to place an election sign on either public or private property.”

Carried Unanimously

**13.1.10 SRPRS.17.198 - Request for Approval - Zoning By-law Amendment Application - Jewish Youth Network - 9131 and 9135 Bathurst Street - File Number D02-15022 (CW Item 11.10) (Proposed By-law 82-17)**

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

- a) That the revised Zoning By-law Amendment application submitted by Jewish Youth Network for lands known as Part of Lots 10 and 11, Plan 1960, municipal addresses 9131 and 9135

Bathurst Street, File Number D02-15022, be approved, subject to the following:

- i) that the subject lands be rezoned from Third Density Residential (R3) Zone to Institutional (I) Zone, under By-law No. 2523, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPRS.17.198;
- ii) that pursuant to Section 34(17) of the *Planning Act*, that no further notice be required to be given in respect of the proposed change to the Zoning By-law Amendment application.

Carried Unanimously

**13.1.11 SRPRS.17.200 - Request for Comments - Site Plan Application - Toronto Montessori Schools - 8617 and 8569 Bayview Avenue - File Number D06-17083 (CW Item 11.11)**

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

- a) That staff report SRPRS.17.200 with respect to the Site Plan application submitted by Toronto Montessori Schools for lands legally described as Part of Lots 5, 6 and 7, Plan 2607, municipally known as 8617 and 8569 Bayview Avenue, File Number D06-17083, be received for information purposes only and that all comments be referred back to staff.

Carried Unanimously

**13.1.12 SRPRS.17.203 - National Historic Site Nomination - David Dunlap Observatory (CW Item 11.12)**

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

- a) That staff report SRPRS.17.203, be received for information,
- b) That staff be directed to prepare a David Dunlap Observatory National Historic Site nomination application by end of March, 2018.

Carried Unanimously

**13.1.13 SRPRS.17.206 - Application to Deregister Heritage Agreement - 10366 Yonge Street - File Number D12-07477 (CW Item 11.13)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the application to deregister a heritage building relocation agreement on title to the property currently known as 10366 Yonge Street be approved;

b) That staff be authorized to undertake the work required to give effect to the approval.

Carried Unanimously

**13.1.14 SRPRS.17.185 - Assumption of Municipal Services - 709511 Ontario Inc., P. Paglialunga and Associates Ltd. and Ariscourt Developments Inc. - Subdivision File 19T-03015 - File Number D03-03015 (CW Item 11.14) (Proposed By-law 116-17)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4288, (Subdivision File 19T-03015), be approved;

b) That Brookgreene Crescent, within the limits of Plan 65M-4288, (Subdivision File 19T-03015), be assumed as public highway;

c) That the assumption of the external municipal services within the existing Brookside Road road allowance associated with Subdivision File 19T-03015, be approved;

d) That reserve Block 29, Plan 65M-3264 be established as public highway to become part of Brookgreene Crescent.

Carried Unanimously

**13.1.15 SRPRS.17.199 - Request for Approval - Zoning By-law Amendment - 1730917 Ontario Inc. - 11384 Yonge Street - File Number D02-16020 (Related File D06-16058) (CW Item 11.15)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the Zoning By-law Amendment application submitted by 1730917 Ontario Inc. for lands known as Block 21, Registered Plan 65M-3146 (municipal address: 11384 Yonge Street) File Number D02-16020 (Related File Number D06-16058), be approved subject to the following:

i) That Council approve the draft Zoning By-law as set out in Appendix 'B' to staff report SRPRS.17.199 and that said by-law be brought forward to a regular meeting of Council for consideration and enactment.

Carried Unanimously

**13.1.16 SRPRS.17.166 - Release Existing Municipal Servicing Easement at 10830 Bayview Avenue (Garden Commercial Property Corp.) - File Number D06-10051 (CW Item 11.16)**

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

That the existing Municipal storm servicing easement, Instrument No. YR1749928, described as Part 1 on Plan 65R-33169 be released.

Carried

**13.1.17 SRPRS.17.177 - Smart Commute Governance and Funding Source Update (CW Item 11.17)**

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

a) That staff report SRPRS.17.177 regarding Smart Commute governance and funding source update be received;

b) That the 2018 funding of \$50,000 for Smart Commute Markham Richmond Hill from Town-wide Engineering Development Charges be approved;

c) That \$50,000 be included annually in the Development Engineering and Transportation Division's 10-year Capital Budget beyond 2018, funded from Town-wide Engineering Development Charges.

Carried Unanimously

**13.1.18 Proclamation - National Day of Remembrance and Action to End Violence against Women - December 6, 2017 (CW Item 11.18)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

That December 6, 2017 be proclaimed National Day of Remembrance and Action to End Violence against Women in the Town of Richmond Hill.

Carried Unanimously

**13.2 Minutes - Audit Committee meeting A#02-17 held on December 6, 2017**

That the minutes of the Audit Committee meeting A#02-17 held on December 6, 2017 be adopted as circulated and the following recommendation be approved:

**13.2.1 Report from Grant Thornton LLP dated November 22, 2017 - Initial Communication on Audit Planning - for the year ended December 31, 2017**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

a) That the report from Grant Thornton LLP dated November 22, 2017, regarding Initial Communication on Audit Planning for the year ended December 31, 2017 be received;

b) That staff be directed to inform the Village of Richmond Hill Business Improvement Area to report back by the end of February, 2018 regarding approval of the BIA's 2015 and 2016 Audited Financial statements.

Carried Unanimously

**13.3 Correspondence from Emma Barron, Assistant Manager, Land Development, Primont Homes, dated December 8, 2017, regarding Private Street Naming Application submitted by Primont Homes (Bayview) Inc. - (refer to Item 13.1.8)**

Moved by: Councillor West

Seconded by: Regional and Local Councillor Hogg

That the correspondence from Emma Barron, Assistant Manager, Land Development, Primont Homes, dated December 8, 2017, regarding Private Street Naming Application submitted by Primont Homes (Bayview) Inc., be received.

Carried Unanimously

**13.4 Correspondence from Marianne Yake, Richmond Hill Naturalists, dated December 11, 2017, regarding the National Historic Site Nomination - David Dunlap Observatory - (refer to Item 13.1.12)**

Moved by: Councillor Chan

Seconded by: Regional and Local Councillor Hogg

That the correspondence from Marianne Yake, Richmond Hill Naturalists, dated December 11, 2017, regarding the National Historic Site Nomination for the David Dunlap Observatory, be received.

Carried

**14. Other Business**

There were no other business items.

**15. Emergency/Time Sensitive Matters**

There were no emergency/time sensitive matters.

**16. By-laws**

Moved by: Councillor Chan

Seconded by: Councillor Cilevitz

That the following By-laws be approved:

By-law 82-17 - A By-law to amend By-law 2523, as amended

By-law 84-17 - A by-law to Amend By-law 313-96, as amended and By-law 986, as amended

By-law 99-17 - A By-law to Amend By-law 137-09, as amended

By-law 103-17 - A by-law to Amend By-law 313-96, as amended and By-law 986, as amended

By-law 104-17 - A by-law to Amend By-law 313-96, as amended and By-law 1703, as amended

By-law 108-17 - A By-law to Adopt Amendment 9 to the Richmond Hill Official Plan

By-law 113-17 - A By-law to Amend By-law 313-96, as amended and 1703, as amended

By-law 115-17 - A By-law to Assign Names to Certain Private Roads

By-law 116-17 - A By-law to assume aboveground, belowground and external municipal services; and establish certain lands as public highway

Carried

## **17. Closed Session**

### **17.1 Resolution to Move into Closed Session Meeting and General Nature Thereof:**

Moved by: Councillor Chan  
Seconded by: Councillor Beros

To consider personal matters about identifiable individuals, including municipal or local board employees with respect to the citizen appointment process for the Richmond Hill Public Library Board (Section 239(2)(b) of the *Municipal Act, 2001*).

Carried

### **17.2 Resolution to Reconvene in Open Session**

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

Council moved into closed session and then returned to open session (9:17 p.m. to 9:38 p.m.)

Carried

### **17.3 Adoption of Recommendations Arising from the Closed Session Meeting (if required)**

There were no recommendations made in Open session.

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

Moved by: Regional and Local Councillor Spatafora

Seconded by: Councillor West

That By-law 117-17, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

**19. Adjournment**

Moved by: Regional and Local Councillor Hogg

Seconded by: Regional and Local Councillor Spatafora

That the meeting be adjourned.

The meeting was adjourned at 9:40 p.m.

Carried

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Dave Barrow, Mayor

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Stephen M.A. Huycke, Town Clerk



## **Committee of the Whole Meeting**

### **Minutes**

**CW#01-18**

**Monday, January 22, 2018, 4:30 p.m.**

**Council Chambers**

**225 East Beaver Creek Road**

**Richmond Hill, Ontario**

Committee Members Present:

- Councillor Chan
- Mayor Barrow
- Regional and Local Councillor Spatafora
- Regional and Local Councillor Hogg
- Councillor Beros
- Councillor Muench
- Councillor Liu
- Councillor West
- Councillor Cilevitz

Staff Members Present:

- N. Garbe, Chief Administrative Officer
- S. Baker, Commissioner of Community Services
- I. Brutto, Commissioner of Environment and Infrastructure Services
- M. Dempster, Commissioner of Corporate and Financial Services
- K. Kwan, Commissioner of Planning and Regulatory Services
- A. Adari, Assistant, Town Solicitor
- P. Caron, Director, Facility Design, Construction and Maintenance
- D. Dexter, Director, Financial Services and Treasurer
- M. Gandhi, Director, Communication Services
- D. Joslin, Director, Recreation and Culture
- P. Lee, Director, Policy Planning
- T. Ricketts, Director, Asset Management Planning and Environment Services
- D. Terzievski, Director, Development Engineering and Transportation
- K. Ash, Manager, Cultural Services
- V. Gaiu, Manager, Energy and Waste
- T. Markandaier, Manager, Procurement

J. Walters, Manager, Development Engineering Subdivisions and Stormwater Mgmt  
I. James, Urban Design/Heritage Planner  
C. Pitcher, Communications Advisor  
J. Hypolite, IT Service Desk Technical Analyst  
S. Huycke, Town Clerk  
L. Sampogna, Council/Committee Coordinator

**1. Call to Order**

The Chair called the meeting to order at 4:30 p.m.

**2. Council Announcements**

Regional and Local Councillor Spatafora advised of the successful 2018 budget public information session that was held on January 20, 2018, at the Central Library, and indicated the first Budget Committee of the Whole meeting was scheduled on January 23, 2018, at 1:00 p.m. and was open to the public.

Councillor West announced the 50th Annual Richmond Hill Winter Carnival will be held February 2 to 4, 2018 at the Mill Pond Park and highlighted the planned events. Councillor West extended an invitation for all to attend and encouraged participants to purchase a button for \$2 for a chance to win prizes, noting all proceeds go to the Richmond Hill Winter Carnival.

**3. Introduction of Emergency/Time Sensitive Matters**

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

**4. Adoption of Agenda**

Moved by: Regional and Local Councillor Spatafora

That the agenda be adopted as distributed by the Clerk.

Carried Unanimously

**5. Disclosure of Pecuniary Interest and General Nature Thereof**

Councillor West declared a pecuniary interest on Agenda Item 11.7 regarding the 2018 Community and Cultural Grant Program (Staff Report SRCS.18.02) as he is a Board member of one of the organizations listed to receive a grant.

**6. Identification of Items Requiring Separate Discussion**

Committee consented to separate Items 11.2, 11.3, 11.4, and 11.7 for discussion.

**7. Adoption of Remainder of Agenda Items**

On a motion of Regional and Local Councillor Spatafora, Committee adopted those Items not identified for separate discussion.

**8. Public Hearing**

There were no public hearings.

**9. Presentations**

**9.1 Presentation by Vlad Gaiu, Manager, Energy and Waste, regarding an update on the Corporate Energy Management and LED Project**

Terry Ricketts, Director, Asset Management Planning and Environment Services, provided introductory remarks regarding the Corporate Energy Management Update, highlighting Richmond Hill's annual operating costs for electricity and natural gas for Town facilities and the streetlighting network. T. Ricketts introduced Vlad Gaiu, Manager, Energy and Waste and advised he would present an update on the Town's corporate energy management plan which aimed to reduce costs and manage greenhouse gas emissions.

Vlad Gaiu, Manager, Energy and Waste, provided a detailed overview of the Town's facility energy consumption trends, municipal requirements to the *Green Energy Act*, 5-year energy reduction and implementation plan, and the energy audit results and implementation strategy. V. Gaiu concluded the presentation by providing an update on the LED conversion project and next steps.

Moved by: Mayor Barrow

That the presentation by Terry Ricketts, Director, Asset Management Planning and Environment Services, and Vlad Gaiu, Manager, Energy and Waste, regarding an update on the Corporate Energy Management and LED Project, be received with thanks.

Carried Unanimously

**10. Delegations****10.1 Colin McLachlan, Development Manager, Mansouri Group, regarding the Application to Demolish House at 41 Elgin Mills Road East - (refer to Agenda Item 11.2)**

Colin McLachlan, Development Manager, on behalf of Mansouri Group, noted that he addressed the Heritage Richmond Hill Committee on December 5, 2017, regarding the application to demolish the house at 41 Elgin Mills Road East. He advised they were the new operators of Chrysler Richmond Hill and stated that the house on the property had no significance to William Neal, but rather the dealership that he brought to the community. He indicated that it would be fitting to recognize the dealership to continue the legacy on the property without designating the house. Mr. McLachlan advised of discussions with staff for a site plan application and that he had retained a planning company who specifically dealt with the automotive sector. Mr. McLachlan requested that Committee defer this matter to continue discussions with staff on a site plan application and work together towards an appropriate commemorative memorial in recognition of Mr. William Neal.

**11. Committee and Staff Reports****11.1 Minutes - Youth Action Committee meetings held on November 22, 2017 and December 6, 2017**

Moved by: Regional and Local Councillor Spatafora

That the minutes of the Youth Action Committee meetings held on November 22, 2017 and December 6, 2017, be adopted as circulated.

Carried Unanimously

**11.2 Extract - Heritage Richmond Hill Committee HRH#08-17 held on December 5, 2017**

Moved by: Regional and Local Councillor Hogg

a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;

b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a

distance of 2 metres from) the William Neal House to the Town's satisfaction.

**Motion to Refer:**

Moved by: Councillor West

That consideration of the motion by Regional and Local Councillor Hogg be referred directly to the January 29, 2018 Council Meeting.

**Amendment to the Motion to Refer:**

Moved by: Regional and Local Councillor Spatafora

That consideration of the motion by Regional and Local Councillor Hogg be referred directly to the January 29, 2018, Council Meeting and staff be directed to provide Council with answers to the questions raised by Committee, including questions pertaining to the withdrawal of a demolition permit.

Amendment Carried

**Motion to Refer as Amended:**

Moved by: Councillor West

That the motion to refer be amended to read as follows:

That consideration of the motion by Regional and Local Councillor Hogg be referred directly to the January 29, 2018, Council Meeting and staff be directed to provide Council with answers to the questions raised by Committee, including questions pertaining to the withdrawal of a demolition permit.

Carried Unanimously

**11.3 SRPRS.18.006 – 41 Elgin Mills Road East - Heritage Designation By-law**

Moved by: Councillor West

That staff report SRPRS.18.006, regarding 41 Elgin Mills Road East, Heritage Designation By-law, be referred to the January 29, 2018, Council Meeting.

Carried

**11.4 SRCAO.18.01 – Review of Policies Under Section 270 of the Municipal Act, 2001 – Revised Delegation Policy**

Moved by: Regional and Local Councillor Hogg

That staff report SRCAO.18.01 regarding the Review of Policies Under Section 270 of the *Municipal Act, 2001*, Revised Delegation Policy, be referred back to staff to provide additional information and a presentation at a future meeting.

Carried Unanimously

**11.5 SRCFS.18.001 - Semi-Annual Report - Non Competitive Acquisitions**

Moved by: Regional and Local Councillor Spatafora

a) That staff report SRCFS.18.001, regarding semi-annual report for non-competitive acquisitions, be received for information purposes only.

Carried Unanimously

**11.6 SRCFS.18.004 - Approval of Non-Competitive Acquisition for IT Professional Resources**

Moved by: Regional and Local Councillor Spatafora

a) That the contract for the provision of professional resources for the implementation of specific IT projects to be carried out in 2018, be awarded non-competitively to TEEMA Solutions Group for a cost not exceeding \$500,000 (exclusive of taxes) to provide Town of Richmond Hill external resources (Project Manager, Change Manager, Business Analyst, Quality Assurance) to work on the 2018 approved projects, pursuant to Procurement Policy By-Law 113-16, Appendix "B", item (g) as the purchase is exceptionally advantageous to the Town;

b) That the Mayor and the Clerk be authorized to execute any and all necessary documentation to effect the contract upon the recommendation of the Commissioner of Corporate and Financial Services.

Carried Unanimously

Having previously declared a pecuniary interest with respect to Agenda Item 11.7, Councillor West did not participate in the discussion or voting on this item.

**11.7 SRCS.18.02 - 2018 Community and Cultural Grant Program**

Moved by: Regional and Local Councillor Hogg

a) That the Community and Cultural Grant applications listed in Appendix “A” to staff report SRCS.18.02, be received;

b) That Community and Cultural Grants totaling \$65,000 be provided to the following organizations and individual artists:

- Elgin West Seniors Association - \$2,000
- Home on the Hill Supportive Housing - \$3,500
- ImprovAbility! - \$2,100
- Richmond Hill Canoe Club - \$3,500
- Richmond Hill Lawn Bowling Club - \$1,400
- The Amici Circle of Friends - \$2,800
- York Region Senior Tamils' Centre - \$3,000
- Andrea End - \$1,400
- Bindu Shah - \$3,000
- Habon Jibril - \$1,000
- Josephine Vaccaro-Chang - \$600
- Lilita Tannis - \$2,500
- Oleg Samokhin - \$1,500
- Artucate Canada - \$3,000
- Association of Iranian Canadians For Nowruz Festivals - \$2,000
- Chorus York - \$4,000
- High Notes Avante Productions - \$3,500
- International Watercolour Society - \$4,000
- Opera York - \$4,500
- Richmond Hill Centennial Pipe Band - \$1,500
- Richmond Hill Concert Band - \$1,500
- Richmond Hill Group of Artists - \$1,500
- Richmond Hill Philharmonic Orchestra - \$3,000
- Shadowpath Theatre Productions - \$3,000
- Toronto Chinese Ai Yue Philharmonic Arts Center - \$2,500
- York Region Chamber Music - \$2,700

Carried Unanimously

**11.8 SRPRS.18.008 – Request for Approval – Zoning By-law Amendment – Joseph Simao and Vivian Chan Simao - 94 and 98 Bond Crescent – Town File D02-17010**

Moved by: Regional and Local Councillor Spatafora

a) That the Zoning By-law Amendment application submitted by Joseph Simao and Vivian Chan Simao for the lands known as Lots 1 and 2, Registered Plan 561 (Municipal addresses: 94 and 98 Bond Crescent), Town File D02-17010, be approved, subject to the following:

i) That the subject lands be rezoned from Residential Urban (RU) Zone under By-law 1275, as amended, to Single Detached Six (R6) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.008;

b) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

Carried Unanimously

**11.9 SRPRS.18.011 - Request for Approval – Zoning By-law Amendment and Site Plan Amendment Applications – 1857481 Ontario Inc. - 386, 396 and 400 Highway 7 East – Town Files D02-17025 and D06-17064**

Moved by: Regional and Local Councillor Spatafora

a) That the Zoning By-law Amendment application submitted by 1857481 Ontario Inc. to remove the Holding (H) provisions from the Zoning By-law affecting the lands known as Part of Lot 11, Concession 2, E.Y.S (Municipal Addresses: 386, 396 and 400 Highway 7 East), Town File D02-17025, be approved;

b) That Council approve servicing allocation for 354 persons equivalent population (172 units) to the subject lands;

c) That all comments concerning the related Site Plan Amendment application, Town File D06-17064, be referred back to staff.

Carried Unanimously

**11.10 SRPRS.18.012 - Request for Approval – Draft Plan of Condominium – Siteline (9211 Bayview) Inc. - 9211 Bayview Avenue – Town File D05-12007 (19CDM(R)-12007)**

Moved by: Regional and Local Councillor Spatafora

a) That the proposed draft Plan of Condominium (Common Element) submitted by Siteline (9211 Bayview Ave) Inc. for lands known as Block 1,

Registered Plan 65M-4501 (Municipal Address: 9211 Bayview Avenue), Town File D05-12007 (19CDM(R)-12007), be draft approved subject to the following conditions:

- i) That draft approval be subject to the conditions as set out in Appendix “A” to staff report SRPRS.18.012;
- ii) That prior to draft approval being granted, the applicant pay the applicable processing fees in accordance with the Town’s Tariff of Fees By-law 79-17;
- iii) That the Mayor and Clerk be authorized to execute the Condominium Agreement referred to in Appendix “A” to staff report SRPRS.18.012.

Carried Unanimously

**11.11 SRPRS.18.020 – Request for Approval – Zoning By-law Amendment Application – Jebraeil Vossoughi – 36 Portage Avenue - Town File D02-16015**

Moved by: Regional and Local Councillor Spatafora

a) That the Zoning By-law Amendment application submitted by Jebraeil Vossoughi for lands known as Lots 492 and 493, Plan 133 (Municipal Address: 36 Portage Avenue), Town File D02-16015, be approved, subject to the following:

- i) That the subject lands be rezoned from the provisions of By-law 986, as amended, to Semi-Detached One (RD1) Zone, under By-law 313-96, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPRS.18.020;
- ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

Carried Unanimously

**11.12 SRPRS.18.024- Request for Approval – Zoning By-law Amendment Application – Carol Wilkinson - 23 Long Hill Drive – Town File D02-17023**

Moved by: Regional and Local Councillor Spatafora

a) That the Zoning By-law Amendment application submitted by Carol Wilkinson for lands known as Lot 17, Plan 5509, municipally known as 23

Long Hill Drive, Town File D02-17023, be approved, subject to the following;

- i) That the subject lands be rezoned from Rural Residential (RR1) Zone under By-law 2325-68, as amended, to Single Detached Six (R6) Zone, under By-law 235-97, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPRS.18.024; and,
- ii) That the amending Zoning By-law be brought forward to a regular meeting of Council for consideration and enactment.

Carried Unanimously

**11.13 SRPRS.18.023 - Request for Approval – Private Street Naming Application – Stateview Homes (Rialto Towns) Inc. - 168 and 176 Elgin Mills Road West – Town File D15-17054**

Moved by: Regional and Local Councillor Spatafora

- a) That staff report SRPRS.18.023 regarding a Private Street Naming Application submitted by Stateview Homes (Rialto Towns) Inc. for the lands known as Part of Lots 4 and 5, Registered Plan 2404, Town File Number D15-17054, be approved subject to the following:
  - i) That the proposed private street names (Deep River Lane (P) and Rainy River Lane (P)) be approved in accordance with SRPRS.18.023;
  - ii) That staff be directed to bring forward a by-law to a regularly scheduled Council meeting to implement the proposed private street names.

Carried Unanimously

**11.14 SRPRS.18.014 - Authorization To Acquire Easement - Corsica Development Inc. - Town File D03-10001**

Moved by: Regional and Local Councillor Spatafora

- a) That the Town acquire an easement over lands being:
 

Part of Block 463, Plan 65M–4547, designated as Part 1, Plan 65R–37361, Part of Block 462, Plan 65M–4547, designated as Part 2, Plan 65R–37361, Part of Block 461, Plan 65M–4547, designated as Part 3, Plan 65R–37361, Part of Block 460, Plan 65M–4547, designated as Part 4, Plan 65R–37361, Part of Block 459, Plan 65M–4547, designated as Part 5, Plan 65R–37361, Part of Block 458, Plan 65M–4547, designated

as Part 6, Plan 65R-37361, Part of Block 457, Plan 65M-4547, designated as Part 7, Plan 65R-37361, Part of Block 456, Plan 65M-4547, designated as Part 8, Plan 65R-37361, free of all costs and encumbrances.

b) That part of the foot reserve on Plan 2260, described as Part 4, Plan 65R-10984 be established as a public highway to become part of Hillview Drive.

Carried Unanimously

**11.15 SRPRS.18.001 - Assumption of Municipal Services - Great Land (Yonge 16th) Inc. - Related Site Plan File: D06-08038 - Town Files L03-GR and L03 -11003**

Moved by: Regional and Local Councillor Spatafora

a) That the assumption of the external sanitary sewer, located within the existing right of way of 16th Avenue, the 16th Avenue Service Road, and within a Town easement over Part of Lot 41, Concession 1, described as Parts 1 to 4 on Plan 65R-35815, be approved.

Carried Unanimously

**11.16 SRPRS.18.005 - Assumption of Municipal Services - North Valley Developments Ltd - Plan 65M-4321 - File 19T-05008 - Town File D03-05008**

Moved by: Regional and Local Councillor Spatafora

a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4321 (Subdivision File 19T-05008), be approved;

b) That the assumption of the external aboveground municipal services within the Bloomington Road road allowance, associated with Subdivision File 19T-05008, be approved;

c) That the assumption of the external aboveground municipal services within the Paradelle Drive road allowance, and aboveground and belowground municipal services within the Worthington Avenue road allowance, associated with Subdivision File 19T-05008, be approved;

d) That Finesse Court within the limits of Plan 65M-4321 (Subdivision File 19T-05008), be assumed as public highway.

Carried Unanimously

**11.17 SRPRS.18.040 - Budget Approval for Town Contribution towards Storm Drainage Works - 22 Elm Grove Avenue - Town File B043/16**

Moved by: Regional and Local Councillor Spatafora

- a) That the Town approve a budget in the amount of \$100,000.00 as a Town contribution towards storm drainage works required at 22 Elm Grove Avenue, as a condition of approval for the related consent application;
- b) That the source of funding for this budget be the Water Quality Protection Charge Reserve.

Carried Unanimously

**12. Other Business**

There were no other business items.

**13. Emergency/Time Sensitive Matters**

There were no emergency/time sensitive matters.

**14. Closed Session**

There were no closed session items.

**15. Adjournment**

Moved by: Regional and Local Councillor Spatafora

That the meeting be adjourned

Carried Unanimously

The meeting was adjourned at 7:03 p.m.

**Extract From  
Heritage Richmond Hill Meeting  
HRH#08-17 held December 5, 2017**

**2. Application to Demolish House at 41 Elgin Mills Road East – File Number D12-07172 – (Staff Report SRPRS.17.209)**

Moved by: Councillor Cilevitz

**Recommendation 1**

That the Heritage Richmond Hill Committee recommends to Council:

- a) That the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied;
- b) That prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

Carried



## Staff Report for Heritage Richmond Hill

Date of Meeting: December 5, 2017

Report Number: SRPRS.17.209

Department: Planning and Regulatory Services

Division: Policy Planning

Subject: SRPRS.17.209 Application to Demolish House at 41  
Elgin Mills Road East (Town File No.: D12-07172)

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### Purpose:

To seek the Heritage Richmond Hill Committee's consideration regarding an application for demolition of the William Neal House located at 41 Elgin Mills Road East. This property was the subject of a "Notice of Intent to Designate" (under Part IV of the *Ontario Heritage Act*) published on October 10, 2013.

### Recommendation(s):

1. That Heritage Richmond Hill recommends to Council that the application to demolish the William Neal House located at 41 Elgin Mills Road East be denied; and
2. That Heritage Richmond Hill recommends to Council that prior to issuance of a Building Demolition Permit for only the accessory structures occupying 41 Elgin Mills Road East, the owner be required to install a 6 foot tall secured chain link fence encircling (at a distance of 2 metres from) the William Neal House to the Town's satisfaction.

### Contact Person:

Isa James, Urban Designer/ Heritage Planner, phone number 905 771-5529 and/or Joanne Leung, Manager of Heritage and Urban Design, phone number 905-771-5498

### Report Approval:

Submitted by:

"Original signed by P.Lee, Director, Policy Planning, is on file in the Office of the Clerk"

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Kelvin Kwan

Commissioner of Planning and Regulatory Services

**Approved by:**

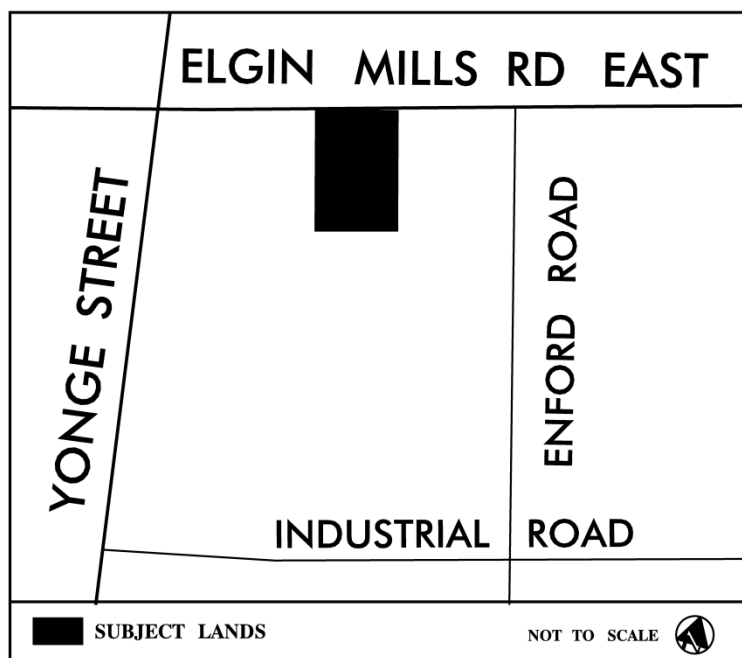
"Signed version on file in the Office of the Clerk"

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Neil Garbe  
Chief Administrative Officer

**Location Map:**

Below is a map illustrating the location of the subject property. Should you require an alternative format, call the person listed under "Contact" above.



**Background:**

The subject property is located on the south side of Elgin Mills Road East between Yonge Street and Enford Road. An application for demolition of the house and bank barn on the property was submitted on August 16, 2012. Heritage Richmond Hill recommended designation of 41 Elgin Mills Road East and refusal of the demolition application for the occupying structures on September 25, 2012. On September 23, 2013 Council voted to adopt the HRH and staff recommendation to designate the subject lands under Part IV of the *Heritage Act*. Notice of Intent to designate the property was published and issued to the owner and the Ontario Heritage Trust on October 10, 2013.

The owners filed an appeal to the Conservation Review Board of Ontario, who heard the matter and made recommendations in their report of December 24, 2014 in favour of designating the property. On October 19, 2015, Council deferred voting on the adoption of the designation by-law for 6 months in order to allow for the completion of a Flood Remediation Class EA Study that might have had an effect on the subject lands.

The Flood Remediation Class EA Study is now complete. It is projected that as a result of the implementation of the proposed remediation activities, 41 Elgin Mills will no longer fall within a flood hazard area. Council's resolution to defer adoption of the subject heritage designation by-law until post completion of the Flood Remediation Class EA Study for the area has been realized. A draft heritage designation by-law will be forwarded to Council for approval in January of 2018.

### **New Demolition Permit Submitted**

An application to demolish the William Neal House (the heritage attribute of the property) as well as accessory structures, at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published "Intent to Designate", upon receipt of a demolition application, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of a demolition application, Council has 90 days in which to consult with the Municipal Heritage Committee and issue a decision in regard to the demolition application.

As the accessory structures are not identified in the Designation By-law, staff has no objection to their removal. Staff is, however, concerned about accidental damage to the house itself and is therefore recommending that it be securely fenced prior to issuance of a demolition permit.

### **Appeal Process**

If Council denies this application and should the owner wish to pursue the demolition further, the owner would have the opportunity to appeal the decision to the Ontario Municipal Board.

### **Financial/Staffing/Other Implications:**

The recommendations in this report will have no financial or staffing implications.

### **Relationship to the Strategic Plan:**

This protection of the William Neal House at 41 Elgin Mills Road East, is consistent with Goal 3 – Outcome 1 of the Strategic Plan which is to "Respect the past through promoting the awareness of the Town's heritage, in part by showcasing local history." This project also implements the direction to achieve Goal 3, "A More Vibrant Richmond Hill," specifically, by "stewarding Richmond Hill's heritage resources."

## **Conclusion:**

William Neal played a significant role in the evolution of Richmond Hill in the 20<sup>th</sup> Century, through his civic and business activities. Mr. Neal proudly represented the residents of the village throughout the 1940s until the 1960s, during which time he served as the Town's first Mayor in 1957. He is also closely associated with the rise of the automobile in Richmond Hill through his operation of the first Dodge dealership in Canada which he opened in Richmond Hill in 1931, and as the operator of the first vehicle licencing office north of Toronto in 1934.

The reasons for designation of the William Neal House remain valid and the House should be preserved.

## **Attachments:**

There are no attachments to this report.





## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** January 22, 2018

**Report Number:** SRPRS.18.006

**Department:** Planning and Regulatory Services

**Division:** Policy Planning

**Subject:** **SRPRS.18.006 – 41 Elgin Mills Road East;  
Heritage Designation By-law**

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### **Purpose:**

The purpose of this report is to seek Council's adoption of the heritage designation by-law (attached as Appendix A) for the property located at 41 Erin Mills Road thereby completing the previously-initiated designation process. The passing of the subject by-law had been delayed to allow for completion of a Flood Remediation Class EA study taking place in the area that included the subject property.

### **Recommendation(s):**

1. That By-law 2-18, attached as Appendix A to SRPRS.18.006 be adopted to designate Erin Mills Road East (site of the William Neal House) as being a property of cultural heritage value or interest under Part IV, Section 29, of the *Ontario Heritage Act*; and
2. That Notice of Passing of the By-law be mailed to the Ontario Heritage Trust and the property owner.

### **Contact Person:**

Isa James, Heritage / Urban Design Planner, phone number 905-771-5529 and/or Joanne Leung, Manager of Heritage and Urban Design, phone number 905-771-5498

### **Report Approval:**

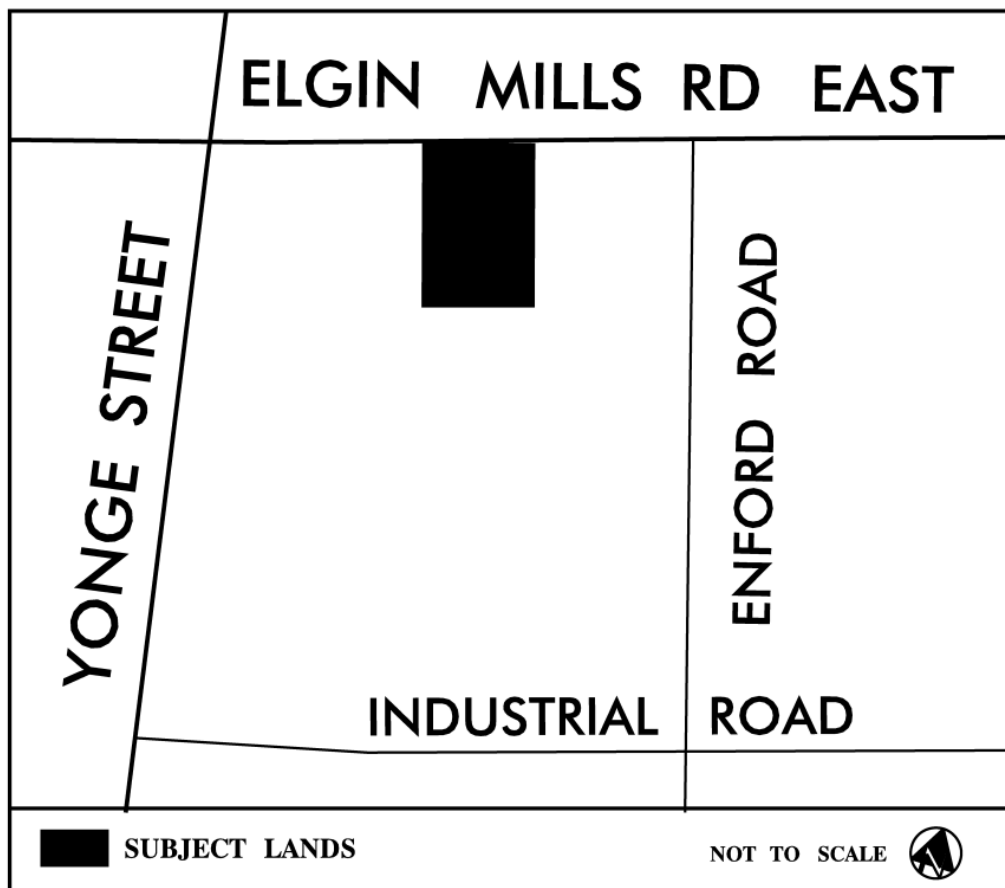
**Submitted by:** Kelvin Kwan, Commissioner of Planning and Regulatory Services

**Approved by:** Neil Garbe, Chief Administrative Officer

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), Town Solicitor (as required), Commissioner, and Chief Administrative Officer. Details of the reports approval are attached.

## Location Map:

Below is a map illustrating the location of the subject property. Should you require an alternative format, call the person listed under “Contact” above.



## Background:

Heritage Richmond Hill originally recommended designation of 41 Elgin Mills Road East on September 25, 2012. On September 23, 2013 Council voted to adopt the HRH and staff recommendation to designate the subject lands under Part IV of the *Heritage Act*. Notice of Intent to designate the property was published and issued to the owner and the Ontario Heritage Trust on October 10, 2013.

The owners filed an appeal to the Conservation Review Board of Ontario (CRB), who heard the matter. In their report of December 24, 2014 (see Appendix B) the CRB noted:

“[68] The Review Tribunal finds that:

- The Property has associative value because it has direct association with William Neal who was, and is, significant to the community of Richmond Hill; and
- The William Neal House is the primary physical attribute on the Property that is directly associated with William Neal and, therefore, in relation to its associative value.”

The CRB recommended that the “Statement of Cultural Heritage Value or Interest” be reviewed and that reference to “architectural” value be removed therefrom (action completed) and that the Town of Richmond Hill proceed with the designation of 41 Elgin Mills Road East under s. 29 of the *Ontario Heritage Act*.

On October 19, 2015, staff brought forward the designating by-law for Council’s consideration. At the request of the property owner, Council deferred voting on the adoption of the designation by-law for 6 months in order to allow for the completion of a Flood Remediation Class EA Study that might have had an effect on the subject lands.

The Flood Remediation Class EA Study is now complete. The remediation works that are to take place on the subject lands will not affect the site of the heritage building. It is projected that as a result of the implementation of the proposed remediation activities, 41 Elgin Mills will no longer fall within a flood hazard area. Council’s resolution to defer adoption of the subject heritage designation by-law until post completion of the Flood Remediation Class EA Study for the area has been realized.

### **New Demolition Permit Submitted**

An application to demolish the William Neal House at 41 Elgin Mills Road East was submitted on November 14, 2017. Since Council has previously published “Intent to Designate”, under Section 30(2) of the *Heritage Act*, the house is protected as if the designation process had been completed. Therefore, upon receipt of an application for demolition, Council has 90 days in which to consult with the municipal heritage committee and to respond to the demolition application. February 12, 2018 will mark the end of the 90 day maximum Council response period.

At its December 5, 2017 Heritage Richmond Hill meeting, the Committee recommended that the demolition request be denied. Concurrent with this staff report, the HRH recommendations from the December meeting is included in this Committee of the Whole agenda.

### **Financial/Staffing/Other Implications:**

The recommendations in this report will have no financial or staffing implications.

### **Relationship to the Strategic Plan:**

This designation of 41 Elgin Mills Road East under Part IV of the *Ontario Heritage Act*, is consistent with Goal 3 – Outcome 1 of the Strategic Plan which is to “Respect the past through promoting the awareness of the Town’s heritage, in part by showcasing

local history.” This project also implements the direction to achieve Goal 3, “A More Vibrant Richmond Hill,” specifically, by “stewarding Richmond Hill’s heritage resources.”

## **Conclusion:**

William Neal played a significant role in the evolution of Richmond Hill in the 20<sup>th</sup> Century, through his civic and business activities. Mr. Neal proudly represented the residents of the village throughout the 1940s until the 1960s, during which time he served as the Town’s first Mayor in 1957. He is also closely associated with the rise of the automobile in Richmond Hill through his operation of the first Dodge dealership in Canada which he opened in Richmond Hill in 1931, and as the operator of the first vehicle licencing office north of Toronto in 1934.

The reasons for deferral of the resolution by Council have been realized. The passing of the Heritage Designation By-law completes Council’s decision to designate the subject lands. From a process perspective, it is necessary to complete the designation process which was directed by Council in 2015.

## **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix A - 41 Elgin Mills Road East Heritage Designation By-law 2-18
- Appendix B - Conservation Review Board Report

### **Report Approval Details**

Document Title:	SRPRS.18.006.docx
Attachments:	- SRPRS.18.006AppendixA .docx - SRPRS.18.006AppendixB.pdf
Final Approval Date:	Jan 9, 2018

This report and all of its attachments were approved and signed as outlined below:

**Patrick Lee - Dec 22, 2017 - 3:19 PM**

**Kelvin Kwan - Jan 9, 2018 - 3:59 PM**

**Neil Garbe - Jan 9, 2018 - 4:12 PM**



## **The Corporation of the Town of Richmond Hill**

### **By-law 2-18**

A By-law to Authorize the Designation of  
41 Elgin Mills Road East  
**(The William Neal House)**  
Under the *Ontario Heritage Act*

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorizes the Council of a municipality to enact by-laws to designate real property to be of cultural heritage value or interest;

And Whereas the Council of The Corporation of the Town of Richmond Hill has caused to be served on the owners of the lands and premises known as 41 Elgin Mills Road East, Richmond Hill, and upon the Ontario Heritage Trust, a Notice of Intention to Designate the aforesaid real property and has caused such Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality;

And Whereas the Statement of Cultural Heritage Value or Interest and the Description of Heritage Attributes are set out in Schedule “A” and attached to By-law 2-18;

And Whereas the Conservation Review Board in its Report dated December 24, 2014 made recommendations to amend the Description of the Heritage Attributes in the Reasons for Designation;

And Whereas Council at its meeting of October 26, 2015 adopted the recommendation of the Committee of the Whole Meeting in Staff Report SRPRS.15.147 pertaining to the historical designation of the William Neal House;

The Council of The Corporation of The Town of Richmond Hill enacts as follows:

1. That the real property located at 41 Elgin Mills Road East, being Lot 59, Plan 10030, Richmond Hill, Regional Municipality of York [PIN NO. 03171-0122 (LT)], is hereby designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as being of cultural heritage value or interest.
2. That the Town Clerk is hereby authorized to cause a copy of the By-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property to be served on the owner of the property and on the Trust, and publish a Notice of the Passing of the By-law in a newspaper having general circulation in the municipality.

3. That the Town Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" in the Land Registry Office.
4. That Schedule "A" attached to By-law 2-18 is declared to form a part of this By-law.

Passed this 29th day of January, 2018.

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Dave Barrow  
Mayor

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Stephen M.A. Huycke  
Town Clerk

## **SCHEDULE “A” TO BY-LAW 2-18**

### **REASONS FOR DESIGNATION**

41 Elgin Mills Road East

#### **The William Neal House**

#### **Statement of Cultural Heritage Value or Interest**

The subject property at 41 Elgin Mills Road East contains direct architectural and associative/historical value as the home of William Neal, the first mayor of the Town of Richmond Hill and a businessman who was closely associated with the rising significance of the automobile within Richmond Hill.

William Neal served in World War I, and returned to Richmond Hill after being wounded at the Battle of Petit Vimy. He served on Richmond Hill Council in the 1940's and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951. He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963. When he was inducted as mayor, Richmond Hill had a population of less than 8,500 residents. During his tenure he oversaw the addition of 164 houses in the Beverly Acres subdivision, developed plans for a new town swimming pool, and was significantly involved with the founding of York Central Hospital.

As a businessman, William opened one of the first Dodge dealerships in Canada in 1931, on the east side of Yonge Street, just south of Lorne Avenue. In 1934, he was appointed Richmond Hill's first and only motor vehicle licence issuer. The office was the first to open north of Steeles Avenue, in what was then a mostly rural area and continued to operate until its closure in 1997.

In the early 1970's, William and his family relocated north of Richmond Hill to 41 Elgin Mills Road East where he subdivided the parcel into three smaller lots to contain his dealership, licencing office, and personal dwelling respectively.

The property contains a unique historic mixture of automotive and residential uses that link directly to William Neal. William Neal's residence is the primary physical attribute associated with the first Mayor of the Town of Richmond Hill.

#### **Description of Heritage Attributes**

Key exterior and interior attributes that contribute to the design value of 41 Elgin Mills Road East (the William Neal House) include the following:

- The two-and-a-half storey American foursquare house with broad-eaved hip roof.



# Conservation Review Board

## Commission des biens culturels



**ISSUE DATE:** December 24, 2014

**CASE NO(S):** CRB 1310

**PROCEEDING COMMENCED UNDER** subsection 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended

Owner/Objector:	Arash Development Limited
Objector:	Greg Price
Subject:	Notice of Intention to Designate
Property Address:	41 Elgin Mills Road East (also known as the William Neal House)
Legal Description:	Lot 59, Judge's Plan 10030
Municipality:	Town of Richmond Hill
CRB Case No.:	CRB1310

Heard:	November 17, 2014, at the Town of Richmond Hill, Ontario
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### APPEARANCES:

#### Parties

#### Counsel

Arash Development Limited	Joel D. Farber
Town of Richmond Hill	Alexis Alyea
Greg Price	Self-represented

### REPORT OF THE CONSERVATION REVIEW BOARD DELIVERED BY STUART HENDERSON AND ROBERT V. WRIGHT

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### OVERVIEW

[1] The Town of Richmond Hill (the "Town") seeks to designate 41 Elgin Mills Road East in the Town of Richmond Hill (the "Property"), as a property of cultural heritage value or interest under the *Ontario Heritage Act* (the "Act") and Ontario Regulation 9/06:

Criteria for Determining Cultural Heritage Value or Interest (“Regulation 9/06”). The Property includes the “William Neal House”, a car dealership and a cinder block building that was formerly used as a motor vehicle licensing office. The William Neal House is the only structure on the Property that is referred to in the Description of Heritage Attributes in the Notice of Designation.

[2] Arash Development Limited (the “Owner”) and Greg Price (a resident of Richmond Hill) object to the designation.

[3] A hearing by the Conservation Review Board (the “Review Board”) was convened under s. 29 of the Act for the purpose of reporting to the Town Council the Review Board’s recommendation whether or not the Property should be designated to be of cultural heritage value or interest. For the reasons that follow, the Review Board recommends that the Property be so designated.

## **BACKGROUND**

[4] The Property is on the south side of Elgin Mills Road East, east of Yonge Street, in an Urban Settlement Area under the Town’s Official Plan. The William Neal House is a two-storey residence that is listed on the Town of Richmond Hill’s Inventory of Buildings of Architectural and Historical Importance. A photograph of the William Neal House was put in evidence and is attached as Schedule 1.

[5] At the commencement of the hearing the parties filed an “Agreed Statement of Facts” that is incorporated by reference into this report, copy of which is attached as Schedule 2.

[6] The Agreed Statement of Facts incorporates portions of a report by Goldsmith Borgal & Company Ltd. Report to Armstrong Hunter & Associates, dated August 15, 2007 (the “2007 GBCA Report”) that describes the William Neal House as follows:

### **Exterior Description**

The basic mass is a 2-storey approximately 32' x 50' brick building with a broad-eaved hip roof covered in asphalt shingles. There is a sunroom projecting from the west (front) façade and a rear extension housing the kitchen and garage attached to the rear of the building to the east.

The bricks were laid in "common bond" with headers every sixth course and randomly alternated between dark brown and light brown to create a decorative effect. The first floor is elevated about 40" above the ground on a coursed rough stone base and was originally accessed in the front by three stone steps leading to a porch. The porch is covered by a moderate hip roof supported by columns and surrounded on the three sides by a half wall – as is the case with many buildings of this period, the porch has been enclosed.

The windows are 2/2 sash as is typical for a building of this period and design.

### **Interior Description**

The interior is largely intact from the original with examples of the dark wood trim typical of its date of construction and wood graining on interior doors. The stair newels and the balustrades are original and intact. Some original light fixtures remain. The kitchen has been significantly renovated, with cupboards with plywood doors typical of renovations carried out in the late 1950's and early 1960's period; a fireplace was added in the living room during the same period and a bathroom was added in the early 1950's at the second floor.

...

### **Condition**

Settlement cracks were noted on the south wall and several joists in the basement were observed to have been cracked as a result of structural movement. While the exterior masonry was in good condition in areas where movement had not occurred, exterior wood trim and windows were in only fair to poor condition and the roof shingles have met the end of their service life. The garage addition was found to be in poor condition.

[7] Regarding the history of William Neal and the Town, the Agreed Statement of Facts provides:

- William Neal served on Richmond Hill Council in the 1940s and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951.
- He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963 until 1964. After 1964, William Neal did not hold any public office.
- As a businessman, William Neal opened a Dodge car dealership, and, with his wife, also opened a motor vehicle licensing office.

- His Dodge dealership opened in 1931, on the East side of Yonge Street, just south of Lorne Street, and was one of the first in Canada.
- In 1934, he was appointed Richmond Hill's first and only motor vehicle license issuer, and opened the Town's first motor vehicle licensing office.
- His motor vehicle license office was the first to open north of Steeles Avenue, in what was then mostly rural area.
- William Neal and his family moved to the subject property in 1972.
- He subdivided the subject property into three smaller lots; being the dealership, the licensing office, and subject house, respectively.
- He resided at the house and continued to operate the licensing office at the subject property with his wife into his 70's.
- William Neal passed away on June 15, 1979 at the age of 82.

[8] The agreed procedural history is as follows:

- On August 16, 2012, the Owner filed a Notice of Intention to Demolish the Property.
- The Town's Heritage and Urban Design staff prepared a report (the "2012 Staff Report") that recommended designation of the William Neal House under Part IV of the Act. The recommendation of the 2012 Staff Report was confirmed by Heritage Richmond Hill at its September 25, 2012 meeting.
- On November 5, 2012, the Town's Committee of the Whole received a letter from the Owner's planner withdrawing the Notice of Intent to Demolish the Property until a further evaluation.
- In February 2013 the Owner submitted a Supplementary Heritage Evaluation that was prepared by Joan Burt Architect (the "2013 Burt Report").
- The Town staff provided an additional report to the Committee of the Whole on September 16, 2013. On September 23, 2013, Town Council adopted staff's recommendation for designation of the Property under Part IV of the Act.

[9] On October 10, 2013 the Town of Richmond Hill sent out a Notice of Intention to Designate the Property under Part IV s.29 of the Act. The Owner and Mr. Price filed Notices of Objection with the Town on November 6, 2013 and October 15, 2013, respectively.

[10] Pre-hearing conferences were held by telephone conference calls on April 15 and July 8, 2014.

[11] Notice of the hearing was served by the Review Board on the parties on October 16, 2014, and public notice of the hearing was published by the Town on November 6, 2014 in the *Richmond Hill Liberal*, which has general circulation in the Town.

[12] The hearing was held on Monday, November 17, 2014, in a Committee Room at the Town's offices at 225 East Beaver Creek Road, Richmond Hill.

[13] On the morning of the hearing, the parties and their representatives, and the Review Board panel members, attended a site visit of the Property including the exterior of the William Neal House.

[14] At the hearing, the Town and the Owner called one witness each. Mr. Price testified as well. No other members of the public attended the hearing. A list of the exhibits filed at the hearing is attached as Schedule 3.

## **RELEVANT LEGISLATION AND REGULATION**

[15] *Ontario Heritage Act*

Designation of Properties by Municipalities

Designation by municipal by-law

29. (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,  
 (a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria; and

(b) the designation is made in accordance with the process set out in this section.

*Ontario Regulation 9/06:*

**Criteria**

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark.

**ISSUE**

[16] The issue is whether the Property should be designated as a property of cultural value or interest under s. 29 of the Act because it has associative value under s. 1.(2)2 of Regulation 9/06.

**CASE FOR THE MUNICIPALITY**

[17] Matthew Somerville was called as a witness by the Town. He gave oral evidence and filed his witness statement as an exhibit. He has seven years of heritage conservation and urban design/architectural experience. This work included restoring historic structures and architectural and urban renewal. He has been the Town's Heritage and Urban Design Planner since May of 2011, in which position he provides advice on heritage and urban design planning matters. He was qualified by the Review Board as an expert in heritage planning. His qualification as an expert witness was not opposed by the other parties.

[18] Mr. Somerville acknowledged that most of the information that he provided in his evidence, and except as specifically noted, was derived from the various reports of other individuals that are referred to herein.

[19] Mr. Somerville further described the William Neal House as "a brown brick two-storey residence design in a variation of the 'American Foursquare' style" with an interior "Georgian revival plan that provided for a central hall that divided the main floor." According to the 2007 GBCA Report, as noted above, the interior was largely intact in 2007.

[20] While the Notice of Intention to Designate the Property asserts that the Property contains direct architectural and associative/historical value as the home of William Neal, the first Mayor of the Town of Richmond Hill and a businessman who was closely associated with the rising significance of the automobile within Richmond Hill, and that the William Neal House is a variant example of the American Foursquare design aesthetic, the Town did not pursue the architectural value criterion at the hearing.

[21] Mr. Somerville related that the 2007 GBCA Report was peer reviewed by Su Murdoch Historical Consulting, at the Town's request. Her conclusion in her report, dated December 7, 2007, was that the 2007 GBCA Report was limited to "a visual

inspection of the physical structure and its context” and did not consider the appropriate criteria for evaluating the cultural heritage value of interest of the Property. Ms. Murdoch described the 2007 GBCA Report as a preliminary and incomplete evaluation of the property and noted that the report itself recommended further study and assessment.

[22] The procedural steps regarding the Property, beginning in 2012, are set out in the Background above.

[23] Mr. Somerville testified as to his research regarding the associative value of the Property and the Regulation 9/06 criteria. Much of that information is also set out above in the Background. He added that information contained in speeches made at the official opening of the William Neal Park on June 7, 2008, assisted Town staff in becoming aware of the Property’s direct associative value with William Neal.

[24] Mr. Somerville’s opinion is that “the proposed designation of the William Neal House should proceed as it constitutes good heritage planning.” His opinion is based on the reasons provided in the Town staff reports and, in particular, that the Property is “directly associated with William Neal who was both an important business owner within the community, a local Reeve for the Village of Richmond Hill as well as the first mayor of the Town in 1957”. He says that the William Neal House is “the primary physical attribute on the site which directly relates to its associated value.”

[25] Mr. Somerville gave examples of other properties that have been designated as having heritage value, or have heritage significance because they have residences “in which a member of the community of significance lived there at various points in their life and is now either designated or noted as a place of significance.” They are: the Sir Frederick Banting Homestead, Agnes Macphail House, Mackenzie House and the Meighen Estate.

[26] The Frederick Banting Homestead, located in the Town of Alliston, was designated in 2007 for its associative value. Dr. Banting was one of the inventors of insulin, used in the treatment of diabetes. The property was Dr. Banting's birthplace and childhood home. Mr. Somerville said that the Review Board made a finding that his childhood home "influenced his perception of the world and fostered his interest in exploration and science." Mr. Somerville pointed out that his notable achievements occurred after his childhood at the farm.

[27] Mr. Somerville describes Agnes Macphail as "Canada's first female member of Provincial Parliament and female Federal Member of Parliament. Her house at 720 Millwood Road in Toronto was designated for its architectural, associative and contextual value. She lived in the house from 1948 until her death in 1954. Mr. Somerville's evidence was: "Her association with the house was both during and after her primary achievements."

[28] William Lyon Mackenzie was the first Mayor of Toronto in 1837 and a leader of the Upper Canada Rebellion. He lived at 820 Bond Street upon his return to Toronto in 1858, having been exiled as a consequence of his involvement in the rebellion. He died there in 1861. Mr. Somerville said: "While the house is recognised for its historic associative value, due to its ownership by the City of Toronto the municipality has never completed a Part IV designation of the property."

[29] Arthur Meighen became the eighth Prime Minister of Canada in 1921. The Arthur Meighen Estate is located in Perth South. He was born at the farmhouse on the property in 1874 and lived there with his family until 1886. Mr. Somerville said: "Similar to William Neal, Arthur Meighen did not live at the property during the period of his political activity".

[30] Mr. Somerville stated that the William Neal House is the only house remaining that is directly associated with William Neal and that, in his opinion, the Property meets one of the criteria of Regulation 9/06 and, therefore, should be designated under s. 29 of the Act.

[31] On cross-examination, Mr. Somerville said that for the purpose of the associative value criterion it was his opinion that it does not matter if a person lived in a residence before, during or after their tenure as a significant person.

[32] Ms. Alyea submits that the Property should be designated because it meets Regulation 9/06 criteria 1.(2)2.i and ii. Ms. Alyea submits that the Property has a direct association with William Neal, a person who is significant to Richmond Hill, and it yields information that contributes to an understanding of its community.

[33] Ms. Alyea submits that the William Neal House is the last remaining house of the first Mayor of the Town of Richmond Hill. Mr. Neal was a member of Council, Reeve for two terms and the Town's first Mayor in 1964.

[34] In addition, Ms. Alyea argues that Mr. Neal was an important business leader who began the first Dodge dealership and the first motor vehicle licensing office north of Steeles Avenue. The residence is adjacent to his relocated car dealership and licensing office and they are where he conducted business and spent the remaining years of his life. Ms. Alyea argues that Mr. Neal's influence on the development of Richmond Hill did not stop when he ceased to be Mayor and that his influence on the automotive industry continued. She submits that it is not in dispute that Mr. Neal was a significant person in relation to the Richmond Hill community and the disagreement with the Owner is whether he is sufficiently associated within the meaning of the criteria.

[35] Ms. Alyea argues that the Review Board should accept the opinion of Mr. Somerville and that Ms. Burt used a standard of "uniqueness" which is not a requirement of the associative value criterion.

[36] Ms. Alyea further submits that the Property, and its key attribute, the William Neal House, should be protected from future development because it is associated with William Neal as his last residence, which will have more meaning when attached to a residential structure.

#### **CASE FOR ARASH DEVELOPMENT LIMITED**

[37] Joan Burt was called as a witness by the Owner. She gave oral evidence and filed as exhibits two reports that she prepared, and a one-page hearing note. She has worked as an architect since 1958 and has particular experience in the restoration of downtown Toronto districts and buildings. She describes the scope of this work to include restoration, dismantling and reconstruction of heritage buildings, restoration of the exterior and interior, and making alterations and additions. She was qualified by the Review Board as an expert in architecture and heritage planning. Her qualification as an expert witness was not opposed by the Town.

[38] The two reports that Ms. Burt prepared are entitled the "Supplementary Heritage Evaluation" dated February 2013, and "Comments Pertaining to SRPRS.13.166" dated September 12, 2013.

[39] Ms. Burt noted that the 2007 GBCA Report and 2012 Staff Report both stated that the building is of "moderate architectural interest" and the Staff Report also does not make reference to contextual value in those reports regarding in its conclusion. Therefore, Ms. Burt states in her Supplementary Heritage Evaluation that it addresses the conclusion that there is direct association with a person and Regulation 9/06 criterion 1.(2)2.i.

[40] Ms. Burt's evidence was that William Neal made significant contributions to the Town through his business and civic activities in the period of 1931 to 1963. It is her evidence that Dominion House at 59, 61 and 65 Yonge Street South, the location of his Dodge dealership (one of the first in Canada), and his motor vehicle licensing office (the first north of Toronto), is the property with a strong association with the work or life of William Neal. Dominion House itself, formerly Dalby's Tavern, was demolished (the date was not specified in the evidence).

[41] Ms. Burt's research further indicates that William Neal lived at residences on Yonge Street South at various dates between 1944 and 1963, when he was Reeve and the Mayor of Richmond Hill. It is her opinion: "These are the residences that have a strong or special association with the life of William Neal." She goes on to state that it was likely in 1972 that he moved the car dealership to the south-east corner of Yonge Street and Elgin Mills Road East and moved his family residence to an existing farm house at 41 Elgin Mills Road East.

[42] Ms. Burt states in her Supplementary Heritage Evaluation report: "There is no direct association of the property with the significance of William Neal. He moved to this farmhouse in 1972 sometime after he was Mayor of Richmond Hill. The house was not involved nor did it contribute to his activities as Mayor." It is also her evidence that the William Neal House is not "uniquely" associated with the automobile industry nor automotive history of Richmond Hill. In her opinion "41 Elgin Mills does not meet the Criteria for Designation based on associative value, in this case, direct association with a person, William Neal."

[43] In her report, Ms. Burt contrasted the situation here with the Heritage Tool Kit example of the house of the 13<sup>th</sup> Mayor of Peterborough. It was the residence of the Mayor while he held that office, as well as being where he entertained the elite of his constituency for 40 years. She says in that case: "The association between the person and the building is direct, strong, and clear."

[44] In her “Comments” report Ms. Burt compares the situation in this case with the Sir Frederick Banting Homestead, Agnes McPhail House, and Mackenzie House, examples for which Mr. Somerville gave evidence.

[45] Ms. Burt distinguishes the Review Board’s designation of the Banting homestead on the basis “that there was a clear connection between the farm, Banting and the discovery of insulin” whereas there is no evidence that the William Neal House at 41 Elgin Mills Road East “contributed in any way to Neal being Mayor of Richmond Hill.”

[46] Ms. Burt distinguishes the Review Board’s recommendation to designate the Agnes McPhail House because it is “the house that she occupied during her significant contributing years”, whereas William Neal did not occupy the subject house when he was Mayor or when he first opened his car dealership. In addition, it was designated for architectural, associative and contextual value.

[47] Ms. Burt distinguishes the Mackenzie House as it has not been designated and, therefore, not known for what value(s) it would be designated, e.g., for its architectural, associative or contextual value.

[48] Ms. Burt’s opinion is that “direct association” as the term is used in the Act requires a “more meaningful association” than a person just having lived in a house. In her “Comments” report she observes:

Associative value needs to be more than the person lived in the house after their significant contribution was made. If someone moved several times after their contribution, this would mean that all those properties would qualify as designated properties. This would not be a reasonable application of this designation criteria.

[49] In cross-examination Ms. Burt said that the significance of the car dealership and the motor vehicle licensing businesses is their beginnings and not their continuation. She said that “from a heritage sense, it all happened at Dominion House.” She stressed in her oral evidence that “there should be a connection between the building and the

event.” Her Supplementary Heritage Evaluation states her opinion this way:

The property at 41 Elgin Mills Road East is not the property that has a strong or special association with the life or work of William Neal. This property has no connection with the events for which William Neal was historically significant. He moved to 41 Elgin Mills Road East after the historically significant events took place.

[50] Mr. Farber submits, for the Owner, that the Town was uncertain as to the basis for designation in 2007 and even at the hearing raised s.1.(2)2.ii of Regulation 9/06 for the first time. He argues that this undermines the validity of the Town’s proposed designation.

[51] Mr. Farber submits that the proposed designation for associative value under s.1.(2)2.i is the heart of the matter. He argues that it is not sufficient that Mr. Neal lived in the house and that “there has to be something more.” He says that while Mr. Neal was a significant person in the community of Richmond Hill, he only lived in the house on the Property a short time, that it was not where he established his business and the house played no unique role. He submits that only Dominion House is “uniquely associated” with William Neal.

[52] Mr. Farber submits that none of the examples of properties with residences given by Mr. Somerville are comparable. He argues that the Banting farm was directly associated with Dr. Banting because it was how he learned about science, that Agnes Macphail lived in her house when she was a politician, that McKenzie house has not been designated, and the Meighen property was an original Crown grant to the Meighen family and where Arthur Meighen was born and raised.

[53] Mr. Farber submits that it is not relevant that this is the last remaining house of the first Mayor of Richmond Hill and that “designation cannot be by default”. He argues that Ms. Burt’s evidence and opinions should be preferred over Mr. Somerville’s because the Town did not do sufficient research or call appropriate witnesses.

**CASE FOR GREG PRICE**

[54] Greg Price is a resident of Richmond Hill. He has lived there since 1956 and attended school with the youngest son of Mr. Neal. He was familiar with the former Dominion House building. He testified that a member of the Neal family told him that, in the words of Mr. Price, the William Neal House “should have been torn down years ago” and that it was “strictly a business investment.”

[55] On cross-examination by Ms. Alyea, Mr. Price confirmed that the cinder block building still adjacent to the Property was operated by Mr. Neal as a motor vehicle licensing office but mainly run by his son.

**ANALYSIS**

[56] There is no conflict in the evidence or submissions that William Neal is a significant person to the community of Richmond Hill. The question here is whether the Property has associative value because it has direct association with William Neal within the meaning of Regulation 9/06, s.1.(2)2.i.

[57] Under this criterion, a property can have associative value for the following direct associations: “a theme, event, belief, person, activity, organization or institution”. In this case, the Town relies on direct association with a “person”. In considering direct association in the context of the objections to the designation in this case, it is useful to step back and consider the framework of the criteria prescribed by Regulation 9/06 under the Act.

[58] Municipalities intending to designate a property may rely on one or more of the three main heads of criteria in Regulation 9/06, i.e., design value or physical value, historical value or associative value, and contextual value. For instance, the Macphail House property was designated for architectural, associative and contextual value. It was implicit in the parties’ evidence and submissions that a designating municipality

may also rely upon just one of the matters to establish one of the main criterion, i.e., direct association in the Sir Frederick Banting Homestead designation and, as asserted by the Town in this case, the William Neal House.

[59] The main thrust of Ms. Burt's evidence and Mr. Farber's submissions is that William Neal lived in the residence on the Property when he was no longer the Mayor, or other municipal representative, and after he had already set up a car dealership and motor vehicle licensing office. They say that simply living in a house is not enough to establish associative value; that there must be something "unique". In her oral evidence Ms. Burt stressed that (emphasis added) "there should be a connection between the building and the event", and in her Supplementary Heritage Evaluation she states: "This property has no connection with the events for which William Neal was historically significant. He moved to 41 Elgin Mills Road East after the historically significant events took place."

[60] Ms. Burt cannot be referring to "event(s)" as the word is used in the list of direct associations with a property in s.1.(2)2.i because the direct association at issue here is to a "person", i.e., Mr. Neal's significance to the community of Richmond Hill. Therefore, the "event(s)" that she refers to do not need to be directly associated with the Property, which includes the William Neal House. In this case there is a connection between the house and William Neal, and, through William Neal, there is a connection between the "event(s)" and the Property, including the William Neal House. Although not a requirement of the Act or the associative value criterion under Regulation 9/06, this is a "unique" connection. As is required under s.1.(2)2.i, the direct association is made through a person, William Neal.

[61] Furthermore, and although not required, there was some continuity of the business activities which, in part, make William Neal a person significant to the community. William Neal lived in the house while he continued to operate the car dealership and the motor vehicle licensing office at their new locations, on the Property and adjacent to the William Neal House, where he lived out the balance of his life.

[62] The Review Board does not agree with the evidence and submission on behalf of the Owner that where a municipality is relying upon direct association with a person then, in all cases, the significant events in that person's life must have occurred while the person lived or worked on the subject property. Clearly this is a highly relevant and important factor, but the Review Board finds that it is not determinative in all cases – there has to be a weighing of all of the relevant factors. Again, in this case the Town is relying upon the direct association of the person with the Property and his significance to the community, not his direct association with a specific event or series of events in relation to the Property or the house. Neither Mr. Neal's significance as a person to the community nor his direct association with the Property, including the house, the car dealership and the motor vehicle licensing office, were not diminished by his moving to 41 Elgin Mills Road East.

[63] Whether a person achieved significance while residing at a property, or before or after, is an important consideration of direct association, but not necessarily determinative of the association. All relevant factors have to be considered. For instance, if Dominion House still existed, or the Property was not adjacent to the car dealership and motor vehicle licensing office operated by Mr. Neal, or Mr. Neal had only lived in the house on the Property for a year and lived the rest of his life on another property, then the Town might not have given Notice of Intention to Designate or the balance might have shifted in the determination of the Property's associative value.

[64] The Review Board also disagrees with Mr. Somerville's opinion that it does not matter whether a person lived on the Property before, during or after being a significant person. It may well matter, could be an important factor to be considered, and in some cases it may be determinative of associative value, but it is not determinative across the board, and not determinative in this case.

[65] The Review Board acknowledges Ms. Burt's concern that several residences could be designated as having direct association with a person significant to a community. However, the Review Board is of the view that a weighing of relevant factors protects associative value on the basis of direct association with a person in appropriate cases. For instance, if several residences have the potential for designation then that will be a factor that is revealed in the investigative process and the direct association of the person with the various properties may be weighed on the intended designation of one or more of them.

[66] In the matters of the Sir Frederick Banting Homestead, Agnes Macphail House, Mackenzie House and Meighen Estate properties, the factors relevant to direct association with the person are particularly compelling. In respect of Agnes Macphail, some of the events that made her significant in the community occurred when she lived on the property. These matters reflect the different considerations that can arise in matters involving the associative criterion and direct association with a person. The Review Board must consider all of the evidence and make its recommendations based on its findings.

[67] In this case, there not being a dispute in the evidence as to William Neal being a person of significance to the community of Richmond Hill, the Review Board finds that there is compelling evidence of his direct association with the Property because:

- William Neal House is the last remaining house of the first Mayor of the Town of Richmond Hill;
- Mr. Neal continued the business operations of the car dealership and the motor vehicle licensing office at the Property. Those business operations are a basis for his significance to the community; and
- the business operations and the residence (William Neal House) were inextricably intertwined as he lived and worked on the Property.

[68] The Review Tribunal finds that:

- the Property has associative value because it has direct association with William Neal who was, and is, significant to the community of Richmond Hill; and
- the William Neal House is the primary physical attribute on the Property that is directly associated with William Neal and, therefore, in relation to its associative value.

[69] Regarding s.1.(2)2.ii of Regulation 9/06, and whether the property has associative value because it yields, or has potential to yield, information that contributes to an understanding of a community or culture, due to the above finding on s.1(2)2.i the Review Board does not consider it necessary to make a further finding on either the Owner's objection that the Town did not raise s.1.(2)2.ii prior to the hearing or its substantive merit.

[70] The Review Board adds that the evidence of both expert witnesses was of a high standard and of great help in preparing this report. This case raises the difficult matter of determining direct association with a person who was largely significant at a local community scale.

[71] The Review Board also wishes to commend Mr. Price for taking the time and making the effort to express his views on the matter.

## **RECOMMENDATION**

[72] The Conservation Review Board recommends that the "Statement of Cultural Heritage Value or Interest" in the Notice of Intention to Designate be reviewed and revised to eliminate the references to "architectural" value.

[73] Following the above review, and any revisions, the Review Board recommends that the Town of Richmond Hill proceed with the designation of the property at 41 Elgin Mills Road East in the Town of Richmond Hill as being of cultural heritage value or interest under s. 29 of the *Ontario Heritage Act*.

*“Stuart Henderson”*

STUART HENDERSON  
MEMBER

*“Robert V. Wright”*

ROBERT V. WRIGHT  
VICE-CHAIR

**Schedule 1** – Photograph of the William Neal House (exhibit 3 cover page)

**Schedule 2** – Agreed Statement of Facts

**Schedule 3** – List of Exhibits

**Conservation Review Board**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**SCHEDULE 1**

**SUPPLEMENTARY  
HERITAGE EVALUATION**



**41 ELGIN MILLS ROAD EAST  
RICHMOND HILL, ONTARIO**

**PREPARED BY  
JOAN BURT ARCHITECT  
FOR  
ARASH DEVELOPMENTS LTD.**

**FEBRUARY 2013**

**SCHEDULE 2**

*JULY 29, 2014*

**Agreed Statement of Facts**

*Submitted by the Town of Richmond Hill and  
Arash Development Limited*

Ontario Heritage Review Board Hearing CRB1310

Notice of Intent to Designate 41 Elgin Mills Road East

### Property Background

1. The property at 41 Elgin Mills Road East legally described as Lot 59 Judges Plan 10030 (the “**subject property**”) is located on the south side of Elgin Mills Road East, east of Yonge Street.
2. The Richmond Hill Official Plan identifies the subject property as being located in an Urban Settlement Area.
3. The subject property contains one structure and one site element, which are described as follows (from west to east):
  - a. two-storey residence (the “**House**”); and,
  - b. an element that is identified as a rubblestone and concrete foundation remnant of a former bank barn located south east of the House.
4. The House is a structure of interest to the Town of Richmond Hill (the “**Town**”), and the subject of this CRB hearing (CRB1310).
5. The physical description of the House is as set out in the Goldsmith Borgal & Company Ltd. Report to Armstrong Hunter & Associates, dated August 15<sup>th</sup>, 2007, on page 2 and the first three paragraphs of page 3, as well as shown in the photos at pages 7, 8, 9, 10 and 11.

### The History of William Neal and the Town of Richmond Hill

6. William Neal served on Richmond Hill Council in the 1940s and later as Reeve of the Village of Richmond Hill from 1944 to 1947 and again in 1951.
7. He became the first mayor of the Town of Richmond Hill in 1957 and served again in 1963 until 1964. After 1964, William Neal did not hold any public office.
8. As a businessman, William Neal opened a Dodge car dealership, and, with his wife, also opened a motor vehicle licensing office.
9. His Dodge dealership opened in 1931, on the East side of Yonge Street, just south of Lorne Street, and was one of the first in Canada.
10. In 1934, he was appointed Richmond Hill's first and only motor vehicle license issuer, and opened the Town's first motor vehicle licensing office.
11. His motor vehicle license office was the first to open north of Steeles Avenue, in what was then a mostly rural area.

12. William Neal and his family moved to the subject property in 1972.
13. He subdivided the subject property into three smaller lots; being the dealership, the licensing office, and subject House, respectively.
14. He resided at the House and continued to operate the licensing office at the subject property with his wife into his 70's.
15. William Neal passed away On June 15, 1979 at the age of 82.

#### **Investigation of the William Neal House**

16. In 2007, in connection with a proposed development application, GBCA Architects ("**GBCA**") authored a Heritage Impact Assessment Statement dated August 15, 2007 (the "**2007 GBCA Report**") which was provided to the Town.
17. The 2007 GBCA Report was considered by Richmond Hill's Heritage Advisory Committee ("**Heritage Richmond Hill**") at its meeting held on October 9, 2007.
18. The Town of Richmond Hill commissioned Su Murdoch Historical Consulting to undertake a peer review of the 2007 GBCA Report, which review was completed and submitted to the Town on December 7, 2007 (the "**Murdoch Review**").

#### **Procedural History of Listing and the Notice of Demolition**

19. On August 16, 2012, the current owner of 41 Elgin Mills Road East submitted a Notice of Intent to Demolish for the subject property.
20. In August, 2012, at the time of the submission of the Notice of Intent to Demolish, Council was on summer recess. As such, the Town's CAO's Office was delegated authority to provide receipt of any Notice of Intent to Demolish received during the summer. On August 21<sup>st</sup>, 2012 the CAO's office issued a Notice of Receipt, which was provided to the owner.
21. Heritage and Urban Design staff prepared a staff report SRPRS.12.173 (the "**2012 Staff Report**") which was presented to Heritage Richmond Hill at its September 25, 2012 meeting.
22. The 2012 Staff Report provided background information and a consideration of the potential cultural heritage value of the William Neal House and recommended designation of the House under Part IV.
23. At its meeting held September 25, 2012, Heritage Richmond Hill recommended that "41 Elgin Mills Road East" be designated under Part IV of the *Act*.

24. At the October 1, 2012 Committee of the Whole meeting, a decision was made to defer the matter, which was brought back to Committee of the Whole for consideration on November 5, 2012.
25. At the November 5, 2012 Committee of the Whole meeting, a letter from the owner's planner, dated October 23, 2012, was presented. The letter withdrew the Notice of Intent to Demolish the property until further evaluation of the property could be conducted.
26. In February of 2013, the owner submitted a Supplementary Heritage Evaluation that was prepared by Joan Burt Architect (the "**2013 Burt Report**").
27. On September 16, 2013 staff provided an additional report being SRPRS.13.166 to the Committee of the Whole.
28. On September 16<sup>th</sup> 2013, Council voted to defer consideration of the matter until September 23, 2013.
29. At the September 23, 2013 Council meeting, the Town of Richmond Hill adopted staff's recommendation for designation of the House under Part IV of the *Act*.

**SCHEDULE 3**

- Exhibit 1: Declaration of Service of Notice of Hearing on the Parties and Publication.
- Exhibit 2: Document Book of the Town of Richmond Hill.
- Exhibit 3: Supplementary Heritage Evaluation prepared by Joan Burt Architect, dated February 2013.
- Exhibit 4: Comments Pertaining to SRPRS. 13.166, prepared by Joan Burt Architect, dated Sept. 12, 2013.
- Exhibit 5: Agreed Statement of Facts, dated July 29, 2014.
- Exhibit 6: Witness Statement – Matthew Somerville, undated.
- Exhibit 7: Hearing Note – Joan Burt, undated.



## Member Motion

### Section 5.4.4(b) of Procedure By-law

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**Meeting:** Council

**Meeting Date:** January 29, 2018

**Subject/Title:** Ballot Question in 2018 Municipal Election

**Submitted by:** Councillor Chan

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WHEREAS Richmond Hill changed its name from the Village of Richmond Hill to the Town of Richmond Hill in 1957;

WHEREAS the Town of Richmond Hill has grown substantially to a *New Kind of Urban* with a population of over 210,000 people at this time;

WHEREAS Council has considered member's motion to name the Town of Richmond Hill to the City of Richmond Hill on June 27, 2016 that had failed to carry;

WHEREAS it has been the practice of Council as a good government to consult with the public on issues impacting the Town of Richmond Hill;

WHEREAS questions on municipal interests may be placed on ballots to receive the views of the public during the municipal election to be held on October 22, 2018;

AND

WHEREAS questions on ballots in the municipal election shall only be binding upon receiving support from 50% plus one among the voters in the municipal election;

NOW THEREFORE BE IT RESOLVED:

That Council consider placing the following question on the ballot at the municipal election on October 22, 2018:

***Are you in favour of naming the municipality as the City of Richmond Hill?***  
and

That the Town Clerk be directed to schedule a Special Council meeting on or prior to February 26, 2018, to permit the public to comment on the proposed question on the ballot as required by the *Municipal Elections Act*, and

.../ 2

That the Town Clerk be directed to provide notice of intent to adopt a By-law authorizing the question on the ballot at least 10 days prior to the Council meeting in February 26, 2018, and report back to Council Meeting with necessary By-law for enactment on February 26, 2018.

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**Moved by:           Councillor Chan**

**Seconded by:      Councillor Muench**

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