



## **Special Council Meeting**

### **Minutes**

**C#16-19**

**Tuesday, April 16, 2019, 1:20 p.m.**

**Council Chambers**

**225 East Beaver Creek Road**

**Richmond Hill, Ontario**

A Special Council meeting of the Council of the Town of Richmond Hill was held on Tuesday, April 16, 2019 at 1:20 p.m. in the Council Chambers.

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, City Manager
- I. Brutto, Commissioner of Environment and Infrastructure Services
- M. Dempster, Commissioner of Corporate and Financial Services
- K. Kwan, Commissioner of Planning and Regulatory Services
- I. Simanovskis, Commissioner of Community Services
- A. Dimilta, City Solicitor
- P. Lee, Director, Policy Planning
- D. Terzievski, Director, Development Engineering and Transportation
- R. Hui, Manager, Transportation
- S. von Kursell, Manager, Policy
- J. Hambleton, Administrative Assistant To Members Of Council
- J. Hypolite, IT Service Desk Technical Analyst
- S. Huycke, City Clerk
- K. Hurley, Council/Committee Coordinator

Barnet Kussner, Partner, WeirFoulds LLP, was also in attendance.

### **Adoption of Agenda**

Moved by: Councillor Chan  
Seconded by: Councillor Cilevitz

That the agenda be adopted as distributed by the Clerk.

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*.

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

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

That Council move into closed session to consider matters relating to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality (section 239(2)(e) of the *Municipal Act, 2001*), and to receive advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Section 239(2)(f) of the *Municipal Act, 2001*) with respect to appeals before the Land Planning Appeal Tribunal pertaining to the Yonge/Bernard Key Development Area.

Carried

Council moved into closed session and then returned to open session (1:22 p.m. to 3:06 p.m.)

### **Adoption of Recommendations Arising from Closed Session (if any)**

#### **Yonge and Bernard Key Development Area**

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

Whereas, the Yonge / Bernard Key Development Area (Yonge / Bernard KDA) is one of only three current intensification areas in the City of Richmond Hill and located on the Yonge Street corridor with direct access to Bus Rapid Transit

(BRT) and other transit and active transportation options including the Bernard Bus terminal; and

Whereas, the Yonge Street subway funding expansion to Richmond Hill has been announced by the Premier of Province of Ontario, Doug Ford on Wednesday, April 10, 2019; and

Whereas, the Province of Ontario has advised in February 2019 that it will soon assign higher-level planning policies to lands associated with public transit provisions, to be intensified throughout Richmond Hill; and

Whereas, the Cities of Markham and Vaughan have approved buildings above 37 storey; and

Whereas, the Yonge / 16th Avenue KDA have approved heights in excess of the 20 storey maximum height established back in 2010 together with approved (net) site densities above 5.25; and

Whereas, Richmond Hill must accommodate at least 30,000 (70,000 / 2.3) additional households by 2041 to meet our provincially-assigned housing population targets; and

Whereas, The Region of York with Viva are investing \$ 360 million in a (BRT) along Yonge Street to fully integrate with the Yonge / Highway 7 subway; and

Whereas, parking standards in intensification sites have a direct impact on housing affordability and transit utilization (including the transit modal split); and

Whereas, the Yonge / Bernard KDA zoning bylaw contains deficient parking standards and do not properly address the need for:

1. Car sharing;
2. Electric vehicle charging stations;
3. Small compact car space requirements;
4. Carpooling; and
5. Other Transportation Demand Management Measures (TDM); and

Whereas, Climate Change and CO2 emissions from vehicles is a pressing concern for our and future generations, and

Whereas, the newly elected Richmond Hill Council must address and give direction on the appeals of the Yonge / Bernard KDA Secondary Plan and Zoning

Bylaw which is before the LPAT now and scheduled for a 28-day hearing to commence in July 2019; and

Whereas, the new City Council is aware that all Property Owners within the KDA are opposed to the Secondary Plan and Zoning By-law adopted by the previous Council; and

Whereas, both residents and landowners within the Yonge / Bernard KDA opposed the introduction of new public streets because they will encourage additional automobile use and traffic infiltration to adjacent residential neighborhoods;

Therefore, be it resolved that Council direct staff to take the following position:

1. The Secondary Plan be revised to remove north / south and east / west public roads within the north east and south east quadrants of the KDA;
2. The maximum height limit for properties at or close to the Yonge / Bernard intersection be 37 Storeys and that height shall transition down from the intersection while recognizing that all parts of the KDA are expected to have tall buildings; and
3. That the overall density for the KDA shall be 4.0 FSI with maximum densities for corner properties at 5.5 FSI; and
4. That the parking standards in the zoning bylaw be adjusted downward to support transit as well as the City's housing affordability objectives, including the provision of new apartment units without parking spaces and that the new parking standards embrace;
  - i. Active transportation and transit,
  - ii. Carpooling,
  - iii. Car Sharing,
  - iv. Electric Vehicle charging stations,
  - v. Bicycle stands,
  - vi. Small compact car spaces, and
  - vii. Other Transportation Demand Management Measures (TDM); and
5. That structured above-grade parking be supported, and that the floor space used for structured parking shall not be counted towards FSI; and

6. That convenience surface parking be allowed to support the viability of commercial uses within the KDA; and
7. High density residential development will not be required to provide at grade non – residential uses, but is encouraged to provide at grade amenity uses, including live-work uses to animate street fronts.
8. That staff do all things necessary to give effect to the above in order to resolve the appeals before LPAT without a contested hearing.

A recorded vote was taken on clause 1, and clauses 3 to 8, of the Main Motion:

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

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

Clause 1, and Clauses 3 to 8, of the Main Motion Carried (6 to 3)

A recorded vote was taken on clause 2 of the Main Motion:

In favour: (5): Councillor Muench, Regional and Local Councillor DiPaola, Councillor Liu, Regional and Local Councillor Perrelli, Councillor Beros

Opposed: (4): Mayor Barrow, Councillor West, Councillor Chan, Councillor Cilevitz

Clause 2 of the Main Motion Carried (5 to 4)

**The complete motion to read as follows:**

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Seconded by: Regional and Local Councillor DiPaola

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Whereas, the newly elected Richmond Hill Council must address and give direction on the appeals of the Yonge / Bernard KDA Secondary Plan and Zoning Bylaw which is before the LPAT now and scheduled for a 28-day hearing to commence in July 2019; and

Whereas, the new City Council is aware that all Property Owners within the KDA are opposed to the Secondary Plan and Zoning By-law adopted by the previous Council; and

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8. That staff do all things necessary to give effect to the above in order to resolve the appeals before LPAT without a contested hearing.

Carried

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

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

That By-law 64-19, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

**Adjournment**

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

That the meeting be adjourned.

Carried

The meeting was adjourned at 3:30 p.m.

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Dave Barrow, Mayor

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Stephen M.A. Huycke, City Clerk