



Council Meeting

Minutes

C#50-21

Wednesday, December 8, 2021, 9:30 a.m.

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

An electronic 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, December 8, 2021 at 9:30 a.m. in Committee Room 1 via videoconference.

Council Member present in Committee Room 1:

Acting Mayor DiPaola

Council Members present via videoconference:

Regional and Local Councillor Perrelli
Councillor Beros
Councillor Muench
Councillor Liu
Councillor Cilevitz
Councillor West
Councillor Chan

Staff Members present via videoconference:

M. Dempster, City Manager
S. Adams, Commissioner of Corporate and Financial Services
K. Kwan, Commissioner of Planning and Infrastructure
D. Joslin, Commissioner of Community Services
A. Dimilta, City Solicitor
D. Flaherty, Chief of Staff
P. Masaro, Executive Director, Infrastructure and Engineering Services
D. Dexter, Director, Financial Services and Treasurer
G. Galanis, Director, Development Planning
P. Lee, Director, Policy Planning
B. Levesque, Director, Infrastructure Delivery
T. Steele, Director, Community Standards
J. Stewart, Director, Public Works

D. Terziewski, Director, Infrastructure Planning and Development Engineering
D. Beaulieu, Manager, Development - Subdivisions
S. Cham, Manager, Development Zoning
D. Giannetta, Manager, Development - Site Plans
G. Li, Manager, Fiscal Planning and Strategy
S. Kursell, Manager, Policy
B. DeFreitas – Senior Planner - Policy
A. Dunn, Senior Planner - Development
K. Faria, Senior Planner - Development
S. Fiore, Planner II - Development
J. Healey, Senior Planner - Development

Staff Members present in Committee Room 1:

S. Huycke, City Clerk
R. Ban, Deputy City Clerk
L. Sampogna, Council/Committee Coordinator

1. Call to Order/National Anthem

The Acting Mayor called the meeting to order at 9:30 a.m.

Council consented to recess the meeting between:

- 11:47 a.m. to 1:00 p.m.; and
- 3:42 p.m. and 4:02 p.m.

Acting Mayor DiPaola transferred the Chair to Councillor West between:

- 2:05 p.m. and 2:43 p.m. during consideration of Item 13.11; and
- 2:50 p.m. and 3:06 p.m. during consideration of Item 13.6.

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

Acting Mayor DiPaola announced that the Province was hosting a community engagement on the planning of Transit-Oriented Communities tomorrow evening and encouraged residents to attend the meeting to provide community input and to learn about the future transit plans.

Acting Mayor DiPaola advised of an unfortunate house fire in the City of Toronto yesterday and on behalf of Richmond Hill, extended condolences to the victims' families who lost their lives in the tragic house fire.

4. Introduction of Emergency/Time Sensitive Matters

4.1 Member Motion - Councillor Liu - Additional Yard Waste Collection Day in 2021 - (refer to Item 15.1)

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

That the following matter be added to the agenda as a Time Sensitive matter:

- a) Time Sensitive Member Motion - Councillor Liu - Additional yard waste collection day in 2021.

Carried Unanimously

4.2 Member Motion - Regional and Local Councillor Perrelli - Youth Sports Accommodation - (refer to Item 15.2)

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

That the following matter be added to the agenda as a Time Sensitive matter:

- a) Time Sensitive Member Motion - Regional and Local Councillor Perrelli - Youth Sports Accommodation.

Carried

5. Adoption of Agenda

Moved by: Councillor Cilevitz
Seconded by: Councillor Chan

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

- a) Delegation - Paramanantharajah Thambyayah, Hindu Temple Society of Canada, 10865 Bayview Avenue, regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East - (Item 12.4)
- b) Delegation - Thambirajah Vignarajah, President, Hindu Temple Society of Canada, regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East - (Item 12.5)

- c) Delegation - Maryam Mansouri Hurst, Mansour Living, representing the applicant. regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East - (Item 12.6)
- d) Delegation - Ryan Guetter, Weston Consulting, regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. - 227 Harding Boulevard West - (Item 12.7)
- e) Delegation - Emilio Pesce, 26 Lilley Court, regarding the proposed Zoning By-law Amendment Application – Sanaz Sharifi c/o Lulu Holdings Inc. - 227 Harding Boulevard West - (Item 12.8)
- f) Delegation - Pat Pollock, 67 Drumern Crescent, regarding the Integrity Commissioner's Report, dated Charles Harnick, Integrity Commissioner, ADR Chambers, dated November 24, 2021, Investigation Report for Complaint Reference Number IC-13780-0521 - (Item 12.9)
- g) Delegation - Paul Tobia, Weston Consulting, representing the applicant, regarding the proposed Zoning By-law Amendment Application submitted by 2304266 Ontario Inc. for 195 Gamble Road - (Item 12.10)
- h) Delegation - Harry Harakh, 66 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 12.11)
- i) Delegation - Pamela Harakh, 66 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 12.12)
- j) Delegation - Lauren Capilongo, Malone Given Parsons Ltd., representing Parkway Hotels and Convention Centre Inc. ("Sheraton"), regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 12.13)
- k) Delegation - David Lancaster, 74 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 12.14)
- l) Delegation - Wilhelm Bleek, 136 Centre Street West, regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 12.15)
- m) Petition submitted by Arul Myles Mylvaganam, Richmond Hill Hindu Temple, regarding the proposed Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East – (Item 13.14)
- n) Correspondence regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – 1430518 Ontario Inc. – 0 Elgin Mills Road East – (Item 13.15)

- o) Additional correspondence from Paul Nolis, 49 Muirhead Crescent, received December 6, 2021, regarding the 2022 Draft Operating Budget – (Item 13.16)
- p) Correspondence received regarding the Request for Endorsement: Official Plan Update Key Directions – (item 13.17)
- r) Withdraw Delegation – Paul Tobia, Weston Consulting – (Item 12.10)
- q) Time Sensitive Motion – Councillor Liu – Additional Yard Waste Collection Day - (Item 15.1)
- s) Time Sensitive Motion – Regional and Local Councillor Perrelli – Youth Sports Accommodation - (Item 15.2)

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#47-21 held November 17, 2021

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the minutes of Council Public Meeting C#47-21 held on November 17, 2021, be adopted.

Carried

7.2 Council Meeting C#48-21 held November 24, 2021

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the minutes of Council Meeting C#48-21 held on November 24, 2021, be adopted.

Carried

8. Identification of Items Requiring Separate Discussion

Council consented to separate Items 13.1.1, 13.3, 13.6, 13.8, 13.9, 14.1, 15.1 and 15.2 for discussion.

9. Adoption of Remainder of Agenda Items

On a motion of Councillor Liu, seconded by Councillor West, Council adopted those items not identified for separate discussion, including the Open Session recommendations contained in Closed Session Staff Report SRS.21.08 - (refer to Item 17.3.1).

10. Public Hearings

There were no public hearings.

11. Presentations

There were no presentations.

12. Delegations

12.1 Paul Nolis, 49 Muirhead Crescent, regarding the 2022 Draft Operating Budget

Paul Nolis, 49 Muirhead Crescent, addressed Council regarding the 2022 Draft Operating Budget. He provided information regarding the community's request for water and sewer services on Muirhead Crescent, shared his opinion regarding the City Manager's correspondence, and reviewed correspondence from Neuhaus Developments dated April 5, 2020, included as Agenda Item 13.16. Mr. Nolis advised that he was addressing other government officials with respect to concerns of the Muirhead Crescent community and project.

12.2 Arul Myles Mylvaganam, Richmond Hill Hindu Temple, regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East

Arul Myles Mylvaganam, Richmond Hill Hindu Temple, advised that he was opposed to the proposed high-rise development on the subject lands. He advised that the Hindu Temple towers was architecturally designed in accordance with the Hindu faith, and highlighted the spiritual significance of the Temple towers being visible from afar. He shared concerns with the impact the proposed high-rise development would have on density, traffic, crimes and safety of temple attendees. A Mylvaganam further advised that he submitted a petition opposing the proposed development that contained approximately 1200 signatures, included as Agenda Item 13.14.

12.3 Kidambi Raj, 59 Chadwick Crescent, Richmond Hill Ganesha Temple, regarding the proposed Official Plan, Zoning By-law Amendment and

Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc., for 0 Elgin Mills Road East

Kidambi Raj, 59 Chadwick Crescent, Richmond Hill Ganesh Temple, advised of traffic and safety concerns, particularly during festival times, and requested that Council support the installation of a traffic light as part of Section 37, Community Benefits Package.

12.4 Paramanantharajah Thambyayah, Hindu Temple Society of Canada, 10865 Bayview Avenue, regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East

Paramanantharajah Thambyayah, Hindu Temple Society of Canada, was not in attendance.

12.5 Thambirajah Vignarajah, President, Hindu Temple Society of Canada, regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East

Thambirajah Vignarajah, President, Hindu Temple Society of Canada, representing the parishioners of the Temple advised of their opposition to the proposed two 14-storey high-density development. He advised that the submitted petition containing over 1200 signatures was obtained by in-person visitors to the Temple last month and without any social media. He highlighted that the proposed development would undermine the sanctity of the Temple and advised that Temple was a well-known and well-respected landmark in the GTA and North America. T. Vignarajah reviewed the surrounding lands, indicated that they were not provided with the option to purchase the subject lands and requested Council reconsider the proposed high-rise development on the subject lands.

12.6 Maryam Mansouri Hurst, Mansour Living, representing the applicant, regarding the proposed Applications submitted by 1430518 Ontario Inc. - 0 Elgin Mills Road East

Maryam Mansouri Hurst, Mansour Living, representing the applicant, reviewed the development proposal and staff's support to increase the maximum height from 10 to 14 stories to create the most optimal urban form rather than four 10-storey towers or singular ten-storey blocks along Bayview Avenue. She advised of their discussions and meetings with the Temple Board to address their concerns, and noted that they received a letter of support from the Temple in 2019. She advised of their commitment to building a beautiful community that the surrounding neighbourhood would be proud of, which included a world-class play

structure at the centre of the site and neighbourhood retail. M. Mansouri Hurst reviewed comments in the staff report pertaining to height and viewshed impacts on the Hindu Temple and advised they were available to respond to any questions regarding the proposed development on the subject lands.

12.7 Ryan Guetter, Weston Consulting, regarding the proposed Zoning By-law Amendment Application submitted by Sanaz Sharifi c/o Lulu Holdings Inc. - 227 Harding Boulevard West

Ryan Guetter, Weston Consulting, on behalf of the applicant, advised that since the September 22, 2021 Council meeting, a Site Plan Application resubmission was filed that addressed a reduction in the building height. He reviewed concerns brought forward from the last Council meeting, which included stormwater management erosion and the overall drainage runoff to adjoining lands as well as other factors. R. Guetter advised that the application had been underway for many years and noted that it was his belief that all issues were addressed comprehensively including interfacing concerns raised by delegations at the public hearing. R. Guetter requested Council's endorsement of staff's recommendations and indicated that he was available to answer questions regarding the proposed development.

12.8 Emilio Pesce, 26 Lilley Court, regarding the proposed Zoning By-law Amendment Application – Sanaz Sharifi c/o Lulu Holdings Inc. - 227 Harding Boulevard West

Emilio Pesce, 26 Lilley Court, advised that he was pleased to see that concerns relating to a reduced building height, removal of parking along the southerly property line and the proposed stormwater mitigation plan were addressed in the staff report. E. Pesce requested clarification on where the additional two parking spots and garbage storage would be located on the subject lands. He advised that he supported infill development if designed well, integrated within the existing area, and was mutually tolerant. E. Pesce advised that his property backed on to the proposed development and highlighted concerns with respect to parking, garbage location, loss of privacy and backyard enjoyment, and potentially a loss in property value. E. Pesce requested that a compatibility report be completed prior to approving the application, and outlined his preference on protecting existing trees and to address construction issues for the surrounding area and properties.

12.9 Pat Pollock, 67 Drumern Crescent, regarding the Integrity Commissioner's Report, dated Charles Harnick, Integrity Commissioner, ADR Chambers, dated November 24, 2021, Investigation Report for Complaint Reference Number IC-13780-0521

Pat Pollock, 67 Drumern Crescent, reviewed the Preamble and Principles Section of the Council Code of Conduct, and expressed her support with the Integrity Commissioner's report. P. Pollock requested Council vote in favour of a penalty and to determine an appropriate reprimand for Regional and Local Councillor Perrelli.

12.10 Paul Tobia, Weston Consulting, representing the applicant, regarding the proposed Zoning By-law Amendment Application submitted by 2304266 Ontario Inc. for 195 Gamble Road

The delegation by Paul Tobia, Weston Consulting, representing the applicant, was withdrawn.

12.11 Harry Harakh, 66 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions

Harry Harakh, 66 Major Mackenzie Drive West, addressed Council regarding the Official Plan Update Key Directions. He reviewed the location of his and his neighbours properties in relation to the Downtown Centre under the current Official Plan. He indicated that the subject lands were prime development lands that were adjacent to a Major Transit Station Area. H. Harakh requested that staff respond to his letter dated July 2020 and to work collaboratively with the property owners to developing an attractive proposal.

12.12 Pamela Harakh, 66 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions

Pamela Harakh, 66 Major Mackenzie Drive West, did not address Council.

12.13 Lauren Capilongo, Malone Given Parsons Ltd., representing Parkway Hotels and Convention Centre Inc. ("Sheraton"), regarding the Request for Endorsement: Official Plan Update Key Directions

Lauren Capilongo, Malone Given Parsons Ltd., representing Parkway Hotels and Convention Centre Inc. ("Sheraton"), advised of their general support for the area-specific key directions for the EBC/Hwy 7 area and noted their preference for the area to be a Key Development Area rather than a Local Centre. She reviewed the Sheraton lands and its future vision and indicated that the City's current intensification framework emphasized

more intensified heights and densities in the Key Development Areas (KDA) over Local Centres. She shared her opinion that the Sheraton lands and EBC/Hwy 7 area would be better characterized as a KDA, noting that the framework for the area should continue to mandate a mix of uses rather than emphasize employment uses. L. Capilongo requested clarification on whether the Local Centre designation would permit the envisioned heights and densities that were being planned by the Sheraton, as further detailed in her submission included as Agenda Item 13.17 a).

12.14 David Lancaster, 74 Major Mackenzie Drive West, regarding the Request for Endorsement: Official Plan Update Key Directions

David Lancaster, 74 Major Mackenzie Drive West, advised that on behalf of the owners of 32, 42, 66, 74 and 76 Major Mackenzie Drive West, known as the “Neighbourhood Group”, Alan Ramsay, Ramsay Planning Inc., was retained by the Neighbourhood Group who submitted correspondence dated December 7, 2021, included as Agenda Item 13.17 b). D. Lancaster reviewed the correspondence submitted by Alan Ramsay, which provided comments in response to the Key Directions report for the Richmond Hill Official Plan Update. D. Lancaster also expressed concerns with respect to density, MTSA, traffic, and intensification issues and stated that in his opinion David Dixon’s vision was not included in the Key Directions report.

12.15 Wilhelm Bleek, 136 Centre Street West, regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 13.6)

Wilhelm Bleek, 136 Centre Street West, was not in attendance.

13. Committee and Staff Reports

13.1 Minutes - Budget Committee of the Whole meeting BCW##05-21 held November 23, 2021

That the minutes of the Budget Committee of the Whole meeting BCW#05-21 held November 23, 2021 be adopted as circulated and the following recommendations be approved:

13.1.1 SRCFS.21.052 - 2022 Draft Operating Budget - (BCW Item 4.1) - (By-laws 138-21 and 139-21)

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

- a) That the presentation by David Dexter, Director of Financial Services and Treasurer, in respect to the 2022 Draft Operating Budget be received with thanks;
- b) That the 2022 City Operating Budget:
1. Summarized in Appendix "A" to staff report SRCFS.21.052, with a recommended budget increase of \$0 and a total tax levy of \$119,676,900 (excluding supplementary taxes), subject to minor changes based on final Municipal Property Assessment Corporation (MPAC) tax roll update in December 2021, be adopted;
 2. That the 2022 Seniors Tax Assistance Grant remain at \$404;
 3. That By-law 138-21, attached as Appendix "D" to staff report SRCFS.21.052, be enacted to adopt the 2022 City Operating Budget;
 4. That any financial impact, as a result of Covid-19, be funded by the Safe Restart Agreement and/or Provincial Covid-19 Recovery Funds and staff provide periodic financial update reports on the operating impact of the Covid-19 pandemic.
- c) That the Capital Asset Sustainability Fee budget increase of \$1,196,800 and total fee levy of \$7,768,500 for the 2022 taxation year, be adopted;
- d) That By-law 139-21, attached as Appendix "E" to staff report SRCFS.21.052, be enacted to adopt the 2022 Water, Wastewater and Stormwater Budgets;
- e) That the Financial Outlook, attached as Appendix "C" to staff report SRCFS.21.052, be received;
- f) That, as required by Ontario Regulation 284/09, *Municipal Act 2001*, the compliance report, attached as Appendix "G" to staff report SRCFS.21.052, be approved for expenses that have been excluded from the 2022 Draft Operating Budget; and
- g) That the 2021 Operating Forecast Q4, attached as Appendix "I" to staff report SRCFS.21.052, be received for information purposes.

Carried Unanimously

13.1.2 SRCFS.21.047 - Capital Project Financial Status Report - (BCW Item 4.2)

Moved by: Councillor Liu
Seconded by: Councillor West

a) That the presentation by Gigi Li, Manager, Fiscal Planning and Strategy, regarding the Capital Project Financial Status Report, be received with thanks;

b) That all capital projects listed in Appendix “A” to staff report SRCFS.21.047:

1. Be closed;
2. Projects with unexpended funds be returned to source(s) as identified; and
3. Projects with overspent funds be funded as identified.

c) That Budget and Funding Adjustments, as noted in Appendix “B” to staff report SRCFS.21.047, be approved; and

d) That the Status of Capital Projects List in Appendix “E” to staff report SRCFS.21.047 be received.

Carried

13.1.3 SRCFS.21.062 - 2022 BIA Proposed Budget - (BCW Item 4.3)

Moved by: Councillor Liu
Seconded by: Councillor West

a) That the verbal presentation by Raika Sheppard regarding the 2022 BIA Proposed Budget be received with thanks;

b) That the 2022 gross operating budget of \$172,962.80 for the Village of Richmond Hill Business Improvement Area as provided within staff report SRCFS.21.062 be approved; and

c) That the amount of \$100,000 be levied upon the rateable properties in the improvement areas.

Carried

13.2 SRCFS.21.061 - Renewal and Professional Services of Proprietary Software Product

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the non-competitive software upgrade and renewal of proprietary software Cayenta be awarded to N. Harris Computer Corporation for a term of six (6) months, and a cost not exceeding \$200,000 exclusive of taxes, pursuant to Appendix "B" Part I, Section (c) of Procurement By-law 113-16 in order to ensure compatibility with the existing Cayenta system used and maintained by the staff of the City of Richmond Hill;

b) That the Commissioner of Corporate and Financial Services be authorized to execute any and all necessary documentation to affect the contract.

Carried

13.3 SRCS.21.18 - Parks Use By-law Review – Key Findings and Directions

Moved by: Councillor Chan

Seconded by: Councillor West

a) That Staff Report SRCS.21.18 be received and that all comments on the key directions be referred to staff for development of the new Park Use By-law;

b) That staff report back to Council before 2022 summer recess with:

i) a new Park Use By-law based on key directions outlined in Staff Report SRCS.21.18 and any comments received; and,

ii) amendments to the Administrative Penalty By-law 69-16 to incorporate Parks Use By-law offences into the Administrative Monetary Penalty System.

Carried

13.4 SRPI.21.058 – Request for Comments – Site Plan Application – Metroview Developments (Harding) Inc. - 9825 and 9839 Yonge Street, 254, 258 and 264 Church Street South and 11 and 17 Harding Boulevard – City File D06-20045 (Related Files D01-16005 and D02-16034)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That Staff Report SRPI.21.058 with respect to the Site Plan application submitted by Metroview Developments (Harding) Inc. for lands known as

Part of lots 5 and 6 and Lots 7, 8 and 9, Registered Plan 3801 (Municipal Addresses: 9825 and 9839 Yonge Street, 254, 258 and 264 Church Street South and 11 and 17 Harding Boulevard), City File D06-20045, be received for information purposes and that all comments be referred back to staff; and,

b) That the authority to assign servicing allocation for 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.

Carried

13.5 SRPI.21.117 – Request for Comments – Site Plan Application – Zonix Kent Inc. - 356 King Road – City File D06-20033

Moved by: Councillor Liu
Seconded by: Councillor West

a) That Staff Report SRPI.21.117 with respect to the Site Plan application submitted by Zonix Kent Inc. for lands known as Part of Lot 37, Plan 202 (Municipal Address: 356 King Road), City File D06-20033, be received for information purposes and that all comments be referred back to staff; and,

b) That the authority to assign 11.96 persons equivalent of 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.

Carried

13.6 SRPI.21.118 – Request for Endorsement: Official Plan Update Key Directions

Motion to Refer:

Moved by: Councillor Muench
Seconded by: Councillor Chan

a) That consideration of staff report SRPI.21.118, regarding the Request for Endorsement: Official Plan Update Key Directions, be referred back to staff for additional consultation and report back at the February 9, 2022 Council meeting.

A recorded vote was taken:

In favour: (5): Acting Mayor DiPaola, Regional and Local Councillor Perrelli, Councillor Muench, Councillor Liu, Councillor Chan

Opposed: (3): Councillor Beros, Councillor West, Councillor Cilevitz

Motion to Refer Carried (5 to 3)

13.7 SRPI.21.113 – Request for Approval – Extension of Outdoor Patio Temporary Use Zoning By-law 91-20 – City of Richmond Hill – City File D24-20001- (By-law 144-21)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the City initiated Zoning By-law Amendment, City File D24-20001, be approved, subject to the following;

- i) That the amending Zoning By-law to extend the expiry date established under Temporary Use Zoning By-law 91-20, as extended by Zoning By-law 146-20, be further extended by By-law 144-21, from January 1, 2022 to January 1 2023; and,
- ii) That the amending Zoning By-law be brought forward to the December 8, 2021 Council meeting for consideration and enactment.

Carried

13.8 SRPI.21.122 – 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 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.21.122;

(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; and,

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

Carried Unanimously

13.9 SRPI.21.115 – Request for Approval – Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – 1430518 Ontario Inc. – 0 Elgin Mills Road East - City Files D01-18008, D02-16036 and D03-20003 (Related File D06-16091)

Moved by: Councillor Liu

Seconded by: Councillor Muench

a) That the revised Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 1430518 Ontario Limited for lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 0 Elgin Mills Road East), City Files D01-18008, D02-16036 and D03-20003, be approved in principle, subject to the following:

i) that the North Leslie Secondary Plan be amended to include site specific policies to increase the permitted building height and to revise the limits of the Natural Heritage System on the subject lands as outlined in Staff Report SRPI.21.115, and

that the draft Official Plan Amendment attached as Appendix “C” be finalized and forwarded to a future meeting of Council for consideration and adoption;

- ii) that the subject lands be rezoned from Rural Residential Four (RR4) Zone under By-law 2325-68, as amended, to Neighbourhood Commercial (C1) Zone and Environmental Protection Two (EPA2) Zone under By-law 55-15, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.115;
- iii) that prior to forwarding the amending Zoning By-law to Council for consideration and enactment, the following take place:
 - a) that the draft Zoning By-law attached as Appendix “D” be finalized and updated to address the comments in Staff Report SRPI.21.115 to the satisfaction of the Commissioner of Planning and Infrastructure, including appropriate formatting, development standards and negotiated community benefits pursuant to Section 37 of the *Planning Act*;
 - b) that the applicant’s Site Plan application (City File D06-16091) be substantially completed to the satisfaction of the Commissioner of Planning and Infrastructure;
 - c) that confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land Titles Act*;
- iv) 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;
- v) that the Plan of Subdivision as depicted on Map 8 to Staff Report 21.115 be draft approved subject to the conditions set out in Appendix “E”;

- vi) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City's Tariff of Fees By-law 105-20, as amended;
- b) That Council authorize the Commissioner of Planning and Infrastructure to negotiate a Section 37 Community Benefits Package based on the revised development proposal as described in Staff Report SRPI.21.115, to be incorporated into the implementing Zoning By-law Amendment for the proposed development, to the satisfaction of the Commissioner of Planning and Infrastructure;
- c) That upon the recommendation of the Commissioner of Planning and Infrastructure, the Mayor and City Clerk be authorized to execute any agreements necessary to secure a Section 37 Community Benefits Package;
- d) That staff report back to Council in the event there are challenges with finalizing the draft Zoning By-law, including a Section 37 Community Benefits Package; and,
- e) That all comments concerning the applicant's related Site Plan Application (City File D06-16091) be referred back to staff.

Motion to Defer:

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

- a) That consideration of staff report SRPI.21.115, regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East, be deferred to the February 9, 2022 Council meeting.

A recorded vote was taken:

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

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

Motion to Defer Failed to Carry (2 to 6)

Motion to Amend:

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

That the following additional Clause f) be added to the main motion:

f) That the balance of the cost of the traffic signal on Bayview Avenue not secured through the Section 37 Community Benefits package, be fully funded from City's Development Charges.

A recorded vote was taken:

In favour: (8): Acting Mayor DiPaola, Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench, Councillor Liu, Councillor West, Councillor Cilevitz, Councillor Chan

Opposed: (0): None

Motion to Amend Carried Unanimously (8 to 0)

Main Motion as Amended:

Moved by: Councillor Liu
Seconded by: Councillor Muench

a) That the revised Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision applications submitted by 1430518 Ontario Limited for lands known as Part of Lot 26, Concession 2, E.Y.S. (Municipal Address: 0 Elgin Mills Road East), City Files D01-18008, D02-16036 and D03-20003, be approved in principle, subject to the following:

- i) that the North Leslie Secondary Plan be amended to include site specific policies to increase the permitted building height and to revise the limits of the Natural Heritage System on the subject lands as outlined in Staff Report SRPI.21.115, and that the draft Official Plan Amendment attached as Appendix "C" be finalized and forwarded to a future meeting of Council for consideration and adoption;
- ii) that the subject lands be rezoned from Rural Residential Four (RR4) Zone under By-law 2325-68, as amended, to Neighbourhood Commercial (C1) Zone and Environmental Protection Two (EPA2) Zone under By-law 55-15, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.115;
- iii) that prior to forwarding the amending Zoning By-law to Council for consideration and enactment, the following take place:

- a) that the draft Zoning By-law attached as Appendix “D” be finalized and updated to address the comments in Staff Report SRPI.21.115 to the satisfaction of the Commissioner of Planning and Infrastructure, including appropriate formatting, development standards and negotiated community benefits pursuant to Section 37 of the *Planning Act*;
- b) that the applicant’s Site Plan application (City File D06-16091) be substantially completed to the satisfaction of the Commissioner of Planning and Infrastructure;
- c) that confirmation be received that the applicant has registered restrictions over the subject lands under Section 118 of the *Land Titles Act*;
 - iv) 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;
 - v) that the Plan of Subdivision as depicted on Map 8 to Staff Report 21.115 be draft approved subject to the conditions set out in Appendix “E”;
 - vi) that prior to draft approval being granted, the applicant pay the applicable processing fee in accordance with the City’s Tariff of Fees By-law 105-20, as amended;
- b) That Council authorize the Commissioner of Planning and Infrastructure to negotiate a Section 37 Community Benefits Package based on the revised development proposal as described in Staff Report SRPI.21.115, to be incorporated into the implementing Zoning By-law Amendment for the proposed development, to the satisfaction of the Commissioner of Planning and Infrastructure;
- c) That upon the recommendation of the Commissioner of Planning and Infrastructure, the Mayor and City Clerk be authorized to execute any agreements necessary to secure a Section 37 Community Benefits Package;
- d) That staff report back to Council in the event there are challenges with finalizing the draft Zoning By-law, including a Section 37 Community Benefits Package; and,
- e) That all comments concerning the applicant’s related Site Plan Application (City File D06-16091) be referred back to staff;

f) That the balance of the cost of the traffic signal on Bayview Avenue not secured through the Section 37 Community Benefits package, be fully funded from City's Development Charges.

A recorded vote was taken:

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

Opposed: (1): Councillor Cilevitz

Carried (7 to 1)

13.10 SRPI.21.116 – Request for Approval – Zoning By-law Amendment Application – 2304266 Ontario Inc. – 195 Gamble Road - City File D02-18022 (Related File D06-18038)

Moved by: Councillor Liu
Seconded by: Councillor West

a) That the revised Zoning By-law Amendment application submitted by 2304266 Ontario Inc. for lands known as Part of Lot 25, Plan 4667 (Municipal Address: 195 Gamble Road), City File D02-18022, be approved, subject to the following:

- (i) that the subject lands be rezoned from Rural Residential (RR) Zone under By-law 2523, as amended, to Residential Multiple Family One (RM1) Zone and Flood (F) Zone under By-law 190-87, as amended, and that the amending Zoning By-law establish site specific development standards as outlined in Staff Report SRPI.21.116;
- (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 D06-18038) 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 14.38 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; and,

c) That all comments concerning the applicant's related Site Plan application (City File D06-18038) be referred back to staff.

Carried

13.11 Letter from Charles Harnick, Integrity Commissioner, ADR Chambers, dated November 24, 2021, regarding Investigation Report for Complaint Reference Number IC-13780-0521

Moved by: Councillor Muench

Seconded by: Councillor Beros

a) That the letter from Charles Harnick, Integrity Commissioner, ADR Chambers Inc., Integrity Commissioner Office for the City of Richmond Hill, dated November 24, 2021, regarding an investigation report in respect to a complaint under the City's Council Code of Conduct, be received for information.

A recorded vote was taken:

In favour: (3): Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench

Opposed: (5): Acting Mayor DiPaola, Councillor Liu, Councillor West, Councillor Cilevitz, Councillor Chan

Motion Failed to Carry (3 to 5)

Moved by: Regional and Local Councillor DiPaola

Seconded by: Councillor Chan

a) That Regional and Local Councillor Perrelli be and is hereby reprimanded (pursuant to Section 223.4(5) of the *Municipal Act, 2001*), for violating the City's Council Code of Conduct, as detailed in the Integrity Commissioner's report, dated November 24, 2021.

A recorded vote was taken:

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

Opposed: (2): Councillor Beros, Councillor Muench

Absent: (1): Regional and Local Councillor Perrelli

Carried (5 to 2)

13.12 Correspondence received regarding the 2022 Draft Operating Budget - (refer to Item 13.1.1)

Moved by: Councillor Liu

Seconded by: Councillor West

That the following correspondence regarding the 2022 Draft Operating Budget, be received:

a) Paul Nolis, 49 Muirhead Crescent, dated November 6, 2021 and April 5, 2020;

b) Neil R. Zaph, Secretary Treasurer, York Region Condominium Corporation 811, 133 Hall Street, dated November 23, 2021.

Carried

13.13 Correspondence from Dmitri and Victoria Paykin, 11 Carat Crescent, regarding the proposed Zoning By-law Amendment Application - 2304266 Ontario Inc. – 195 Gamble Road - (refer to Item 13.10)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the correspondence from Dmitri and Victoria Paykin, 11 Carat Crescent, dated November 29, 2021, regarding the proposed Zoning By-law Amendment Application submitted by 2304266 Ontario Inc. for 195 Gamble Road, be received.

Carried

13.14 Petition submitted by Arul Myles Mylvaganam, Richmond Hill Hindu Temple, regarding the proposed Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East - (refer to Item 13.9)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the Petition submitted by Arul Myles Mylvaganam, Richmond Hill Hindu Temple, received December 2, 2021, regarding the proposed Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East, be received.

Carried

13.15 Correspondence regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications – 1430518 Ontario Inc. – 0 Elgin Mills Road East - (refer to Item 13.9)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the following correspondence regarding the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications submitted by 1430518 Ontario Inc. for 0 Elgin Mills Road East, be received:

a) Grant McCaffrey, 436 Crosby Avenue, dated December 5, 2021;

b) Veluvolu Basavaiah, Trustee, Hindu Temple Society of Canada, dated December 6, 2021;

c) Thambirajah Vignarajah, President, Hindu Temple Society of Canada, received December 6, 2021;

d) Mappanar and Kanageswary Nagalingam, 182 Doon Drive, London, dated December 7, 2021;

e) Arul Myles Mylvaganam, Richmond Hill Hindu Temple, dated December 7, 2021;

f) Rathy Ponnampalam, 10 Ardmore Crescent, dated December 7, 2021.

Carried

13.16 Additional correspondence from Paul Nolis, 49 Muirhead Crescent, received December 6, 2021, regarding the 2022 Draft Operating Budget - (refer to Item 13.1.1)

Moved by: Councillor Liu

Seconded by: Councillor West

a) That the additional correspondence from Paul Nolis, 49 Muirhead Crescent, received December 6, 2021, regarding the 2022 Draft Operating Budget, be received.

Carried

13.17 Correspondence received regarding the Request for Endorsement: Official Plan Update Key Directions - (Item 13.6)

Moved by: Councillor Liu
Seconded by: Councillor West

That the following correspondence regarding Request for Endorsement: Official Plan Update Key Directions, be received:

- a) Lauren Capilongo, representing Parkway Hotels and Convention Centre Inc. ("Sheraton"), dated December 7, 2021;
- b) Allan Ramsay, Allan Ramsay Planning Associates, representing property owners at 32, 42, 66, 74, and 76 Major Mackenzie Drive West;
- c) Wilhelm Bleek, 136 Centre Street West, dated December 7, 2021;
- d) Lincoln Lo, Malone Given Parsons, representing Leslie Elgin Developments Inc., dated December 7, 2021.

Carried

14. Other Business

14.1 Member Motion - Regional and Local Councillor Perrelli - Traffic Calming Measures on Spruce Avenue

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

Whereas residents safety is one of my top priorities; and

Whereas the residents on Spruce Avenue have indicated that there are speeding concerns on their street; and

Whereas York Regional Police have been requested to monitor these concerns and have statistics to confirm that there is a speeding concern on Spruce Avenue; and

Whereas City staff have confirmed that they would be supportive, from a technical perspective, of some form of traffic calming measures on Spruce Avenue;

Therefore be it resolved:

That Council direct staff to conduct an investigation to determine any appropriate traffic calming measures, as required, to implement them as soon as possible and in consultation with the community.

Carried Unanimously

15. Emergency/Time Sensitive Matters

15.1 Time Sensitive Member Motion - Councillor Liu - Additional Yard Waste Collection day in 2021

Moved by: Councillor Liu
Seconded by: Councillor West

Whereas summer temperatures last longer into the fall because of climate change, which is delaying leaves peeping, resulting in leaves falling late this year;

Whereas the deadline of yard waste (December 3, 2021) has passed;

Whereas many residents still have their yard waste on their front lawn not being collected due to the delay of leaves falling;

Therefor be it resolved that Richmond Hill add one more yard waste collection day before year end; and

That staff be directed to implement an additional day of Yard Waste collection in December 2021, to be funded from budgets as determined by the Commission of Community Services, in consultation with the Treasurer.

Carried

15.2 Time Sensitive Member Motion - Regional and Local Councillor Perrelli - Youth Sports Accommodation

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

a) That staff be directed to examine all current Region of York Covid-19 Immunization clinics in Richmond Hill facilities, and move any such immunization clinic to other appropriate City or private facilities to increase opportunities for indoor youth soccer programs;

b) That the Elgin Barrow Arena ice-rink pads be offered for indoor soccer programs for the period of January to May 2022, and that consideration be

given, subject to the rules in the Facilities Allocation Policy, to offering the Elgin Barrow Arena ice-rink pads to Kick-Off Soccer GTA for indoor soccer programs;

c) That in the event that there are any safety concerns associated with the use of the ice-rink pads at Elgin barrow Arena for indoor soccer, staff be directed to take steps to remedy those to safety concerns to allow indoor soccer to proceed as soon as possible;

d) That Council request the York Region District School Board, York Catholic District School Board, and the Ontario Minister of Education to re-open public school facilities for community recreational programs;

e) That individual Members of Council be requested to take whatever action they deem necessary to further the intent of clause d) of the Motion.

A recorded vote was taken on Clause a):

In favour: (4): Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench, Councillor Liu

Opposed: (4): Acting Mayor DiPaola, Councillor West, Councillor Cilevitz, Councillor Chan

Clause a) Failed to Carry on a Tie Vote (4 to 4)

A recorded vote was taken on Clauses b) and c):

In favour: (4): Regional and Local Councillor Perrelli, Councillor Beros, Councillor Muench, and Councillor Liu

Opposed: (4): Acting Mayor DiPaola, Councillor West, Councillor Cilevitz, and Councillor Chan

Clauses b) and c) Failed to Carry on a Tie Vote (4 to 4)

A recorded vote was taken on Clauses d) and e):

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

Opposed: (3): Acting Mayor DiPaola, Councillor West, and Councillor Cilevitz

Clauses d) and e) Carried (5 to 3)

The complete motion to read as follows:

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

- a) That Council request the York Region District School Board, York Catholic District School Board, and the Ontario Minister of Education to re-open public school facilities for community recreational programs;
- b) That individual Members of Council be requested to take whatever action they deem necessary to further the intent of clause a) of the Motion.

Carried

16. By-laws

Moved by: Councillor Chan
Seconded by: Councillor Cilevitz

That the following By-laws be approved:

By-law 41-21 - A By-law to Amend By-law 66-71, as amended, of The Corporation of the City of Richmond Hill

By-law 138-21 - A By-law to Adopt the 2022 City Operating Budget

By-law 139-21 - A By-law to Adopt the 2022 Water, Wastewater and Stormwater Budgets

By-law 144-21 - A By-law to Extend Temporary Use By-law 91-20 as extended by By-law 146-20

By-law 157-21 - A By-law to Amend By-law 2325-68 as amended, of the former Township of Markham and By-law 55-15, as amended, of The Corporation of the City of Richmond Hill

Carried

17. Closed Session

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

Council consented not to resolve into a closed session meeting to consider matters related to a proposed or pending acquisition of land by the municipality in Ward 1, *Section 239(2)(c) of the Municipal Act, 2001*. Council adopted on consent and in open session, the recommendations outlined in Closed Session Staff Report SRS.21.08 – (refer to Item 17.3.1).

17.2 Resolution to Reconvene in Open Session

Council consented not to consider the Closed Session Item 17 a) in Closed Session - (refer to Item 17.3.1).

17.3 Adoption of Recommendations Arising from the Closed Session Meeting (if required)**17.3.1 SRS.21.08 - Sale of a Portion of Aida Place - Plan M-807 - (Item A)**

The Closed Session staff report was adopted on consent and in open session, on a motion of Councillor Liu, seconded by Councillor West.

The City Clerk read the recommendations outlined in Closed Session Staff Report SRS.21.08 regarding the Sale of a Portion of Aida Place - Plan M-807.

Moved by: Councillor Liu
Seconded by: Councillor West

a) That the Clerk be directed to undertake the process to stop up and close that part of Aida Place, Plan M-807, designated as Parts 1 – 4 on draft reference plan prepared by R-PE Surveying Ltd., Job No. 20034, CAD File No. 20034R01 and bring forward a by-law to City Council;

b) That the lands owned by the City described as part of Aida Place, Plan M-807, designated as Parts 1 – 4 on draft reference plan prepared by R-PE Surveying Ltd., Job No. 20034, CAD File No. 20034R01 be declared surplus to the City's needs without public notice, pursuant to the City's Sale and Other Disposition of Land Policy, Part 1, Paragraph 2;

c) That the Mayor and Clerk be authorized to execute all documents required on behalf of the City for the purposes of granting easements to various utility companies over the road allowance to be closed; and

d) 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 sale of part of Aida Place, Plan M-807, designated as Parts 1 – 4 on draft reference plan prepared by R-PE Surveying Ltd., Job No. 20034, CAD File No. 20034R01 upon the written recommendation of the City Manager.

Carried

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

18.1 By-law 160-21

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That By-law 160-21, A By-law to confirm the proceedings of Council at this meeting, be passed.

Carried

19. Adjournment

Moved by: Councillor West
Seconded by: Councillor Cilevitz

That the meeting be adjourned.

Carried

The meeting was adjourned at 6:16 p.m.

Joe DiPaola, Acting Mayor

Stephen M.A. Huycke, City Clerk