



Council Meeting

Minutes

C#36-21

Wednesday, September 22, 2021, 9:30 a.m.

(Electronic Meeting pursuant to Section 238(3.3) of the Municipal Act, 2001)

An electronic hybrid Council meeting, pursuant to Section 238(3.3) of the *Municipal Act, 2001*, of the Council of the City of Richmond Hill was held on Wednesday, September 22, 2021 at 9:30 a.m. in Council Chambers via videoconference.

Council Members Present in Council Chambers:

Acting Mayor DiPaola
Regional and Local Councillor Perrelli
Councillor Beros
Councillor Muench
Councillor West

Council Members present via videoconference:

Councillor Liu
Councillor Cilevitz
Councillor Chan

Staff Members present via videoconference:

S. Adams, Commissioner of Corporate and Financial Services
D. Joslin, Commissioner of Community Services
K. Kwan, Commissioner of Planning and Infrastructure
A. Dimilta, City Solicitor
P. Masaro, Executive Director, Infrastructure and Engineering Services
D. Flaherty, Chief of Staff
D. Dexter, Director, Financial Services and Treasurer
G. Galanis, Director, Development Planning
J. Stewart, Director, Public Works Operations
D. Beaulieu, Manager, Development Subdivisions
V. Gaiu, Manager, Energy and Waste
S. Fiore, Planner II - Development

Staff Members present in Council Chambers:

M. Dempster, City Manager
S. Huycke, City Clerk
R. Ban, Deputy City Clerk
K. Hurley, Council/Committee Coordinator
L. Sampogna, Council/Committee Coordinator

1. Call to Order/National Anthem

The Acting Mayor called the meeting to order at 9:32 a.m.

Council consented to recess the meeting between 1:12 p.m. and 2:02 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 Muench advised that today was McHappy Day and he along with Mayor Lovett, Mayor Scarpitti and Acting Mayor DiPaola participated in the annual event where a percentage of sales goes to support Ronald McDonald Houses and other local children's charities. Councillor Muench encouraged everyone to participate today in support of a great cause.

Acting Mayor DiPaola echoed the comments made by Councillor Muench regarding McHappy Day and noted that he learned a lot about the Ronald McDonald House Toronto Family Room within the Markham Stouffville hospital and all the good things they do for families whose children are receiving hospital treatment.

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:

a) SRCFS.21.048 - Resignation of Mayor Dave Barrow - Declaration of Vacancy in the Office of Mayor - (Item 13.5);

b) SRFCS.21.049 - Options to fill the Vacancy in the Office of Mayor - (Item 13.6);

c) Correspondence regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West - (Item 13.7);

d) Correspondence regarding Options to fill the Vacancy in the Office of Mayor - (Item 13.8);

e) Correspondence from Scott Thompson, 104 Baker Avenue, regarding the Member Motion submitted by Regional and Local Councillor Perrelli regarding Permanently Eliminating the Green/Blue Bin Replacement Fee - (Item 13.9).

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 Special Council Meeting C#34-21 held September 8, 2021

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the minutes of Special Council Meeting C#34-21 held on September 8, 2021 be adopted.

Carried

8. Identification of Items Requiring Separate Discussion

Council consented to separate Items 13.2, 13.6 and 14.1 for discussion.

9. Adoption of Remainder of Agenda Items

On a motion of Councillor West, seconded by Councillor Cilevitz, 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 **Emilio Pesce, 26 Lilly Court, regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West - (refer to Item 13.2)**

Emilio Pesce, 26 Lilly Court, addressed Council regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West. He read the letter submitted by approximately 23 residents of Lilly Court and Harding Boulevard West, distributed as part of Item 13.7, that identified their concerns with the proposed residential development as it would increase drainage into the North Richvale Greenway system and cause additional water quality, erosion and flooding issues; does not align with the guiding principles outlined in the City's Official Plan; and would cause an increase in area traffic. Mr. Pesce inquired about the stormwater management requirements for the new development, and requested that Council not approve the proposed Zoning By-law Amendment application for 227 Harding Boulevard West because of the concerns identified by the residents.

12.2 **Ryan Guetter, Weston Consulting, regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West - (refer to Item 13.2)**

Ryan Guetter, Weston Consulting, agent for the applicant, addressed Council regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West. He advised they have been working with staff and members of the public to address a number of technical issues, and noted that the maintenance of certain stormwater management controls and catch basins would be managed through the condominium. He reviewed the modifications that were made within their revised proposal and noted that traffic and transportation considerations were addressed within the staff report. Mr. Guetter advised that they were prepared to make adjustments to the height of the proposed dwelling units, and noted that the proposal was an appropriate development that conformed with the City's Official Plan and was supported by staff's analysis.

12.3 John Li, 206 Brookside Road, regarding Options to fill the Vacancy in the Office of Mayor - (refer to Item 13.6)

John Li, 206 Brookside Road, on behalf of the Richmond Hill Umbrella Residents Group, addressed Council regarding Options to fill the Vacancy in the Office of Mayor. He expressed concerns with the conduct of Council members during public meetings, and indicated that whatever method is selected to fill the vacancy in the Office of the Mayor that the residents of Richmond Hill must be allowed to participate. Mr. Li expressed concerns with selection by lot and the importance of residents being able to exercise their constitutional right to vote, and advised that they would like a by-election to be held that included the option for online voting to fill the vacancy.

13. Committee and Staff Reports**13.1 Minutes - Heritage Richmond Hill meeting HRH#05-21 held July 6, 2021**

Moved by: Councillor West
Seconded by: Councillor Cilevitz

a) That the minutes of Heritage Richmond Hill meeting HRH#05-21 held July 6, 2021 be adopted.

Carried

13.2 SRPI.21.083 - Request for Approval - Zoning By-law Amendment Application - Sanaz Sharifi c/o Lulu Holdings Inc. - 227 Harding Boulevard West - City File D02-18008 (Related File D06-20025)

Moved by: Councillor Cilevitz
Seconded by: Councillor West

a) That staff report SRPI.21.083 with respect to the revised Zoning By-law Amendment application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for lands known as Lot 1, Plan 65M-2366 (municipal address: 227 Harding Boulevard West), City File D02-18008, be approved, subject to the following:

- i. that the subject lands be rezoned from "First Density Residential (RS1) Zone" to "First Density Residential Multiple (RM1) Zone" under By-law 181-81, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in staff report SRPI.21.083;

ii. that prior to the amending Zoning By-law being brought forward to a Council meeting for consideration and enactment, the applicant's Site Plan application (City File D06-20025) be substantially completed to the satisfaction of the Commissioner of Planning and Infrastructure and confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land Titles Act*;

iii. that pursuant to Section 34(17) of the *Planning Act*, Council deem that no further notice be required with respect to any necessary modifications to the draft Zoning By-law to implement the proposed development on the subject lands;

b) That the authority to assign 11.39 persons equivalent of additional servicing allocation to the proposed development to be constructed on the subject lands be delegated to the Commissioner of Planning and Infrastructure subject to the criteria in the City's Interim Growth Management Strategy, and that the assigned servicing allocation be released in accordance with the provisions of By-law 109-11;

c) That all comments concerning the applicant's related Site Plan application (City File D06-20025) be referred back to staff.

Motion to Refer:

Moved by: Councillor Muench

Seconded by: Regional and Local Councillor Perrelli

That staff report SRPI.21.083 be referred back to staff for a further report at a Council meeting in December 2021, addressing all the comments and questions of the delegations and Members of Council, including but not limited to height and storm water management.

A recorded vote was taken:

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

Opposed: (1): Councillor West

Motion to Refer Carried (7 to 1)

13.3 SRCFS.21.042 - Status Update - Pending Items List

Moved by: Councillor West
Seconded by: Councillor Cilevitz

a) That staff report SRCFS.21.042 regarding a status update on pending issues originating from Committee of the Whole and Council meetings for the 2010-2014, 2014-2018 and 2018-2022 Terms of Council be received for information.

Carried

13.4 SRCFS.21.038 - 2022 Council and Committee Meeting Schedule

Moved by: Councillor West
Seconded by: Councillor Cilevitz

a) That the 2022 Council and Committee meeting schedule as set out in Appendix 'A' to staff report SRCFS.21.038 be approved.

Carried

13.5 SRCFS.21.048 - Resignation of Mayor Dave Barrow - Declaration of Vacancy in the Office of Mayor

Moved by: Councillor West
Seconded by: Councillor Cilevitz

a) That staff report SRCFS.21.048 be received;

b) That the resignation of Mayor Dave Barrow addressed to the City Clerk, attached as Attachment "A" to staff report SRCFS.21.048, be received for information;

c) That the Office of Mayor of the City of Richmond Hill be declared vacant;

d) That, pursuant to the requirements of Section 262(3) of the *Municipal Act, 2001*, the City Clerk be directed to send a copy of Council's resolution to Regional Council, Regional Municipality of York.

Carried

13.6 SRFCS.21.049 - Options to fill the Vacancy in the Office of Mayor

Moved by: Councillor Muench
Seconded by: Councillor Chan

a) That the matter of options to fill the vacancy in the Office of Mayor be referred back to staff, for a further report on options to fill the vacancy in the Office of the Mayor at the October 27, 2021 Council meeting, subject to the following:

i. Council resolves that the vacancy in the Office of Mayor shall only be filled by either a by-election or the appointment of a current member of Council;

ii. Should Council choose to appoint a current Member of Council at the October 27, 2021 meeting, the four week advertising and notice requirements in the Procedures to Appoint an Individual to fill a Vacancy shall not apply;

b) That a Special Council meeting be scheduled to occur within one week for the purpose of staff presenting options and cost associated with options for the City to consult the public on options to fill the vacancy in the Office of Mayor prior to the October 27, 2021 Council meeting.

An amendment was:

Moved by: Councillor Chan

Seconded by: Councillor Liu

That the motion be amended to read as follows:

"That a Special Council meeting be scheduled to occur within one week for the purpose of staff presenting options and cost associated with options for the City to consult the public on options to fill the vacancy in the Office of Mayor."

A recorded vote was taken:

In favour: (6): Councillor Muench, Councillor Chan, Councillor Cilevitz, Acting Mayor DiPaola, Councillor Liu, Councillor West

Opposed: (2): Regional and Local Councillor Perrelli, Councillor Beros

Motion to Amend Carried (6 to 2)

Main motion as amended:

Moved by: Councillor Muench

Seconded by: Councillor Chan

a) That a Special Council meeting be scheduled to occur within one week for the purpose of staff presenting options and cost associated with options for the City to consult the public on options to fill the vacancy in the Office of Mayor.

An amendment was:

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

That the main motion as amended be further amended to include the following clause b):

“b) That staff be directed to conduct a public consultation prior to the Special Council meeting through the City’s website and social media channels, and that Members of Council be requested to do the same using their own websites and social media channels.”

A recorded vote was taken:

In favour: (2): Councillor Beros, Regional and Local Councillor Perrelli

Opposed: (6): Acting Mayor DiPaola, Councillor Cilevitz, Councillor Chan, Councillor Liu, Councillor Muench, Councillor West

Motion to Amend Failed to Carry (2 to 6)

Main motion as amended:

Moved by: Councillor Muench
Seconded by: Councillor Chan

a) That a Special Council meeting be scheduled to occur within one week for the purpose of staff presenting options and cost associated with options for the City to consult the public on options to fill the vacancy in the Office of Mayor.

A recorded vote was taken:

In favour: (6): Acting Mayor DiPaola, Councillor West, Councillor Chan, Councillor Liu, Councillor Cilevitz, Councillor Muench

Opposed: (2): Councillor Beros, Regional and Local Councillor Perrelli

Main Motion as Amended Carried (6 to 2)

13.7 Correspondence regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West - (refer to Item 13.2)

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the correspondence regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. for 227 Harding Boulevard West, be received as follows:

- a) Linda and Morry Posner, 5 Lilley Court, dated September 18, 2021;
- b) Emilio Pesce, 26 Lilly Court, dated September 20, 2021;
- c) Carmelo Ciccarelli and Vincenza Jane Ciccarelli, 4 Lilley Court, dated September 20, 2021;
- d) Izabel Scovino, 25 Lilly Court, on behalf of approximately 23 area residents, dated September 20, 2021;
- e) Mary Astorino, 225 Harding Boulevard West, dated September 20, 2021.

Carried

13.8 Correspondence regarding Options to fill the Vacancy in the Office of Mayor - (refer to Item 13.6)

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the correspondence regarding Options to Fill the Vacancy in the Office of the Mayor be received as follows:

- a) Andrea Kettle, 99 Church Street South, dated September 21, 2021;
- b) Anne Dalla Rosa, 29 Cygnus Drive, dated September 21, 2021;
- c) John Moore, 23 Greyfriars Avenue, dated September 21, 2021;
- d) Mardi Frise, 96 Windermere Crescent, dated September 21, 2021;
- e) Susan Browne, 81 Church St South, dated September 21, 2021;
- f) Debbie Goldman, 244 McConvey Drive, dated September 21, 2021.

Carried

13.9 Correspondence from Scott Thompson, 104 Baker Avenue, regarding the Member Motion submitted by Regional and Local Councillor Perrelli regarding Permanently Eliminating the Green/Blue Bin Replacement Fee - (refer to Item 14.1)

Moved by: Councillor West
Seconded by: Councillor Cilevitz

a) That the correspondence from Scott Thompson, 104 Baker Avenue, regarding the Member Motion submitted by Regional and Local Councillor Perrelli regarding Permanently Eliminating the Green/Blue Bin Replacement Fee, be received.

Carried

14. Other Business

14.1 Member Motion - Regional and Local Councillor Perrelli - Permanently Eliminating the Green/Blue Bin Replacement Fee

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

Whereas the vast majority of green/blue bins are damaged through aggressive collection methods or circumstances which are beyond the control of residents including extreme cold and heat and the City's winter operations during collection days; and

Whereas the demand for a free green/blue bin replacement at my recent Environment Day Event, where over 8,000 households attended, was overwhelming; and

Whereas it was a real eye opener for me to witness the magnitude of the issue which made me realize that this was a service which needed to be made free permanently; and

Whereas residents should not be charged a fee on a circumstance, over which they have no control;

Now Therefore Be It Resolved:

That City Council direct the City Manager to permanently eliminate the green/ blue bin exchange fee effective January 1, 2021.

Now Therefore Be It Further Resolved that the City Manager be directed to enter into discussions with the City's solid waste collection contractor to

arrive at a more equitable and sustainable solution to cover the cost of bin replacement.

An amendment was:

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the operative clauses in the Motion be amended to read as follows:

"That City Council direct the City Manager to permanently eliminate the green/ blue bin exchange fee effective June 22, 2021.

That any refund provided as a result of this motion be limited to a maximum of 2 bins per household.

Now Therefore Be It Further Resolved that the City Manager be directed to enter into discussions with the City's solid waste collection contractor to arrive at a more equitable and sustainable solution to cover the cost of bin replacement."

A recorded vote was taken:

In favour: (5): Councillor Cilevitz, Acting Mayor DiPaola, Councillor Muench, Councillor Chan, Councillor West

Opposed: (3): Councillor Liu, Councillor Beros, Regional and Local Councillor Perrelli

Motion to Amend Carried (5 to 3)

Main motion as amended:

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

Whereas the vast majority of green/blue bins are damaged through aggressive collection methods or circumstances which are beyond the control of residents including extreme cold and heat and the City's winter operations during collection days; and

Whereas the demand for a free green/blue bin replacement at my recent Environment Day Event, where over 8,000 households attended, was overwhelming; and

Whereas it was a real eye opener for me to witness the magnitude of the issue which made me realize that this was a service which needed to be made free permanently; and

Whereas residents should not be charged a fee on a circumstance, over which they have no control;

Now Therefore Be It Resolved:

That City Council direct the City Manager to permanently eliminate the green/ blue bin exchange fee effective June 22, 2021.

That any refund provided as a result of this motion be limited to a maximum of 2 bins per household.

Now Therefore Be It Further Resolved that the City Manager be directed to enter into discussions with the City's solid waste collection contractor to arrive at a more equitable and sustainable solution to cover the cost of bin replacement.

A recorded vote was taken:

In favour: (6): Councillor Muench, Councillor Chan, Councillor West, Councillor Beros, Councillor Cilevitz, Acting Mayor DiPaola

Opposed: (2): Regional and Local Councillor Perrelli, Councillor Liu

Main Motion as Amended Carried (6 to 2)

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 113-21 - A By-law to Remove Certain Lands from Part Lot Control

By-law 114-21 - A By-law to Remove Certain Lands from Part Lot Control

By-law 115-21 - A By-law to Remove Certain Lands from Part Lot Control

Carried

17. Closed Session

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

Moved by: Councillor Cilevitz

Seconded by: Councillor West

That Council move into closed session:

a) To consider matters about an identifiable individual, including municipal or local board employees, with respect to confidential staff report SRCFS.21.044 (Section 239(2)(b) of the *Municipal Act, 2001*).

Carried Unanimously

17.2 Resolution to Reconvene in Open Session

Council moved into closed and then returned to open session (3:18 p.m. to 5:04 p.m.)

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

The City Clerk advised that there were no recommendations to be made in open session for the Closed Session Item.

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

18.1 By-law 123-21

Moved by: Councillor Beros

Seconded by: Regional and Local Councillor Perrelli

That By-law 123-21, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

19. Adjournment

Moved by: Councillor Beros

Seconded by: Regional and Local Councillor Perrelli

That the meeting be adjourned.

Carried

The meeting was adjourned at 5:06 p.m.

Joe DiPaola, Acting Mayor

Stephen M.A. Huycke, City Clerk