



Council Meeting

Minutes

C#39-17

Monday, November 13, 2017, 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
K. Kwan, Commissioner of Planning and Regulatory Services
A. Dimilta, Town Solicitor
D. Dexter, Acting Commissioner of Corporate and Financial Services
M. Gandhi, Director, Communication Services
S. Kaplan, Director, Human Resources
D. Alexander, Manager, Access Richmond Hill
G. Li, Manager, Capital and Development Financing
C. Moore, Manager, Communication Services
C. Morgan, Manager, Event Services
R. Jones, Acting Manager, Application Services
P. Waddell, Interim Manager, Client Support
J. Condron, Project Manager, Parks and Open Space
S. Ng, Project Manager, Parks and Open Space
L. Chan, Communications Advisor
L. Hood, Communications Advisor

- A. O'Malley, Communications Advisor
- D. DiRuscio, Event Coordinator
- J. Hogg, Design and Production Coordinator
- A. Petrelli, Web and Social Media Coordinator
- A. Caldana, Event Assistant
- J. Chao, Systems Analyst
- E. Houdi, Administrative Assistant to Members of Council
- S. Huycke, Town Clerk
- G. Collier, Deputy Town Clerk
- L. Sampogna, Council/Committee Coordinator

1. Call to Order/Statement

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

Regional and Local Councillor Spatafora advised of the recent earthquake that had impacted Iran and Iraq. He acknowledged the large Persian community in Richmond Hill, and extended his condolences and best wishes to families and loved ones who have been affected.

Councillor West advised of the successful Remembrance Day Parade held last weekend and the Richmond Hill Annual Remembrance Day service held on Saturday, November 11 at the Cenotaph on Yonge Street. Councillor West extended his appreciation to all volunteers who assisted with the events, and acknowledged those in attendance including the youth who had participated in this years' service.

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 Chan
Seconded by: Councillor Cilevitz

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

1. Proclamation - Hindu Heritage Month - November 2017 - Agenda Item 13.3
2. Correspondence from Toomas Karmo, 406 Centre Street East, received November 13, 2017, regarding the DDO Conditional Assessment - Agenda Item 13.4
3. Delegation - Toomas Karmo, 406 Centre Street East, regarding correspondence received November 13, 2017 - Agenda Item 13.4

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 C#34-17 held October 18, 2017

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

That the minutes of Council Public Meeting C#34-17 held on October 18, 2017 be adopted.

Carried

7.2 Council Meeting C#36-17 held October 23, 2017

Moved by: Councillor Chan
Seconded by: Councillor Cilevitz

That the minutes of Council Meeting C#36-17 held on October 23, 2017 be adopted.

Carried

7.3 Council Public Meeting C#37-17 held October 25, 2017

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

That the minutes of Council Public Meeting C#37-17 held on October 25, 2017 be adopted.

Carried

8. Identification of Items Requiring Separate Discussion

Council consented to separate Agenda Item 13.1.4 and 13.1.10 for separate discussion.

9. Adoption of Remainder of Agenda Items

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

10. Public Hearings

There were no public hearings.

11. Presentations**11.1 Cheque Presentation by Regional and Local Councillor Spatafora of the proceeds from the 2017 Tastes of the Hill Multicultural Festival to Big Brothers, Big Sisters of York**

Regional and Local Councillor Spatafora highlighted the success of the 2017 Tastes of the Hill Multicultural Festival noting it was the 11th anniversary for the event which included food, dance, music, sports, arts and crafts, and cultural displays. He acknowledged and extended thanks to the organizing committee, Town staff, volunteers, residents, participants and sponsors who supported the Festival and advised that since its inception, the event had raised over half a million dollars which had been donated to local charities. On behalf of the Mayor and Members of Council, Regional and Local Councillor Spatafora presented a cheque in the amount of \$35,000 to Sarah Dame, President and CEO, Rhonda Flanagan, Director of Resource Development, and Suzanne Boucher, Fundraising and Events Coordinator, Big Brothers Big Sisters of York.

11.2 Presentation by Meeta Gandhi, Director of Communication Services, to Mayor Barrow and Members of Council, f several Communications related awards

Meeta Gandhi, Director of Communication Services, made a presentation to Mayor Barrow and Members of Council announcing that Richmond Hill received 10 communications awards since last year. She advised the awards were for a number of products and activities produced by the Communications team, including 6 awards received for the new website;

LED Streetlight project video; Dog Licence Social Media campaign; Access Richmond Hill Car Wrap; and the Stormwater Education Board. M. Gandhi extended her appreciation to the Communications team and Town staff.

11.3 Presentation by Italo Brutto, Commissioner of Environment and Infrastructure Services, to Mayor Barrow and Members of Council, of two Awards of Excellence and an Architectural Hardscape Award

Italo Brutto, Commissioner of Environment and Infrastructure Services, made a presentation to Mayor Barrow and Members of Council regarding awards received for 3 park projects. He advised that Parks and Recreation Ontario and Landscape Ontario had awarded the Lake Wilcox Promenade the Awards of Excellence which recognizes the project having demonstrated a unique design for improving quality of life, innovation and sustainability, setting a standard that encourages others to follow, and demonstrates excellence in design, planning, community involvement, quality of esthetics, usability, accessibility and versatility.

Commissioner Brutto, advised of the Ontario Concrete Industry awarding Rouge Crest Park an award for Outstanding Architectural Hardscaping. He reviewed park features, design and theme, and highlighted pattern representations used throughout the park. Commissioner Brutto acknowledged and congratulated all staff and consultants involved in achieving the 3 significant awards.

12. Delegations

Toomas Karmo, 406 Centre Street East, addressed Council regarding the David Dunlap Observatory Building Conditional Assessment. He advised that since last week's Committee of the Whole meeting, progress relating to factual errors in the staff report would be addressed at the next David Dunlap Observatory Park Project Steering Committee in 2018. Mr. Karmo addressed 3 perils pertaining to the lands, as further detailed in his correspondence included as Agenda Item 13.4.

Moved by: Councillor Muench

Seconded by: Councillor Liu

That the delegation and revised correspondence from Toomas Karmo, 406 Centre Street East, received November 13, 2017, regarding the David Dunlap Observatory Building Conditional Assessment, be received.

Carried

13. Committee and Staff Reports

13.1 Minutes – Committee of the Whole meeting CW#16-17 held on November 6, 2017

That the minutes of the Committee of the Whole meeting CW#16-17 held on November 6, 2017 be adopted as circulated and the following recommendations be approved:

13.1.1 Minutes - Heritage Richmond Hill Committee meeting HRH#05-17 held on September 12, 2017 (CoW Item 11.1)

13.1.1.1 SRPRS.17.149 - 2017 Heritage Grant Applications - Eight Properties (CoW Item 11.1.2)

Moved by: Regional and Local Councillor Spatafora

Seconded by: Councillor Cilevitz

a) That a Heritage Grant in the amount of \$2,316 be approved towards the cost of replacing two damaged original windows for the Ontario Heritage Act Part IV designated structure located at 53 Arnold Crescent Avenue, as outlined in staff report SRPRS.17.149;

b) That a Heritage Grant in the amount of \$3,500 be approved towards the cost of restoring the original brick façade for the Ontario Heritage Act Part IV designated structure located at 38 Bedford Park Avenue, as outlined in staff report SRPRS.17.149;

c) That a Heritage Grant in the amount of \$2,085 be approved towards the cost of replacing inoperable, non-heritage windows with operable, heritage styled windows for the Ontario Heritage Act Part V designated structure located at 106 Gormley Road West, as outlined in staff report SRPRS.17.149;

d) That a Heritage Grant in the amount of \$3,361 be approved for the requested roof shingle replacement for the Ontario Heritage Act Part V designated structure located at 120 Gormley Road West, as outlined in staff report SRPRS.17.149;

e) That a Heritage Grant in the amount of \$5,000 be approved for the requested paint exterior siding and trim for the Ontario Heritage Act Part IV designated structure located at 255 Mill Street, as outlined in staff report SRPRS.17.149;

f) That a Heritage Grant in the amount of \$5,000 be approved for the requested structural repairs and renovations to restore wood siding and heritage style windows for the Ontario Heritage Act Part IV designated structure located at 210 Richmond Street, as outlined in staff report SRPRS.17.149;

g) That a Heritage Grant in the amount of \$5,000 be approved for the requested painting of exterior siding and trim for the Ontario Heritage Act Part IV designated structure located at 9875 Leslie Street, as outlined in staff report SRPRS.17.149; and

h) That a Heritage Grant in the amount of \$3,221 be approved for the requested roof shingle replacement for the Ontario Heritage Act Part IV designated structure located at 11575 Yonge Street, as outlined in staff report SRPRS.17.149.

Carried

13.1.2 Extract - People Plan Task Force meeting PPTF#04-17 held on October 11, 2017 (CoW Item 11.2)

13.1.2.1 SRPRS.17.155 - Implementation Framework for the Community Improvement Plan Study - File Number D18-17001 (CoW Item 11.2.1)

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

a) That staff report SRPRS.17.155 and the Implementation Framework for the Community Improvement Plan Study, attached as Appendix 'A' to staff report SRPRS.17.155, be endorsed;

b) That Town staff be directed to prepare a Draft Community Improvement Plan based on the

information set out in staff report SRPRS.17.155 and the Implementation Framework for the Community Improvement Plan Study, attached as Appendix 'A' to staff report SRPRS.17.155, and that the following programs be included:

- i. Program 1: Façade, Landscape and Signage Improvement Grant;
- ii. Program 2: Building Renovation Grant Program; and
- iii. Program 3: Tax Increment Equivalent Grant (TIEG) Program;

c) That the Draft Community Improvement Plan be brought forward to a Council Public Meeting in late 2017 for Council's consideration in early 2018;

d) That subject to availability, \$115,000 of the 2017 Operating Budget Surplus be allocated as follows:

- i. \$15,000 for Program 1, allocated to the existing Village Core Façade Assistance Grant capital account; and
 - ii. \$100,000 for Program 2, allocated to a new capital account for this program;
- e) That Council consider future surplus annual allocations as set out in Figure 4 of staff report SRPRS.17.155 as part of each year's year end Operating Budget reporting.

Carried

13.1.3 Extract - Heritage Richmond Hill Committee meeting HRH#06-17 held on October 11, 2017 (CoW Item 11.3)

13.1.3.1 SRPRS.17.159 - Application to Repeal Designation Bylaw 73-14 for 12370 Leslie Street - File Number D12-07280 (CoW Item 11.3.1)

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

- a) That subject to the execution of a commemoration agreement including appropriate securities with the Town, the application to repeal the designating by-law for 12370 Leslie Street (By-law 73-14) be approved;
- b) That notice of the repeal of Designation By-law 73-14 be provided to the owner and the Ontario Heritage Trust; and,
- c) That upon repeal of Designation By-law 73-14, 12370 Leslie Street be removed from the Municipal Heritage Register.

Carried

13.1.4 Extract - David Dunlap Observatory Park Project Steering Committee DDOP#01-17 held on October 24, 2017 (CoW Item 11.4)

13.1.4.1 SREIS.17.021 - David Dunlap Observatory Building Conditional Assessment (CoW Item 11.4.1)

Moved by: Councillor Chan

Seconded by: Regional and Local Councillor Spatafora

- a) That the David Dunlap Observatory Building Condition Assessment prepared on behalf of the Town by the Ventin Group Ltd. be received;
- b) That all the short term rehabilitation work as identified in the Conditional Assessment report carried out by the Ventin Group Ltd. for the Administration Building, Observatory Building and Radio Shack Building as outlined in staff report SREIS.17.021 from year's 1 to 5 totaling \$5,745,300 be included as part of the 2018 Capital Budget process, and that the funding source be Cash in Lieu of Parkland Reserve Funding;
- c) That upon approval of the capital budget, staff be directed to retain the necessary project consultants to undertake the designs necessary to complete the rehabilitation work as outlined in staff report SREIS.17.012 from year's 1 to 5;

- d) That the longer term rehabilitation work as identified in the Conditional Assessment report carried out by the Ventin Group Ltd. for the Administration Building and Observatory Building as outlined in staff report SREIS.17.021 totaling \$698,000 be placed in year 2028 of the 10 Year Capital Program;
- e) That the ultimate occupancy work as identified in the Conditional Assessment report carried out by Ventin Group Ltd. for the Administration Building and Observatory Building as outlined in staff report SREIS.17.021 totaling \$5,262,500 be placed in year 2023 of the 10 Year Capital Program;
- f) That staff be directed to report back on the next steps on the Radio Shack Building including options to decommission and or a restoration plan;
- g) That staff be directed to seek alternative funding sources, including grant opportunities, for this project.

Carried

13.1.5 SRPRS.17.168 - Establish Lands as Public Highway - Part of Block 285 Plan 65M-2078 - Dunvegan Drive (CoW Item 11.5)

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

That the following lands be established as public highway to form part of Denvegan Drive:

Part of Block 285, Plan 65M-2078, designated as Part 1, 65R-37349.

Carried

13.1.6 SRPRS.17.170 - Establish Lands as Public Highway - Part of Block 193 (0.30 Reserve) Plan 65M-2455 - Cooperage Crescent (CoW Item 11.6)

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

That the following lands be established as public highway to form part of Cooperage Crescent:

Part of Block 193 (0.30 Reserve), Plan 65M-2455, designated as Parts 7 and 8, 65R-37101.

Carried

13.1.7 SRPRS.17.172 - Assumption of Municipal Services - Richmond Hill Jefferson Forest Inc. - Plan 65M-4168 19T-99021 Phase 1 (CoW Item 11.7)

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

- a) That the assumption of the aboveground and belowground municipal services within Plan 65M-4168, (Subdivision File 19T-99021 Phase 1), be approved;
- b) That Hunting Ridges Drive, Bush Ridges Drive and Shadow Falls Drive within Plan 65M-4168, be assumed as public highway;
- c) That the assumption of the external aboveground municipal services within the Hunting Ridges Drive, Bush Ridges Drive and Shadow Falls Drive road allowances within Plan 65M-3602, be approved;
- d) That the assumption of the external aboveground and belowground municipal services within the Glen Meadow Lane road allowance within Plan 65M-2217, be approved;
- e) That the assumption of the external belowground municipal services within easements in Plan 65M-4192, being Parts 1 and 2 of Plan 65R-31836, be approved; and
- f) That 0.3m reserve Blocks 514, 515 and 516 within Plan 65M-3602 be established as public highway, becoming part of Shadow Falls Drive, Bush Ridges Avenue and Hunting Ridges Drive; respectively.

Carried

13.1.8 SRPRS.17.171 - Request for Approval - Zoning By-law Amendment and Draft Plan of Subdivision Applications - 2484508 Ontario Limited - 13215 and 13223 Bathurst Street and

**10 Portage Avenue - File Numbers D02-16021 and D03-16007
(CoW Item 11.8)**

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

That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 2484508 Ontario Limited for lands known as Part of Lots 17 to 19 and 501 and Lots 20 to 24 and 500, Plan 133 (Municipal Addresses: 13215 and 13223 Bathurst Street and 10 Portage Avenue) Town File Numbers D02-16021 and D03-16007 (19T(R)-16007), be approved subject to the following:

- a) That the Plan of Subdivision as depicted on Map 6 to Staff Report SRPRS.17.171, subject to the conditions as set out in Appendix "B" be draft approved;
- b) That the draft Zoning By-law as set out in Appendix "C" to Staff Report SRPRS.17.171 be approved and brought forward to a regular meeting of Council for consideration and enactment;
- c) That Council resolve to accept cash-in-lieu of parkland dedication for the subject development proposal;
- d) That the draft Site Plan Control By-law as set out in Appendix "D" to Staff Report SRPRS.17.171 to implement the applicant's sustainability commitments and that said by-law be brought forward to a regular meeting of Council for consideration and enactment be approved; and
- e) That servicing capacity for a maximum of two (2) new single detached dwelling lots (7.02 persons population equivalent) be allocated to the subject lands.

Carried

**13.1.9 SRPRS.17.162 - Request for Approval - Zoning By-law
Amendment Application - Corsica Development Inc. - 123
Hillsview Drive - File Number D02-17004 (CoW Item 11.9)**

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

That the Zoning By-law Amendment application submitted by Corsica Development Inc. for lands known as Part of Lots 42 and

43, Concession 1, E.Y.S., (Municipal Address: 123 Hillsview Drive), File Number D02-17004, be approved, subject to the following:

a) That the draft Zoning By-law Amendment as set out in Appendix "B" to Staff Report SRPRS.17.162 be approved and that the amending by-law be brought forward to a regular meeting of Council for consideration and enactment.

Carried

13.1.10 SRPRS.17.180 - Request for Direction - Zoning Bylaw Amendment, Draft Plan of Subdivision, Draft Plan of Common Element Condominium and Site Plan Approval Applications - 2468390 Ontario Inc. - 850 Elgin Mills Road East (CoW Item 11.11)

Moved by: Councillor Muench

Seconded by: Councillor Liu

a) That the Ontario Municipal Board be advised as follows:

i) That Council supports the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 2468390 Ontario Inc. for lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 850 Elgin Mills Road East), File Numbers D02-16003 and D03-16001 for the principle reasons outlined in staff report SRPRS.17.180;

ii) That Council requests the Ontario Municipal Board to withhold its Final Order respecting the proposed Zoning By-law Amendment until such time as the applicant's Site Plan application has been approved by the Town;

iii) That Council endorses the conditions of draft approval as set out in Appendix A to staff report SRPRS.17.180, subject to the payment of applicable processing fees in accordance with the Town's Tariff of Fees By-law;

b) That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject applications;

c) That approval of the applicant's draft Plan of Common Element Condominium application be deferred until such time as the applicant's Site Plan application has been approved by the Town;

- d) That Council resolve to accept cash-in-lieu of parkland dedication for the subject applications; and,
- e) That all comments concerning the applicant's Site Plan application be referred back to staff.

Carried

13.1.11 SRCFS.17.044 - Support and Maintenance for Fleet of Sharp Multifunctional Devices (CoW Item 11.12)

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

- a) That the contract for the provision of Sharp MFD Support and Maintenance be awarded non-competitively to Sharp Electronics of Canada for a cost not exceeding \$950,000 (exclusive of Taxes) pursuant to Article 7.1 Appendix "B" Part I – Sole Source Acquisitions Section (c) of the Procurement By-law 113-16 as the goods and/or services is to ensure compatibility with existing products that must be maintained by the manufacturer or its representative;
- b) That the Mayor and the Clerk be authorized to execute any necessary documentation to effect the contract upon the recommendation of the Commissioner of Corporate and Financial Services.

Carried

13.1.12 SRCAO.17.31 - Ontario Municipal Greenhouse Gas Challenge Fund Application(CoW Item 11.14)

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

- a) That the LED Streetlight Conversion Project, Interior Lighting Retrofit project (2018), and Phase 1 of the Energy Conservation Capital Projects be endorsed for submission to the Municipal Greenhouse Gas Challenge Fund;
- b) That the Director of Financial Services and Treasurer be authorized to sign the application.

Carried

13.1.13 Regional and Local Councillor Spatafora - Ban the Use of Electronic Cigarettes (CoW Item 12.1)

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

Whereas various Town of Richmond Hill by-laws and policies ban smoking to protect the health of residents.

Whereas the use of electronic cigarettes (“e-cigarettes”) is a growing trend.

Whereas Bill 45, the Making Healthier Choices Act, 2014, enacted the Electronic Cigarettes Act, 2015, S.O. 2015, c.17, (“the Electronic Cigarettes Act, 2015”) which will regulate the sale and use of e-cigarettes.

Whereas the use of e-cigarettes may be hazardous to health.

Whereas the use of e-cigarettes may be a nuisance for non-smokers,

Therefore be it resolved that all Town by-laws and policies that ban smoking be updated to include a ban on the use of electronic cigarettes, as defined in the Electronic Cigarettes Act, 2015.

Carried

13.1.14 Mayor Barrow - Ward Councillor Events (CoW Item 12.2)

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

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

Whereas the Ward Councillor events coordinated by the Community Liaison Staff of the Mayor and Council Office are categorized as Local Events in the Strategy;

And Whereas Section 6.4 of the Town’s Sign By-law (By-law 52-09) includes a provision governing Community Special Event Signs only with no guidelines for Local Events;

Therefore it is recommended that Council approve that Ward Councillor Events be included in the Community Event category of

the Richmond Hill Festivals and Events Strategy for the purpose of compliance with Section 6.4 of the Town's Sign By-law.

Carried

13.1.15 SRCFS.17.048 – Compensation Policy for the Administrative and Salaried Employee Association Groups (CoW Item 14.3.1)

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

That the Compensation Policy as attached as Appendix "A" of confidential closed session staff report SRCFS.17.048 be approved to come into effect on January 1, 2018.

Carried

13.2 Proclamation - YMCA Peace Week - November 19 to 25, 2017

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

That November 19 to 25, 2017 be proclaimed as YMCA Peace Week in the Town of Richmond Hill.

Carried

13.3 Proclamation - Hindu Heritage Month - November 2017

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

That the month of November 2017 be proclaimed Hindu Heritage Month in the Town of Richmond Hill.

Carried

13.4 Correspondence from Toomas Karmo, 406 Centre Street East, received November 13, 2017 regarding the DDO Building Conditional Assessment

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

That the correspondence from Toomas Karmo, 406 Centre Street East, received November 13, 2017, regarding the DDO Conditional Assessment 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: Regional and Local Councillor Spatafora

Seconded by: Councillor Cilevitz

That the following By-laws be approved:

16.1 By-law 98-17 - A By-law to Remove Certain Lands from Part Lot Control

16.2 By-law 107-17 - A By-law to Establish Lands as a Public Highway and Assumption of Municipal Services

Carried

17. Closed Session

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

17.1.1 To consider matters related to litigation or potential litigation, and to receive advice that is subject to solicitor-client privilege - Appeal of Development Charges By-laws (OMB Case Number DC160010).

Moved by: Councillor Cilevitz

Seconded by: Councillor Chan

That Council move into Closed Session to consider matters related 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 the Town's Development Charges By-laws, presently appealed to the Ontario Municipal Board (OMB Case No. DC160010).

Carried

17.2 Resolution to Reconvene in Open Session

Council moved into closed session and then returned to open session (8:12 p.m. to 8:53 p.m.)

17.3 Adoption of Recommendations Arising from the Closed Session Meeting

17.3.1 Appeals commenced under section 14 of the *Development Charges Act, 1997, S.O. 1997, c. 27, OMB Case Number DC160010 - Town of Richmond Hill Development Charge By-law Nos. 71-16, 33-16 and 35-16 (the "Appeals")*

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

a) That the Mayor and Town Clerk be authorized to execute minutes of settlement and such further settlement documentation, as may be required to implement a settlement of the appeals to the Ontario Municipal Board (the "OMB") Case Number DC160010 by North Leslie Residential Landowners Group Inc., Leslie Elgin Developments Inc. and 775377 Ontario Ltd., upon the recommendation of the Commissioner of Corporate and Financial Services;

b) That the Ontario Municipal Board be advised that Council supports revisions to Development Charge By-law Nos 71-16, 33-16 and 35-16 as set out in Appendix "1" to Legal Division Staff Report 17.12;

c) That the Legal Division staff report SRS.17.12 remain solicitor client privileged and confidential, save for and except for Appendix "1" which shall be made public upon the ratification of the settlement by Council.

d) That appropriate Town staff be directed to appear before the OMB in support of Council's position concerning the settlement of the Appeals.

Carried

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

18.1 By-law 109-17

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That By-law 109-17, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

19. Adjournment

Moved by: Councillor Cilevitz
Seconded by: Councillor Chan

That the meeting be adjourned.

The meeting was adjourned at 8:55 p.m.

Carried

Dave Barrow, Mayor

Stephen M.A. Huycke, Town Clerk