



## **Council Meeting**

### **Minutes**

**C#05-19**

**Monday, February 11, 2019, 7:30 p.m.**

**Council Chambers**

**225 East Beaver Creek Road**

**Richmond Hill, Ontario**

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

#### **Staff Members Present:**

N. Garbe, Chief Administrative Officer  
I. Brutto, Commissioner of Environment and Infrastructure Services  
D. Dexter, Acting Commissioner of Corporate and Financial Services  
I. Simanovskis, Commissioner of Community Services  
K. Kwan, Commissioner of Planning and Regulatory Services  
A. Dimlta, Town Solicitor  
G. Galanis, Director, Development Planning  
D. Beaulieu, Manager, Development - Subdivisions  
D. Giannetta, Manager, Development - Site Plans  
P. Guerreiro, Manager, Development Engineering, Site Plans, Infill and High Rise  
R. Hui, Manager, Transportation  
J. Hambleton, Administrative Assistant To Members Of Council  
R. Pham-Nguyen, Administrative Assistant to Members of Council  
J. Hypolite, IT Service Desk Technical Analyst  
A. O'Malley, Communications Advisor  
S. Huycke, Town Clerk  
L. Sampogna, Council/Committee Coordinator

**1. Call to Order/Statement**

The Mayor called the meeting to order at 7:32 p.m.

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

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

Carla Vonn Worden, 1393 Bethesda Sideroad, to advise of road conditions and recent accidents that occurred on Bethesda Sideroad and to request staff investigate the area for appropriate signage and road repair.

**3. Council Announcements**

Mayor Barrow welcomed the 11<sup>th</sup> Richmond Hill Guides, Girl Guides of Canada, and advised that he met with them earlier in the evening to discuss municipal government and his role as Mayor.

**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: Councillor West  
Seconded by: Councillor Cilevitz

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

a) SRPRS.19.037 - Request for Direction - Dogolia Developments Inc. - 10922, 10944 and 10956 Yonge Street - File Number D06-15099 - LPAT Case PL160680 - Item 13.3

b) SPRPS.19.041 - Request for Direction - Revised Development Proposal - Goldenville Development Inc. - 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road - File Numbers D01-17001 and D02-17003 - Item 13.4

c) Correspondence from Jeffrey Streisfield, Land Law, representing the owner of 9218 Yonge Street, dated February 8, 2019, regarding the Revised Development Proposal submitted by Goldenville Development Inc. - Item 13.5

Carried Unanimously

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

Councillor Cilevitz declared a pecuniary interest on Item 17.1 regarding a time sensitive matter related to receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to litigation affecting the municipality before the Ontario Superior Court of Justice, Court File No. CV-19-00138852-0000, The Corporation of the Town of Richmond Hill ats. Karen Cilevitz and Ontario Superior Court of Justice - Divisional Court, Court File No. 196/19, The Corporation of the Town of Richmond Hill et al. ats. Karen Cilevitz, as she was named. Councillor Cilevitz left Council Chambers and did not participate in the discussion or voting on this item.

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

### **7.1 Special Council Meeting C#01-19 held January 21, 2019**

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

That the minutes of Special Council Meeting C#01-19 held on January 21, 2019 be adopted.

Carried Unanimously

### **7.2 Council Meeting C#02-19 held February 4, 2019**

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

That the minutes of Council Meeting C#02-19 held on February 4, 2019 be adopted.

Carried

### **7.3 Special Council Meeting C#03-19 held January 28, 2019**

Moved by: Councillor Liu  
Seconded by: Councillor Muench

That the minutes of Special Council Meeting C#03-19 held on January 28, 2019 be adopted.

Carried

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

Council consented to separate Items 13.4 and 14.1 for discussion.

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

On a motion of Councillor Chan, seconded by Councillor Cilevitz, Council adopted those items, including the By-laws, not identified for separate discussion.

**10. Public Hearings**

There were no public hearings.

**11. Presentations**

There were no presentations.

**12. Delegations**

**12.1 Marj Andre, 2 Lucy Drive, regarding the Member Motion submitted by Councillor West regarding Land Acknowledgement - (refer to Item 14.1)**

Marj Andre, 2 Lucy Drive, addressed Council regarding the Member Motion submitted by Councillor West regarding Land Acknowledgement. She advised of her support of the Member Motion, reviewed the important contributions made by Indigenous People to the community and country, and acknowledged the Indigenous group in Richmond Hill. Ms. Andre expressed the need for Land Acknowledgement, and requested that Council display a plaque of the Land Acknowledgement statement throughout Town owned buildings and on the website. Ms. Andre further requested that June 21st, be proclaimed as Indigenous Peoples Day, and that the Town involve the community in a celebration for National Indigenous Month to continue the walk toward reconciliation.

**12.2 James Ravenscroft, Richmond Hill United Church, regarding the Member Motion submitted by Councillor West regarding Land Acknowledgement - (refer to Item 14.1)**

James Ravenscroft, Richmond Hill United Church, addressed Council regarding the Member Motion submitted by Councillor West regarding Land Acknowledgement. Rev. Ravenscroft advised of his support of the Member Motion, reviewed the settling of Indigenous People in York Region including Richmond Hill, and affirmed the importance of making Land Acknowledgment of Indigenous People in our community.

**12.3 Jeffrey Streisfield, Land Law, representing the owner of 9218 Yonge Street, regarding the Revised Development Proposal submitted by Goldenville Development Inc. - (refer to Item 13.4)**

Jeffrey Streisfield, Land Law, representing the owner of 9218 Yonge Street, addressed Council regarding the Revised Development Proposal submitted by Goldenville Development Inc. for properties located on Carrville Road. Mr. Streisfield advised that his clients were opposed to the east-west road, noting it was not transit supportive, and expressed concerns with the proposed parking, as detailed in his correspondence distributed as Agenda Item 13.5.

**13. Committee and Staff Reports**

**13.1 Minutes - Budget Committee of the Whole meeting BCW#01-19 held January 22, 2019**

That the minutes of the Budget Committee of the Whole meeting BCW#01-19 held January 22, 2019 be adopted as circulated and the following recommendations approved:

**13.1.1 SRCFS.19.002 - 2019 Draft Capital Budget and Forecast - (Proposed By-law 3-19) - (BCW Item 4.1)**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

- a) That the 2019 Draft Capital budget in the amount of \$43,961,100, identified in Appendix 'A' to staff report SRCFS.19.002, be approved;
- b) That the 2019 Draft Capital Budget recommended funding sources, identified in the amended Appendix 'D' to staff report SRCFS.19.002, be approved;
- c) That the Harding/Lennox Park Revitalization and the sediment removal projects as identified in the Projects Contingent on Grant Funding List, attached as Appendix 'B' to staff report SRCFS.19.002, be advanced to 2019 if grant funding becomes available;
- d) That the Capital Forecast in the amount of \$978,914,700, attached as Appendix 'G' and Appendix 'H' to staff report SRCFS.19.002, and the Capital Grant Contingency List,

identified in Appendix 'B' to staff report SRCFS.19.002, be received;

e) That draft By-Law 3-19, attached as Appendix 'I' to staff report SRCFS.19.002, be referred to the February 11, 2019 Council meeting for adoption;

f) That amended Schedule 'E' to staff report SRCFS.19.002 be received.

Carried

**13.1.2 SRCFS.19.001 - 2018 Capital Project Financial Status Report - (BCW Item 4.2)**

Moved by: Councillor Chan

Seconded by: Councillor Cilevitz

a) That all capital projects listed in Appendix 'A' to staff report SRCFS.19.001;

i. Be closed;

ii. Projects with unexpended funds be returned to source(s) as identified; and

iii. Projects with overspent funds be funded as identified.

b) That Budget and Funding Adjustments, as noted in Appendix 'B' to staff report SRCFS.19.001, be approved; and

c) That the Status of Capital Projects List in Appendix 'E' to staff report SRCFS.19.001 be received.

Carried

**13.2 Minutes - Committee of the Whole meeting CW#02-19 held February 4, 2019**

That the minutes of the Committee of the Whole meeting CW#02-19 held February 4, 2019 be adopted as circulated and the following recommendations approved:

**13.2.1 Correspondence from Alon Szpindel, on behalf of the Jewish Youth Network, dated January 17, 2019, regarding request for consideration to defer Development Charges - (CW Item 11.1)**

Moved by: Councillor Chan

Seconded by: Councillor Cilevitz

a) That Council supports the deferral of the Development Charges payable by the Jewish Youth Network pursuant to Section 27 of the *Development Charges Act, 1997*;

b) That staff be directed to report back to the Committee of the Whole meeting on March 18, 2019 with options to facilitate the deferral of the development charges payable by the Jewish Youth Network.

Carried

**13.2.2 SRCFS.19.003 - Semi Annual Report - Non-Competitive Acquisitions - (CW Item 11.2)**

Moved by: Councillor Chan

Seconded by: Councillor Cilevitz

a) That staff report SRCFS.19.003 regarding Semi Annual Report, Non-Competitive Acquisitions, be received for information purposes only.

Carried

**13.2.3 SRCS.19.01 - Expansion of the Administrative Monetary Penalty System - (Proposed By-law 8-19) - (CW Item 11.3)**

Moved by: Councillor Chan

Seconded by: Councillor Cilevitz

a) That staff report SRCS.19.01 regarding the Expansion of the Administrative Monetary Penalty System be received;

b) That draft By-law 8-19, attached as Appendix 1 to staff report SRCS.19.01, be enacted to amend the Administrative Penalty By-law 69-16, the Screening and Hearing Officer By-law 70-16, and the Delegated Authority By-law 146-08;

c) That staff bring forward amendments to specific community standards and licensing by-laws in order to incorporate additional by-laws into the Administrative Monetary Penalty System.

Carried

**13.2.4 Proclamation - Rare Disease Day - February 28, 2019 - (CW Item 11.4)**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

a) That February 28, 2019 be proclaimed Rare Disease Day in the Town of Richmond Hill.

Carried

**13.2.5 Proclamation - Theatre Ontario Festival Week - May 15 to 19, 2019 - (CW Item 11.5)**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

a) That May 15 to 19, 2019 be proclaimed as Theatre Ontario Festival Week in the Town of Richmond Hill.

Carried

**13.3 SRPRS.19.037 - Request for Direction - Dogliola Developments Inc. - 10922, 10944 and 10956 Yonge Street - File Number D06-15099 - LPAT Case PL160680**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

a) That staff report SRPRS.19.037 be received for information purposes;

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

i. That Council supports the revised development proposal as generally depicted on Map 3 to staff report SRPRS.19.037, submitted by Dogliola Developments Inc. for part of the lands known as Part of Lots 51 and 52, Concession 1, W.Y.S. (municipal addresses: 10922, 10944 and 10956 Yonge Street), File Number D06-15099;

ii. That the Local Planning Appeal Tribunal be requested to withhold the issuance of its Final Order respecting the applicant's Site Plan appeal until such time as the Town advises the Tribunal that a Site Plan Agreement has been approved by the Town;

c) That appropriate Town staff be directed to appear at the Local Planning Appeal Tribunal in support of Council's position concerning the subject Site Plan application;

d) That the Chief Administrative Officer be authorized to approve and execute amended Minutes of Settlement, a Servicing Agreement, a Site



Plan Agreement and/or any further agreements or documentation as necessary to implement the revised development proposal described in staff report SRPRS.19.037;

e) That Council authorize the acquisition of lands and/or easements for municipal services to support growth related projects at the southwest corner of Yonge Street and Canyon Hill Avenue and/or as necessary to implement the revised development proposal described in staff report SRPRS.19.037, as approved by the Chief Administrative Officer;

f) That Council authorize funding from the Town-wide Engineering Development Charges Reserve Fund in the amount of \$1,310,000 (excluding HST) for the construction and installation of a new municipal roadway (Leyburn Avenue extension) and the installation of municipal services to support growth related projects at the southwest corner of Yonge Street and Canyon Hill Avenue, including costs to undertake any studies; and,

g) That 386 persons equivalent of servicing allocation (129 townhouse dwelling units) be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11.

Carried

**13.4 SRPRS.19.041 - Request for Direction - Revised Development Proposal - Goldenville Development Inc. - 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road - File Numbers D01-17001 and D02-17003**

Moved by: Councillor Cilevitz

Seconded by: Councillor West

a) That staff report SRPRS.19.041 be received for information purposes;

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

i. that Council supports the revised development proposal as described in staff report SRPRS.19.041 for the Official Plan and Zoning By-law Amendment Applications (File Numbers D01-17001 and D02-17003 submitted by Goldenville Development Inc. for lands known as Lots 135 to 139 and Part of Lots 134, 285 and 286, Plan 1960 (municipal addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road);

- ii. that Council supports the approval of the Official Plan Amendment substantially in accordance with the attached Appendix 'B' to staff report SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;
- iii. that Council supports the approval of the Zoning By-law Amendment 28-19 substantially in accordance with the attached Appendix 'C' to staff report SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;
- c) That Council approve the Section 37 Community Benefits package as generally described in staff report SRPRS.19.041 and incorporated into the aforementioned Official Plan Amendment and Zoning By-law Amendment to the satisfaction of the Commissioner of Planning and Regulatory Services (the "Section 37 Community Benefits Package");
- d) That assigned servicing allocation be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11;
- e) That the Mayor and Clerk be authorized to execute Minutes of Settlement, Servicing Agreement and any further agreements or documentation as necessary to implement the revised development proposal and secure the Section 37 Community Benefits Package;
- f) That Council authorize the acquisition of lands and/or easements for roads and municipal services to support growth related projects at the southwest corner of Yonge Street and 16<sup>th</sup> Avenue and/or as necessary to implement the settlement as described in staff report SRPRS.19.041, as approved by the Chief Administrative Officer;
- g) That appropriate Town staff and legal counsel be directed to appear at the Local Planning Appeal Tribunal hearing in support of Council's position concerning the above noted applications.

**Motion to Amend:**

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

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

c) That Council delegate the authority to the Chief Administrative Officer to negotiate and accept a revised Section 37 Community Benefits package without the east-west road.

That the following clause h) be added to the motion:

h) That Council approve the form of development that protects for an east-west road.

A recorded vote was taken:

In favour: (6): Councillor Beros, Regional and Local Councillor Perrelli, Councillor Chan, Councillor Liu, Councillor Muench, Regional and Local Councillor DiPaola

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

Motion to Amend Carried (6 to 3)

**The motion as amended:**

Moved by: Councillor Cilevitz

Seconded by: Councillor West

a) That staff report SRPRS.19.041 be received for information purposes;

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

i. that Council supports the revised development proposal as described in staff report SRPRS.19.041 for the Official Plan and Zoning By-law Amendment Applications (File Numbers D01-17001 and D02-17003 submitted by Goldenville Development Inc. for lands known as Lots 135 to 139 and Part of Lots 134, 285 and 286, Plan 1960 (municipal addresses: 39, 41, 45, 53, 59, 69, 79, 81, 89, 91 and 97 Carrville Road);

ii. that Council supports the approval of the Official Plan Amendment substantially in accordance with the attached Appendix 'B' to staff report SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;

iii. that Council supports the approval of the Zoning By-law Amendment 28-19 substantially in accordance with the attached Appendix 'C' to staff report SRPRS.19.041 and to the satisfaction of the Commissioner of Planning and Regulatory Services;

c) That Council delegate the authority to the Chief Administrative Officer to negotiate and accept a revised Section 37 Community Benefits package without the east-west road;

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

- e) That the Mayor and Clerk be authorized to execute Minutes of Settlement, Servicing Agreement and any further agreements or documentation as necessary to implement the revised development proposal and secure the Section 37 Community Benefits Package;
- f) That Council authorize the acquisition of lands and/or easements for roads and municipal services to support growth related projects at the southwest corner of Yonge Street and 16th Avenue and/or as necessary to implement the settlement as described in staff report SRPRS.19.041, as approved by the Chief Administrative Officer;
- g) That appropriate Town staff and legal counsel be directed to appear at the Local Planning Appeal Tribunal hearing in support of Council's position concerning the above noted applications.
- h) That Council approve the form of development that protects for an east-west road.

A recorded vote was taken:

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

Opposed: (2): Councillor Cilevitz, Councillor West

The Amended Motion Carried (7 to 2)

**13.5 Correspondence from Jeffery Streisfield, Land Law, representing the owner of 9218 Yonge Street, dated February 8, 2019, regarding the Revised Development Proposal submitted by Goldenville Development Inc. - (refer to Item 13.4)**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

That the correspondence from Jeffery Streisfield, Land Law, representing the owner of 9218 Yonge Street, dated February 8, 2019, regarding the Revised Development Proposal submitted by Goldenville Development Inc., be received.

Carried

**14. Other Business**

**14.1 Councillor West - Land Acknowledgement**

Moved by: Councillor West  
Seconded by: Councillor Cilevitz

Whereas Indigenous People have lived on the lands we now call Richmond Hill for many centuries and have made, and continue to make, very important contributions to Richmond Hill and to our country of Canada.

Whereas the 2015 Truth and Reconciliation Commission final report outlines many actions that Canadians can, and must take, in order to repair our past relationships with Indigenous Communities.

Whereas “an important first step toward reconciliation is recognizing the existence of Indigenous people. A shared understanding of how our collective past brought us to where we are today will help us walk together into a better future”.

Whereas since the Truth and Reconciliation Commission tabled its final report, an increasing number of organizations and communities are working to make a positive change in our relationship with Indigenous Communities. These communities are demonstrating their commitment to reconciliation by reciting a Land Acknowledgement to begin meetings and public gatherings.

Whereas residents of Richmond Hill have expressed a strong desire to pursue Truth and Reconciliation, as was evidenced in the October 2017 event, that took place in Richmond Hill, called The Secret Path: Walking Towards Reconciliation, and also in activities and policies of many faith based organizations.

Whereas a Land Acknowledgement to begin Council meetings is consistent with actions that we have collectively taken in Richmond Hill in the past few years including the passing of a Council motion in 2018 to honour local Indigenous Communities with dedicating a park or community space in recognition of the important past and present Indigenous contribution to our community, and country.

Whereas according to the Association of Ontario Municipalities (AMO), “Traditional land acknowledgement statements are increasingly being used in Canada by governments, schools, post-secondary institutions, non-governmental organizations, and other civil institutions as a practice of reconciliation aimed at recognizing the traditional or treaty territories of

Indigenous peoples. The statements are typically made at the introduction of meetings, gatherings, events, or presentations”.

Whereas by opening Council meetings with a Land Acknowledgment, Richmond Hill Council would be demonstrating that we are building a community that is contributing in a positive way to reconciliation efforts in Canada.

Therefore Be It Resolved that the following proposed Land Acknowledgement be added to the opening of Richmond Hill Council Meetings beginning with the meeting on February 25, 2019.

### **Land Acknowledgement**

We would like to start by acknowledging that we are on the traditional territories of the Wendat, the Haudenosaunee, and the Anishinaabe peoples, whose presence here continues to this day. We would also like to acknowledge the land we are on is at the meeting place of two treaties, the lands of the Mississaugas of the Credit and those of the First Nations of the Williams Treaty. We would thank them and other Indigenous peoples for sharing this land with us.

We acknowledge this land and people because the first step to reconciliation is recognizing the existence of Indigenous people. A shared understanding of how our collective past brought us to where we are today will help us walk together into a better future.

Moved by: Councillor Beros

Seconded by: Regional and Local Councillor Perrelli

a) That consideration of the Member Motion regarding Indigenous Land Acknowledgement be deferred to the March 25, 2019 Council meeting.

Carried

### **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:

- 16.1 By-law 3-18 - A By-law to Adopt the 2019 Capital Budget
- 16.2 By-law 4-19 - A By-law to Amend By-law 137-09, as amended, of The Corporation of the Town of Richmond Hill
- 16.3 By-law 5-19 - A By-law to Amend By-law 313-96, as amended, of The Corporation of the Town of Richmond Hill and By-law 1275, as amended, of the former Township of King
- 16.4 By-law 8-19 - A By-law to amend various by-laws of the Town to extend the system administrative penalties established in By-law 69-16 to contraventions of non-parking by-laws

Carried

## **17. Closed Session**

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

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

That Council move into Closed Session:

a) To consider a time sensitive matter related to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and related to litigation affecting the municipality before the Ontario Superior Court of Justice, Court File No. CV-19-00138852-0000, The Corporation of the Town of Richmond Hill ats. Karen Cilevitz and Ontario Superior Court of Justice – Divisional Court, Court File No. 196/19, The Corporation of the Town of Richmond Hill et al. ats. Karen Cilevitz (Section 239(2)(f) and (e) of the *Municipal Act, 2001*, S.O. 2001, c. 25).

Carried

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

Council moved into closed session and then returned to open session (9:59 p.m. to 10:34 p.m.)

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

There were no recommendations arising from Closed Session.

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

**18.1 By-law 26-19**

Moved by: Regional and Local Councillor DiPaola

Seconded by: Regional and Local Councillor Perrelli

That By-law 26-19, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

**19. Adjournment**

Moved by: Councillor Chan

Seconded by: Councillor West

That the meeting be adjourned.

Carried

The meeting was adjourned at 10:36 p.m.

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Dave Barrow, Mayor

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Stephen M.A. Huycke, Town Clerk