



Council Meeting

Minutes

C#12-18

Monday, April 16, 2018, 7:30 p.m.

Council Chambers

225 East Beaver Creek Road

Richmond Hill, Ontario

Council Members Present:

Mayor Barrow
Regional and Local Councillor Spatafora
Regional and Local Councillor Hogg
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
S. Kaplan, Acting Commissioner of Corporate and Financial Services
K. Kwan, Commissioner of Planning and Regulatory Services
A. Dimlita, Town Solicitor
T. Steele, Director, By-law and Licensing Enforcement
C. Greco, Manager, Real Estate
C. Pitcher, Communications Advisor
J. Hypolite, IT Service Desk Technical Analyst
S. Huycke, Town Clerk
K. Hurley, Council/Committee Coordinator

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

Mayor Barrow advised that April 15 to April 21, 2018 was National Volunteer Week. Mayor Barrow acknowledged the contributions that volunteers make to the community, noted the current opportunities to volunteer listed on the Town of Richmond Hill's website, and thanked all of the volunteers for their efforts.

Councillor Beros advised that it was Clean-Up Week and that the annual Oak Ridges Community Clean-Up and E-Waste event was being held on Saturday, April 21. Councillor Beros noted participants would meet at the Oak Ridges Public School on the morning of the event, and that this year they partnered with the Oak Ridges Lions Club and Diabetes Canada.

Councillor Cilevitz, on behalf of herself and Ward 5 residents, extended thanks to the Operations crews who had been working since Friday clearing the roads and sidewalks. Councillor Cilevitz advised that the Clean Up, Green Up event, in collaboration with the Mayvern Area Residents Association and Blue Dot Richmond Hill, was being held on Sunday, April 22 at Maplewood Park for a clean-up of the Richvale Greenway and invited all to join in.

Councillor Chan echoed the comments made by Councillor Cilevitz in regards to the efforts of Public Works staff over the weekend, and reminded residents they can track the snow removal activities in their neighbourhood through the RHPlows online app.

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 Spatafora

Seconded by: Regional and Local Councillor Hogg

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

a) Correspondence from Stephen F. Waqué and Andrew Baker, solicitors for 2232767, dated April 13, 2018, regarding the Official Plan and Zoning By-law Amendment applications submitted by T-York 7 Holding Ltd. for 157-165 York Boulevard - Item 13.4

b) Correspondence from Linda Liberatore-Brooks, 61 Lucas Street, regarding the Zoning By-law Amendment and Site Plan applications submitted by Ezio and Bruna Paoletti and 742110 Ontario Limited for 102 and 106 Hunt Avenue - Item 13.5

Carried

6. 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*.

7. Adoption of Previous Council Minutes

7.1 Council Public Meeting #08-18 held March 21, 2018

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

That the minutes of Council Public Meeting C#08-18 held on March 21, 2018, be adopted.

Carried

7.2 Council Meeting #09-18 held March 26, 2018

Moved by: Councillor Cilevitz
Seconded by: Councillor West

That the minutes of Council Meeting C#09-18 held on March 26, 2018 be adopted.

Carried

7.3 Council Public Meeting #10-18 held March 28, 2018

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

That the minutes of Council Public Meeting C#10-18 held on March 28, 2018 be adopted.

Carried

8. Identification of Items Requiring Separate Discussion

Council consented to separate Item 14.1 for discussion.

9. Adoption of Remainder of Agenda Items

On a motion of Regional and Local Councillor Spatafora, seconded by Councillor Chan, Council adopted those Items not identified for separation.

10. Public Hearings

There were no public hearings.

11. Presentations

There were no presentations.

12. Delegations

There were no delegations.

13. Committee and Staff Reports

13.1 Minutes - Committee of the Whole meeting CW#05-18 held on April 9, 2018

That the minutes of the Committee of the Whole meeting CW#05-18 held on April 9, 2018 be adopted as circulated and the following recommendations be approved:

13.1.1 Minutes - Richmond Hill Heritage Centre Advisory Committee meeting HCAC#01-18 held on January 23, 2018 - (CW Item 11.1)

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

That the minutes of Richmond Hill Heritage Centre Advisory Committee meeting HCAC#01-18 held on January 23, 2018, be adopted as circulated.

Carried

13.1.2 Minutes - Youth Action Committee meetings held on February 7 and February 21, 2018 - (CW Item 11.2)

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

That the minutes of Youth Action Committee meetings held on February 7 and February 21, 2018, be adopted as circulated.

Carried

13.1.3 Extracts - Accessibility Advisory Committee meeting AAC#02-18 held on March 28, 2018 - (CW Item 11.3)

13.1.3.1 SRCFS.18.013 - Richmond Hill 2017 Status Report of the 2013-2017 Richmond Hill Accessibility Plan - (CW Item 11.3.1)

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

a) That the 2017 Status Report of the 2013-2017 Richmond Hill Accessibility Plan, attached as Appendix 'A' to staff report SRCFS.18.013, be received;

b) That the 2017 Status Report be posted on the Town's website as required by the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

Carried

13.1.3.2 SRCFS.18.014 - Richmond Hill 2018-2022 Multi-Year Accessibility Plan - (CW Item 11.3.2)

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

a) That the 2018-2022 Multi-Year Accessibility Plan, attached as Appendix 'A' to staff report SRCFS.18.014, be approved;

b) That the approved 2018-2022 Multi-Year Accessibility Plan be posted on the Town's website as required by the *Accessibility for Ontarians with Disabilities Act, 2005*.

Carried

13.1.4 SRPRS.18.088 - Request for Approval - Granting of Servicing Allocation - Draft Plan of Subdivision Application - 266, 272 and 276 Sunset Beach Road - File Number D03-12004 - (CW Item 11.4)

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

- a) That the request for the granting of municipal servicing capacity for 32 persons submitted by Ghasem Pahlavan Hashemi and Tahereh Jalali, and Masoud Ziaian and Golita Seyed-Mohammadi for the lands known as Part of Lots 5 and 6, Plan 163 (municipal addresses: 266, 272 and 276 Sunset Beach Road), File Number D03-12004, be approved;
- b) That the assigned servicing capacity be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11.

Carried

13.1.5 SRPRS.18.081 - Request for Approval - Zoning By-law Amendment and Draft Plan of Subdivision Applications - P. Campagna Investments Limited, Pasquale Campagna and 1480420 Ontario Limited - 18, 22, and 26 Sunset Beach Road - File Numbers D02-17009 and D03-17003 - (CW Item 11.5)

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

- a) That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by P. Campagna Investments Limited, Pasquale Campagna and 1480420 Ontario Limited for the lands known as Part of Lot 65, Concession 1, E.Y.S. (municipal addresses: 18, 22 and 26 Sunset Beach Road), File Numbers D02-17009 and D03-17003 (19T(R)-17003), 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.18.081 and that it be brought forward to a regular meeting of Council for consideration and enactment;
 - (ii) That Council draft approve the Plan of Subdivision as depicted on Map 5 to staff report SRPRS.18.081, subject to the conditions as set out in Appendix 'C' to staff report SRPRS.18.081;
 - (iii) That prior to draft plan approval being granted, the applicant pay the applicable processing fees in accordance with the Town's Tariff of Fees By-law 79-17;
 - (iv) That Council resolve to accept cash-in-lieu parkland dedication for the subject development proposal; and,

(v) That 7.26 persons equivalent of additional servicing capacity be allocated to the subject lands in conjunction with a related Site Plan application (File Number D06-17087), to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11 and upon the receipt of an acceptable Sustainability Metrics submission from the applicant.

Carried

13.1.6 SRPRS.18.093 - Request for Approval - Zoning By-Law Amendment and Site Plan Applications - Ezio and Bruna Paoletti and 742110 Ontario Limited - 102 and 106 Hunt Avenue - File Numbers D02-15016 and D06-15044 - (CW Item 11.6)

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

a) That the Zoning By-law Amendment and Site Plan applications submitted by Ezio and Bruna Paoletti and 742110 Ontario Limited for the lands known as Part of Lot 26 and Lot 27, Plan 2300 (municipal addresses: 102 and 106 Hunt Avenue) File Numbers D02-15016 and D06-15044, be approved, subject to the following:

(i) that the subject lands be rezoned from Residential Second Density (R2) Zone to Residential Multiple Second Density (RM2) Zone under By-law 66-71, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPRS.18.093;

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

Carried

13.1.7 SRPRS.18.086 - Red Maple Road Follow-Up Review - (CW Item 11.7)

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

a) That the Red Maple Follow-Up: Operations and Safety Review, conducted by LEA Consulting Limited and dated January 30, 2018, be received;

b) That Council authorize staff to carry out a Schedule 'B' Class Environmental Assessment Study to evaluate the implementation of

traffic operational and safety improvements for Red Maple Road, from High Tech Road to Highway 7;

c) That Council approve funding of up to \$120,000, including HST, from the Town-Wide Engineering Development Charges Reserve Fund, for the completion of the Schedule 'B' Class Environmental Assessment identified in recommendation b).

Carried

13.1.8 SRCAO.18.04 - Employee Code of Conduct Update - Whistleblower and Legalization of Cannabis - (CW Item 11.8)

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

a) That staff report SRCAO.18.04 regarding Employee Code of Conduct Update, Whistleblower and Legalization of Cannabis, be received;

b) That the proposed amendments to the Town of Richmond Hill Employee Code of Conduct as set out in Appendix 'A' to staff report SRCAO.18.04 be approved and communicated to all staff.

Carried

13.1.9 SRCS.18.05 - Sole Source Acquisition of One (1) Haul-All Refuse Collection Vehicle - (CW Item 11.9)

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

a) That the purchase of one (1) Haul-All 19,500 LB GVW refuse collection vehicle be awarded to Haul-All Equipment Limited in the amount of \$144,204.29 (exclusive of licensing and taxes), in accordance with Appendix B, Part 1, item (c) of the Purchasing By-law which provides for non-competitive acquisition due to the existence of exclusive rights such as patent, copyright or license;

b) That the Mayor and the Clerk be authorized to execute all necessary contract documentation on behalf of the Town, upon the recommendation from the Commissioner of Community Services.

Carried

13.1.10 SREIS.18.001 - 2017 Community Stewardship Program and Natural Environment Achievements Update - (CW Item 11.10)

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

- a) That SREIS.18.001 regarding the 2017 Community Stewardship Program and Natural Environment Achievements Update be received;
- b) That the Director of Asset Management Planning and Environment Services be delegated the authority to authorize the entry into and termination, administer and execute Community Garden Agreements and renewals thereof.

Carried

13.1.11 SRPRS.18.094 - Request for Direction - Official Plan and Zoning By-Law Amendment Applications - T-York 7 Holding Ltd. - 157-165 York Boulevard - File Numbers D01-16004 and D02-16031 (related File Number D06-16068) - (CW Item 11.11)

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

- a) That the Ontario Municipal Board be advised that Council does not support the Official Plan and Zoning By-law Amendment Applications submitted by T-York 7 Holding Ltd. for lands known as Part of Block 2, Registered Plan 65M-2287 (municipal addresses: 157-165 York Boulevard), File Numbers D01-16004 and D02-16031 for the principle reasons outlined in staff report SRPRS.18.094;
- b) That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject applications.

Carried

13.1.12 Councillor Beros - Renaming North Shore Parkette after Syl Cachia - (CW Item 12.1)

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

Whereas Syl Cachia the unofficial "Mayor" of Lake Wilcox recently passed away at the age of 85.

Whereas Syl lived in the Lake Wilcox area since the 1950's.

Whereas Syl would help misguided youths and offer life advice & offer words of encouragement.

Whereas Syl would stand in as a lawyer in some cases to defend those whom nobody believed in

Whereas Syl would meet up with his usual coffee crew to talk about the lake and everything in between.

Whereas Syl was well known and very active in the Community.

It is therefore recommended:

a) That the park currently named North Shore Parkette located on North Lake Road by his home be renamed after Syl Cachia.

b) That the process outlined in the Richmond Hill “Policy for Naming and Renaming Town Parks and Open Spaces and Recreation Facilities” be followed while moving the potential renaming of the North Shore Parkette forward.

Carried

13.2 Extract - Heritage Richmond Hill meeting HRH#02-18 held April 10, 2018

13.2.1 SRPRS.18.090 - Notice of Intent to Demolish 222 Richmond Street - File Number D12-07376

Moved by: Regional and Local Councillor Spatafora

Seconded by: Councillor Chan

a) That Heritage Richmond Hill advise Council the property located at 222 Richmond Street does not merit cultural heritage designation under Part IV of the *Ontario Heritage Act*,

b) That 222 Richmond Street be removed from the Town of Richmond Hill’s Municipal Heritage Register.

Carried

13.3 SRPRS.18.098 - Request for Approval - Deeming By-law Application - Piper Management Ltd. - 12 Macleod Estate Court - File Number D27-18001

Moved by: Regional and Local Councillor Spatafora

Seconded by: Councillor Chan

a) That staff report SRPRS.18.098 be received and that the Deeming By-law Application submitted by Piper Management Ltd. for the lands known as Lot 27, Plan 65M-3824 (municipal address: 12 Macleod Estate Court), File Number D27-18001 be approved, subject to the following:

i) That the Deeming By-law be brought forward to a regular meeting of Council for consideration and enactment in the form of the draft by-law attached as Appendix 'A' to staff report SRPRS.18.098.

Carried

13.4 Correspondence from Stephen F. Waqué and Andrew Baker, solicitors for 2232767, dated April 13, 2018, regarding the Official Plan and Zoning By-law Amendment applications submitted by T-York 7 Holding Ltd. for 157-165 York Boulevard- refer to Item 13.1.11

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

That the correspondence from Stephen F. Waqué and Andrew Baker, solicitors for 2232767, dated April 13, 2018, regarding the Official Plan and Zoning By-law Amendment applications submitted by T-York 7 Holding Ltd. for 157-165 York Boulevard, be received.

Carried

13.5 Correspondence from Linda Liberatore-Brooks, 61 Lucas Street, regarding the Zoning By-law Amendment and Site Plan applications submitted by Ezio and Bruna Paoletti and 742110 Ontario Limited for 102 and 106 Hunt Avenue - refer to Item 13.1.6

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

That the correspondence from Linda Liberatore-Brooks, 61 Lucas Street, regarding the Zoning By-law Amendment and Site Plan applications submitted by Ezio and Bruna Paoletti and 742110 Ontario Limited for 102 and 106 Hunt Avenue, be received.

Carried

14. Other Business

14.1 Councillor Chan - Spas and Wellness Centres

Moved by: Councillor Chan
Seconded by: Councillor Cilevitz

Whereas Section 151 of the *Municipal Act, 2001* authorizes the Council of the Town of Richmond Hill to pass by-laws for licensing, regulating and governing of any business wholly or partly carried on within the municipality;

Whereas Spas and Wellness Centres have proliferated in Richmond Hill and these types of business are not subject to the licensing and regulation by the Town of Richmond Hill;

Whereas the City of Calgary requires businesses known as Wellness Centre to obtain a license to operate; the City of Toronto By-law provides the definition of Wellness Centre to include massage service by persons other than medical or health professionals licensed or registered under Province of Ontario legislation; and the City of Hamilton By-law established definitions for alternative massage and alternative massage establishment which deal with non-therapeutic treatment and non-erotic or sexual forms of massage;

Whereas it is deemed advisable to enact a by-law to license, regulate and govern Spas and Wellness Centre in Richmond Hill to address services provided, sign types, design of premises, hours of operation, employees, locations, and issues related to these types of business;

Now Therefore Be It Resolved That:

Staff be directed to examine the feasibility of passing a by-law to license, regulate and govern Spas and Wellness Centres in the Town of Richmond Hill, and to report back to Council; and

This Resolution be forwarded to the Police Services Board of the Regional Municipality of York, the York Regional Council, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, local Members of Provincial Parliament and Members of Parliament.

A recorded vote was taken:

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

Opposed: (1): Councillor Muench

Absent: (1): Councillor West

Carried 7 to 1

15. Emergency/Time Sensitive Matters

There were no emergency/time sensitive matters.

16. By-laws

Moved by: Regional and Local Councillor Spatafora

Seconded by: Councillor Chan

That the following By-laws be approved:

By-law 16-18 - A By-law of the Corporation of the Town of Richmond Hill to Amend By-law 52-09 being a by-law for regulating signs and other advertising devices in the Town of Richmond Hill

By-law 22-18 - A By-law to Amend By-law 235-97, as amended, of The Corporation of the Town of Richmond Hill and By-law 2325-68, as amended, of the former Township of Markham

By-law 23-18 - A By-law to Amend By-law 2523, as amended, of The Corporation of the former Township of Vaughan

By-law 28-18 - A By-law to Amend By-law 2325-68, as amended, of the former Township of Markham, By-law 128-04, as amended, of The Corporation of the Town of Richmond Hill and By-law 55-15, as amended, of The Corporation of the Town of Richmond Hill

By-law 36-18 - A By-law to Amend By-law 128-04, as amended, of The Corporation of the Town of Richmond Hill and By-law 235-97, as amended of The Corporation of the Town of Richmond Hill

By-law 37-18 - A By-law to Amend By-law 128-04, as amended, of The Corporation of the Town of Richmond Hill and By-law 235-97, as amended of The Corporation of the Town of Richmond Hill

By-law 43-18 - A By-law to remove certain lands from Part Lot Control

By-law 44-18 - A By-law to remove certain lands from Part Lot Control

Carried

17. Closed Session

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

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

That Council resolve into a closed session meeting to consider:

a) To consider matters related to a proposed or pending acquisition of land by the municipality in Ward 6 (Section 239(2)(c) of the *Municipal Act, 2001*).

b) To consider matters related to labour relations or employee negotiations with respect to the Salaried Employees Association (SEA) (Section 239(2)(d) of the *Municipal Act, 2001*).

c) To consider matters related to labour relations or employee negotiations with respect to the Non-Union Administrative Group Employees and Members of Council (Section 239(2)(d) of the *Municipal Act, 2001*).

Carried Unanimously

17.2 Resolution to Reconvene in Open Session

Council moved into Closed Session and then returned to Open Session (8:42 p.m. to 8:56 p.m.)

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

A. Acquisition of 19 Rockwell Road

Moved by: Councillor Chan
Seconded by: Councillor Cilevitz

a) That the Mayor and Clerk be authorized to execute the Agreement of Purchase and Sale and such further documentation as may be required to implement the acquisition of 19 Rockwell Road, upon the written recommendation of the Chief Administrative Officer;

b) That a capital account be established in the amount of \$2,775,063 to be funded from the Cash-in-Lieu of Parkland Reserve Fund.

Carried Unanimously

B. Ratification of the Salaried Employees Association Working Agreement

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

a) That Council ratify the Memorandum of Settlement between the Corporation of the Town of Richmond Hill and the Salaried Employees Association ("SEA"), attached as Appendix '1' to the staff report, containing the negotiated changes to the Working Agreement, which includes an annual increase in salaries of 1.5% on January 1, 2017, 1.625% on January 1, 2018 and 1.75% on January 1, 2019.

Carried Unanimously

C. Adjustments to Employment Conditions for Non-Union Administrative Group Employees and Members of Council

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

a) That Council approve the adjustments to the terms and conditions of employment for the Town's Non-Union Administrative employees, as outlined in the staff report;

b) That Members of Council be provided with the same adjustments to the flexible benefits plan, as outlined in the staff report.

Carried Unanimously

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

18.1 By-law 46-18

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

That By-law 46-18, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

19. Adjournment

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

That the meeting be adjourned.

Carried

The meeting was adjourned at 9:01 p.m.

Dave Barrow, Mayor

Stephen M.A. Huycke, Town Clerk