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COMMITTEE OF THE WHOLE MEETING CW#14-13

**Monday, September 16, 2013
4:30 p.m.**

**Council Chambers
Richmond Hill Town Hall
225 East Beaver Creek Road
Richmond Hill, Ontario**

**Chair Nick Papa
Ward 5 Councillor**

MINUTES

A meeting of Committee of the Whole of the Town of Richmond Hill was held on Monday, September 16, 2013 at 4:30 p.m. in the Council Chambers with the following Members of the Committee present:

Councillor Papa (Chair)
Mayor Barrow
Regional and Local Councillor Spatafora
Regional and Local Councillor Hogg
Councillor Beros
Councillor Perrelli
Councillor Liu
Councillor Foster
Councillor Chan

The following members of Staff were present:

J. Anderton, Chief Administrative Officer
D. Melitzer, Town Solicitor
S. Baker, Commissioner of Community Services
A. Bassios, Commissioner of Planning and Regulatory Services
I. Brutto, Commissioner of Environment and Infrastructure Services
D. Miller, Commissioner of Corporate and Financial Services
A. Alyea, Assistant Town Solicitor
A. Dimilta, Assistant Town Solicitor
K. Kwan, Director, Development Planning
P. Lee, Director, Policy Planning
G. Manderson, Director, Strategic Initiatives
T. Ricketts, Director, Environment Services
E. Zawadowsky, Director, Development Engineering

P. Freeman, Manager, Policy
G. Galanis, Manager, Development – Site Plans
M. Grit, Manager, Theatre
J. Leung, Manager, Urban Design
S. O'Brien, Manager, Projects and Support Services
D. Giannetta, Senior Planner
P. Chow, Planner II - Subdivisions
K. Pandy, Planner I
M. Dobbie, Planner II
A. Karaiskakis, Planner II - Subdivisions
L. Hood, Senior Communications Officer
D. McLarty, Town Clerk
L. Sampogna, Council/Committee Clerk

COUNCIL ANNOUNCEMENTS

Councillor Beros extended his thanks to all Richmond Hill residents who participated in the Annual Terry Fox Run events held on Sunday, September 15, 2013 in Oak Ridges and at Mill Pond Park.

INTRODUCTION OF EMERGENCY/TIME SENSITIVE MATTERS

There were no emergency/time sensitive matters raised by Members of Committee.

ADOPTION OF AGENDA

Moved by: Councillor Perrelli

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

- a) Correspondence from Darryl Soshycki, Manager (A), Partnerships and Consultation, Ontario Growth Secretariat, Ministry of Infrastructure, dated September 10, 2013 regarding Places to Grow Implementation Fund Application – Town of Richmond Hill – Agenda Item 17
- b) Correspondence from Jason Park, Dentons Canada LLP, dated September 13, 2013, regarding Request for Direction - Official Plan and Zoning By-law Amendment Applications - Tralee Development Inc. – 55 and 65 Oneida Crescent – Agenda Item 18

(continued)

- c) Correspondence from Chris Chiu, on behalf of residents of Oneida Crescent, dated September 14, 2013, regarding Request for Direction - Official Plan and Zoning By-law Amendment Applications - Tralee Development Inc. – 55 and 65 Oneida Crescent – Agenda Item 19
- d) Additional delegation by Oksana Dewar.

Carried

DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest by Members of Council under the *Municipal Conflict of Interest Act*.

ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION

Moved by: Regional and Local Councillor Spatafora

That the following Items be approved and recommended to Council:

1. 2014 Municipal Election – Question on the Ballot – City Status – (SRCFS.13.037)

That SRCFS.13.037 regarding the 2014 Municipal Election of a question on the ballot for City status be received for information.

2. Canada Arts Presentation Fund – Grant Application – (SRCS.13.19)

- Rec. 1**
- a) **That the Theatre Manager be authorized to submit an application to the Canada Arts Presentation Fund for a total of \$100,000.00 to be used towards presenting the 2014/2015 and the 2015/2016 season at the Richmond Hill Centre for the Performing Arts;**
 - b) **That the Theatre Manager be authorized to act as the contact person for the Canada Arts Presentation Fund throughout the 2014/2015 and 2015/2016 application process;**
 - c) **That the Theatre Manager be authorized to sign all contracts and reports pertaining to the Canada Arts Presentation Fund grant for the 2014/2015 and 2015/2016 season.**

3. Request for Comments – To Consider Granting Sanitary Sewer Allocation - Calgas Investments Limited – 0 Bloomington Road - Part of Lot 70, Concession 1, W.Y.S. – File No. D03-81038 - (SRPRS.13.151)

- Rec. 2**
- a) **That servicing capacity for 12 residential units be allocated to the draft approved Plan of Subdivision by Calgas Investments Limited, File No. D03-81038;**
 - b) **That By-law No. 137-09 be amended to impose Site Plan Control for the subject lands.**

4. Request for Approval – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Oryong Cho and Hyeryun Kang – 8B Toscanini Road – File Nos. D02-11037 and D03-11007 – (SRPRS.13.152)

- Rec. 3**
- a) **That the proposed draft Plan of Subdivision submitted by Oryong Cho and Hyeryun Kang for lands known as Part of Lot 15, Plan M-807 (Municipal Address: 8B Toscanini Road), File No D03-11007 (19T(R)-11007), be draft approved, subject to the conditions as set out in Appendix “D” to SRPRS.13.152;**
 - b) **That Council enact the Site Plan Control By-law attached as Appendix “F” to SRPRS.13.152 to secure commitment from the applicant that the design components for the dwelling units achieve the Town’s sustainable design criteria;**
 - c) **That Council confirm servicing capacity for four (4) new residential dwelling units to the subject lands from the remaining pool of allocation to SRPRS.13.030;**
 - d) **That the related Zoning By-law Amendment application (File No. D02-11037) be approved;**
 - e) **That Council enact the Zoning By-law attached as Appendix “C” to SRPRS.13.152;**
 - f) **That Council resolve to accept cash-in-lieu of parkland dedication.**

9. Correspondence received subsequent to the Council Public Meeting held on March 6, 2013 regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by (i) Great Land (Westwood) Inc. for 8890 Yonge Street; (ii) Angelo, Louise and Josephine Cimetta for 8874 Yonge Street; and (iii) Angelo, Louise and Josephine Cimetta for 8874 Yonge Street

That the correspondence received subsequent to the Council Public Meeting held on March 6, 2013 regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by (i) Great Land (Westwood) Inc. for 8890 Yonge Street; (ii) Angelo, Louise and Josephine Cimetta for 8874 Yonge Street; and (iii) Angelo, Louise and Josephine Cimetta for 8874 Yonge Street, be received:

- a) Arash Bayat and Afrooz Moazzenirizi, 31 Roosevelt Drive, dated March 5, 2013;
 - b) Shifteh Shahabeddin, 34 Roosevelt Drive, dated March 5, 2013;
 - c) Robert Marquis, 46 Roosevelt Drive, dated March 5, 2013;
 - d) Karen Cilevitz, 40 Birch Avenue, dated March 6, 2013;
 - e) Ken Klepacki and Lillian Zugna, 38 Maryvale Crescent, dated March 6, 2013;
 - f) George and Angela Krecouzos, 12 Denham Drive, received March 7, 2013;
 - g) Bill Krecouzos, 152 Garden Avenue, received March 7, 2013;
 - h) Hans and Elizabeth Kamin, dated March 8, 2013.
10. Great Lands (Yonge 16th) Inc. - Town Contribution for Oversizing of Sanitary Sewer - Authorization to Execute Amending Agreement File No. D06-08038 - (SRPRS.13.161)

- Rec. 4**
- a) That a budget of \$216,500.00 be approved as a Town contribution payable to Great Lands (Yonge 16th) for the oversizing of a sanitary sewer to provide for comprehensive servicing of the Yonge /16th Key Development Area, and that it be funded from the Town Wide Engineering Development Charge Reserve Fund;**
 - b) That the Mayor and Clerk are authorized to execute an agreement amending the Servicing Agreement with Great Lands (Yonge 16th) Inc. on the written recommendation of the Commissioner of Planning and Regulatory Services to reflect an increase in the Town Contribution for sanitary sewer oversizing.**

11. Assumption of Stormwater Management Facility - Bordington Developments Ltd. 145 Wellington Capital - Phase 1, 65M-3214 – File No. 19T-88083 - (SRPRS.13.176)

Rec. 5 That the assumption of the stormwater management facility located within Block 121 on Plan 65M-3214, for lands known as subdivision file 19T-88083 Phase 1 be approved.

12. Measuring the Sustainability Performance of New Development in Brampton, Richmond Hill and Vaughan: Final Sustainability Metrics and Terms of Reference for Phase 3: Sustainability Metrics Implementation and Monitoring in Richmond Hill – (SRPRS.13.125)

Rec. 6

- a) That SRPRS.13.125 including the Final Sustainability Metrics attached as Appendix 'A' be approved;
- b) That staff be directed to use the Final Sustainability Metrics attached as Appendix 'A' to SRPRS.13.125 as part of the planning application review process to inform Interim Growth Management Strategy Criteria #5 (Developments that represent sustainable and innovative community and building design);
- c) That the Terms of Reference for Phase 3: Sustainability Metrics Implementation and Monitoring in Richmond Hill contained in SRPRS.13.125 be received for information and that all comments be referred back to staff;
- d) That Mott MacDonald be confirmed to undertake Phase 3: Sustainability Metrics Implementation and Monitoring in Richmond Hill at a cost not greater than \$73,000 CDN (exclusive of HST) to be funded from the existing approved Planning and Regulatory Services Department Capital Budget.

16. *Habitat for Humanity York Region Week* – Week of October 7 to 13, 2013

Rec. 7 That the week of October 7 to 13, 2013 be proclaimed *Habitat for Humanity York Region Week* in the Town of Richmond Hill.

17. Correspondence from Darryl Soshycki, Manager (A), Partnerships and Consultation, Ontario Growth Secretariat, Ministry of Infrastructure, dated September 10, 2013 regarding Places to Grow Implementation Fund Application – Town of Richmond Hill

That the correspondence from Darryl Soshycki, Manager (A), Partnerships and Consultation, Ontario Growth Secretariat, Ministry of Infrastructure, dated September 10, 2013 regarding Places to Grow Implementation Fund Application – Town of Richmond Hill, be received.

18. Correspondence from Jason Park, Dentons Canada LLP, dated September 13, 2013, regarding Request for Direction - Official Plan and Zoning By-law Amendment Applications - Tralee Development Inc. – 55 and 65 Oneida Crescent

That the correspondence from Jason Park, Dentons Canada LLP, dated September 13, 2013, regarding the Request for Direction for the Official Plan and Zoning By-law Amendment Applications submitted by Tralee Development Inc. for 55 and 65 Oneida Crescent, be received.

19. Correspondence from Chris Chiu, on behalf of residents of Oneida Crescent, dated September 14, 2013, regarding Request - Direction for the Official Plan and Zoning By-law Amendment Applications - Tralee Development Inc. - 55 and 65 Oneida Crescent

That the correspondence from Chris Chiu, on behalf of residents of Oneida Crescent, dated September 14, 2013, regarding the Request for Direction for the Official Plan and Zoning By-law Amendment Applications submitted by Tralee Development Inc. for 55 and 65 Oneida Crescent, be received.

Carried

DELEGATIONS

Murray Evans, Evans Planning, on behalf of the owner, addressed Committee regarding an Update: Notice of Intent to Demolish for 41 Elgin Mills Road East. He requested that the house not be designated sighting the lack of architectural merit and modest associative values as outlined in the Heritage Impact Assessment Statement from Goldsmith Borgal & Company Ltd., dated August 15, 2007. He reviewed the history of William Neal, the first Mayor of Richmond Hill, noting his residency and public service in Richmond Hill and advised that in his opinion there was little associative value with the timeframe and relevance to his contribution to the community during his public service.

13. Update: Notice of Intent to Demolish - 41 Elgin Mills Road East - File No. D12-07172 – (SRPRS.13.166)

Moved by: Councillor Beros

That 41 Elgin Mills Road East be removed from the Town's *Inventory of Buildings of Architectural and Historical Importance* and not be recommended for designation under the *Ontario Heritage Act*.

Motion Failed

Moved by: Councilor Beros

That SRPRS.13.166 regarding the Update: Notice of Intent to Demolish for 41 Elgin Mills Road East be referred back to staff to work with the applicant on a development proposal that protects the associative attributes of the property located at 41 Elgin Mills Road East.

Motion Failed

Moved by: Councillor Foster

- a) That the cultural heritage value of the William Neal House, located at 41 Elgin Mills Road East, as outlined in SRPRS.12.184 (Appendix "A" to SRPRS.13.166) merits designation under Section 29, Part IV of the *Ontario Heritage Act*;
- b) That staff be directed to prepare a Notice of Intention to Designate, including a statement of cultural heritage value and a description of all heritage attributes of the subject property as identified in Appendix "B" to SRPRS.13.166 and publish the Notice in the *Liberal*, as required under the *Ontario Heritage Act*;
- c) That notification regarding the Notice of Intention to Designate be provided to the owner and the Ontario Heritage Trust.

(continued)

An amendment was:

Moved by: Councillor Perrelli

That recommendation a) be replaced with the following:

That the architectural value of the William Neal House, located at 41 Elgin Mills Road East, as outlined in SRPRS.12.184 (Appendix 'A' to SRPRS.13.166) merits designation under Section 29, Part IV of the *Ontario Heritage Act* due to its architectural attributes described on Consecutive Agenda Page 622 (Draft Statement of Cultural Value for 41 Elgin Mills road East).

Motion Failed

Moved by: Councilor Beros

That SRPRS.13.166 regarding the Update: Notice of Intent to Demolish for 41 Elgin Mills Road East be referred back to staff to work with the applicant on the memorialization of the William Neal Family legacy for the property located at 41 Elgin Mills Road East.

Motion Failed

Moved by: Councillor Foster

- a) That the cultural heritage value of the William Neal House, located at 41 Elgin Mills Road East, as outlined in SRPRS.12.184 (Appendix "A" to SRPRS.13.166) merits designation under Section 29, Part IV of the *Ontario Heritage Act*;
- b) That staff be directed to prepare a Notice of Intention to Designate, including a statement of cultural heritage value and a description of all heritage attributes of the subject property as identified in Appendix "B" to SRPRS.13.166 and publish the Notice in the *Liberal*, as required under the *Ontario Heritage Act*;
- c) That notification regarding the Notice of Intention to Designate be provided to the owner and the Ontario Heritage Trust.

(continued)

Moved by: Councillor Beros

That SRPRS.13.166 regarding the Update: Notice of Intent to Demolish 41 Elgin Mills Road East be deferred to the September 23, 2013 Council meeting.

Motion Failed

An amendment was:

Moved by: Councillor Perrelli

That a clause d) with emphasis in bold and twice the size of the font in the main body be inserted that very clearly states the following:

The designation of this property is due to its associative attributes and not its architectural attributes.

Motion Failed

Moved by: Councillor Foster

- a) That the cultural heritage value of the William Neal House, located at 41 Elgin Mills Road East, as outlined in SRPRS.12.184 (Appendix "A" to SRPRS.13.166) merits designation under Section 29, Part IV of the *Ontario Heritage Act*;
- b) That staff be directed to prepare a Notice of Intention to Designate, including a statement of cultural heritage value and a description of all heritage attributes of the subject property as identified in Appendix "B" to SRPRS.13.166 and publish the Notice in the *Liberal*, as required under the *Ontario Heritage Act*;
- c) That notification regarding the Notice of Intention to Designate be provided to the owner and the Ontario Heritage Trust.

(continued)

Moved by: Mayor Barrow

That Agenda Item 13 regarding SRPRS.13.166 - Update: Notice of Intent to Demolish for 41 Elgin Mills Road East be postponed to later in the meeting to be considered once all other separated agenda items have been addressed.

A recorded vote was taken, as follows:

In Favour: Councillor Perrelli, Councillor Beros, Councillor Chan, Councillor Liu, Councillor Papa, Mayor Barrow, Regional and Local Councillor Spatafora

Opposed: Regional and Local Councillor Hogg, Councillor Foster

The motion Carried 7 - 2

Jason Park, Dentons Canada LLP, on behalf of Tralee Developments Inc. addressed Committee regarding the Official Plan and Zoning By-law Amendment Applications submitted by Tralee Development Inc. for 55 and 65 Oneida Crescent. He advised that Phase 1 was approved and Phase 2 had been appealed to the Ontario Municipal Board. He reviewed his correspondence dated September 13, 2013, Agenda Item 18, and advised that the technical issues had been addressed. He outlined concerns related to staff's request for the 35 metre linear park, noting the impacts to the proposed buildings and suggested a 20 metre linear park with public access would be suitable and would conform with the Town's Official Plan.

Moved by: Councillor Chan

That the presentation by Jason Park, Dentons Canada LLP, regarding the Official Plan and Zoning By-law Amendment Applications submitted by Tralee Development Inc. for 55 and 65 Oneida Crescent, be received.

Carried

Moved by: Councillor Chan

That Agenda Item No. 5 be brought forward for consideration at this time.

Carried

(continued)

5. Request for Direction - Official Plan and Zoning By-law Amendment Applications – Tralee Development Inc. - 55 and 65 Oneida Crescent - File Nos. D01-12004 and D02-12018 - (SRPRS.13.155)

Moved by: Councillor Chan

- Rec. 8**
- a) That the Official Plan and Zoning By-law Amendment applications submitted by Tralee Development Inc. for lands known as Part of Blocks 16 to 18 inclusive, Blocks 19, 20, 21 and 26 and Part of Lot 1, Registered Plan 65M-2838 (Municipal Addresses: 55 and 65 Oneida Crescent), File Nos. D01-12004 and D02-12018, be denied for the primary reasons outlined in SRPRS.13.155;**
 - b) That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject development applications.**

A recorded vote was taken, as follows:

In Favour: Councillor Chan, Councillor Foster, Councillor Papa, Regional and Local Councillor Spatafora, Regional and Local Councillor Hogg, Mayor Barrow, Councillor Liu

Opposed: Councillor Perrelli, Councillor Beros

The motion Carried 7 - 2

Committee recessed and reconvened (7:20 p.m. to 7:40 p.m.)

Paul Walsh, 11 Westwood Lane, addressed Committee regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by Great Land (Westwood) Inc. for 8890 Yonge Street; and Angelo, Louise and Josephine Cimetta for 8874 Yonge Street (Agenda Items 6, 7, and 8). He advised of his concerns related to the height, density, zoning, parkland allowances, greenspace, built form, transportation to the north south roads, set backs and Floor Space Index (FSI). He expressed his view that the proposed development would set a precedent and should be challenged. Mr. Walsh advised that he does not support staff's recommendation with proceeding to the Ontario Municipal Board and that staff work together with the applicants in coming to a mutual agreement.

(continued)

Robert Filipuzzi, addressed Committee regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by Great Land (Westwood) Inc. for 8890 Yonge Street; and Angelo, Louise and Josephine Cimetta for 8874 Yonge Street (Agenda Items 6, 7, and 8). He advised of his similar concerns as addressed by the previous speaker. He noted that the applications presented do not reflect the Town's vision and the community's vision for this area. He noted that this would set a dangerous precedent for the Yonge Street corridor with future development. Mr. Filipuzzi raised concerns regarding the road connection to Sunnywood Crescent resulting in negative impacts related to parking, traffic and safety concerns. He advised of his support of staff recommendations and requested Council to protect the integrity of the neighbourhood and community.

Jon Priestly, on behalf of the residents of South Richvale, addressed Committee regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by Great Land (Westwood) Inc. for 8890 Yonge Street; and Angelo, Louise and Josephine Cimetta for 8874 Yonge Street (Agenda Item Nos. 6, 7, and 8). He advised of his attendance at the Council Public Meeting held on March 6, 2013 and noted that the residents are opposed to all three applications in the current form submitted, however, are in support of the development of the lands. He advised that they are opposed to proceeding to the Ontario Municipal Board and reviewed the hearing schedule. He raised concerns with Parkland dedication issues noting that residents do not desire cash-in-lieu. He acknowledged a small parcel of land that was proposed for a municipal park and requested that it remain on the plan until a suitable solution with all parties had been reached. He expressed concerns with property value depreciation, proposed retail operations, proposed east and west side developments, proposed retirement residence, proposed north south access and road connections, urban design, transit infrastructure and traffic rerouting during the development process, and timing of the Secondary Plan with the OMB Hearings. Mr. Priestly requested Council's support to consider the residents' concerns at the Ontario Municipal Board.

Aaron Platt, Davies Howe Partners LLP, representing Angelo, Louise and Josephine Cimetta, addressed Committee regarding the Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications submitted by Angelo, Louise and Josephine Cimetta for 8874 Yonge Street (Agenda Items 7 and 8). He advised that the Ontario Municipal Board Hearing was scheduled mid-spring 2014 and noted there was ample time for all parties to work together. He requested Committee to make an addition to staff's recommendations to request that staff be directed to continue dialogue with the developer and to work towards a compromise solution for all parties. He acknowledged the comments made related to road connections and looked forward to working with staff regarding this concern, as locations of these roads would direct how development would proceed.

(continued)

Oksana Dewar advised that her concerns were addressed by the previous speakers.

Councillor Papa transferred the Chair to Councillor Liu.

6. Request for Direction - Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications – Great Land (Westwood) Inc. - 8890 Yonge Street - File Nos. D01-12006, D02-12023 and D06-12066 (SRPRS.13.158)

Moved by: Councillor Papa

- a) That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Great Land (Westwood) Inc. for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8890 Yonge Street), File Nos. D01-12006, D02-12023 and D06-12066, be denied for the principal reasons outlined in SRPRS.13.158;

Carried Unanimously

Moved by: Councillor Papa

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

Carried Unanimously

Moved by: Councillor Papa

- c) That Sunnywood Crescent not be connected to the internal road;

A recorded vote was taken, as follows:

In Favour: Councillor Beros, Councillor Perrelli, Regional and Local Councillor Spatafora, Councillor Papa

Opposed: Mayor Barrow, Councillor Foster, Councillor Liu, Councillor Chan, Regional and Local Councillor Hogg

The motion Failed 4 - 5

(continued)

Moved by: Councillor Papa

- d) That staff be directed to work towards a compromise solution for all parties.

A recorded vote was taken, as follows:

In Favour: Councillor Perrelli, Councillor Beros, Mayor Barrow, Regional and Local Councillor Spatafora, Councillor Chan, Councillor Papa, Councillor Foster, Regional and Local Councillor Hogg, Councillor Liu

Opposed: None

The motion Carried Unanimously 9 – 0

The complete motion to read, as follows:

- Rec. 9**
- a) That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Great Land (Westwood) Inc. for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8890 Yonge Street), File Nos. D01-12006, D02-12023 and D06-12066, be denied for the principal reasons outlined in SRPRS.13.158;**
 - b) That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject development applications;**
 - c) That staff be directed to work towards a compromise solution for all parties.**

Carried

7. Request for Direction - Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications – Angelo, Louise and Josephine Cimetta - 8874 Yonge Street - File Nos. D01-12008, D02-12027 and D06- 12082 - (SRPRS.13.159)

Moved by: Councillor Papa

- a) That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Angelo, Louise and Josephine Cimetta for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8874 Yonge Street), File Nos. D01-12008 and D02-12027 and D06-12082, be denied for the principal reasons outlined in SRPRS.13.159;

Carried Unanimously

Moved by: Councillor Papa

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

Carried Unanimously

Moved by: Councillor Papa

- c) That Sunnywood Crescent not be connected to the internal road;

A recorded vote was taken, as follows:

In Favour: Councillor Papa, Councillor Beros, Councillor Perrelli, Regional and Local Councillor Spatafora

Opposed: Mayor Barrow, Councillor Chan, Regional and Local Councillor Hogg, Councillor Foster, Councillor Liu

The motion Failed 4 - 5

Moved by: Councillor Papa

- d) That staff be directed to work towards a compromise solution for all parties.

Carried Unanimously

(continued)

The complete motion to read, as follows:

- Rec. 10**
- a) **That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Angelo, Louise and Josephine Cimetta for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8874 Yonge Street), File Nos. D01-12008 and D02-12027 and D06-12082, be denied for the principal reasons outlined in SRPRS.13.159;**
 - b) **That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject development applications;**
 - c) **That staff be directed to work towards a compromise solution for all parties.**

Carried

8. Request for Direction - Official Plan Amendment, Zoning By-law Amendment and Site Plan Applications – Angelo, Louise and Josephine Cimetta - 8874 Yonge Street - File Nos. D01-12009, D02-12028 and D06-12085- (SRPRS.13.160)

Moved by: Councillor Papa

- a) That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Angelo, Louise and Josephine Cimetta for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8874 Yonge Street), File Nos. D01-12009 and D02-12028 and D06-12085, be denied for the principal reasons outlined in SRPRS.13.160;

Carried Unanimously

Moved by: Councillor Papa

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

Carried Unanimously

(continued)

Moved by: Councillor Papa

- c) That Sunnywood Crescent not be connected to the internal road;

A recorded vote was taken, as follows:

In Favour: Regional and Local Councillor Spatafora, Councillor Perrelli, Councillor Beros, Councillor Papa

Opposed: Councillor Liu, Councillor Foster, Regional and Local Councillor Hogg, Councillor Chan, Mayor Barrow

The motion Failed 4 - 5

Moved by: Councillor Papa

- d) That staff be directed to work towards a compromise solution for all parties.

Carried Unanimously

The complete motion to read, as follows:

- Rec. 11**
- a) That the Official Plan Amendment, Zoning By-law Amendment and Site Plan applications submitted by Angelo, Louise and Josephine Cimetta for lands known as Part of Lot 38, Concession 1, W.Y.S. (Municipal Address: 8874 Yonge Street), File Nos. D01-12009 and D02-12028 and D06-12085, be denied for the principal reasons outlined in SRPRS.13.160;**
 - b) That appropriate Town staff be directed to appear at the Ontario Municipal Board in support of Council's position concerning the subject development applications;**
 - c) That staff be directed to work towards a compromise solution for all parties.**

Carried

Councillor Papa resumed the Chair.

OTHER BUSINESS

14. Councillor Perrelli – Rail Systems

Moved by: Councillor Perrelli

Whereas the Town of Richmond Hill has a long history of rail systems coexisting with our commercial, residential, agricultural and industrial communities; and

Whereas it is the belief of Richmond Hill Town Council that our first responders should have all available information about rail cargo to provide for their own safety and that of the communities they serve; and

Whereas rail safety is a matter for all communities across Canada; and

Whereas the Federation of Canadian Municipalities' (FCM) National Municipal Rail Safety Working Group has produced a communique endorsing three key principals of rail safety, including the following areas:

1. Equip and support municipal first responders to rail emergencies;
2. Ensure federal and industry policies and regulations address the rail safety concerns of municipalities;
3. Prevent downloading of rail safety and emergency response costs to local taxpayers.

Therefore be it resolved that the Town of Richmond Hill endorse the working group communique and further instruct the Clerk to communicate this to FCM and to the Councils of all GTHA municipalities so that they may do the same; and

Further, the Clerk communicate the endorsement of the National Municipal Rail Safety Working Group communique to the Prime Minister of Canada and the Minister of Transportation.

An amendment was:

Moved by: Councillor Chan

That the following changes be made to the last two paragraphs of the resolution as follows:

Therefore be it resolved that the Town of Richmond Hill endorse the FCM National Municipal Rail Safety "Working Group communiqué", and support the FCM's call on the Federal Government to provide municipalities with adequate information on the dangerous goods that are being transported through their communities and further instruct the Clerk to communicate this resolution to FCM and to the Councils of all GTHA municipalities so that they may do the same; and

(continued)

Further, the Clerk communicate the endorsement of the FCM National Municipal Rail Safety Working Group communique and support for FCM's call on the Federal Government to provide municipalities with adequate information on the Transport of the dangerous goods through their communities, to the Prime Minister of Canada and the Federal Minister of Transport and Members of Parliament representing Richmond Hill and Oak Ridges-Markham.

Carried

Moved by: Councillor Perrelli

Rec. 12 **Whereas the Town of Richmond Hill has a long history of rail systems coexisting with our commercial, residential, agricultural and industrial communities; and**

Whereas it is the belief of Richmond Hill Town Council that our first responders should have all available information about rail cargo to provide for their own safety and that of the communities they serve; and

Whereas rail safety is a matter for all communities across Canada; and

Whereas the Federation of Canadian Municipalities' (FCM) National Municipal Rail Safety Working Group has produced communique endorsing three key principals of rail safety, including the following areas:

- 1. Equip and support municipal first responders to rail emergencies;**
- 2. Ensure federal and industry policies and regulations address the rail safety concerns of municipalities;**
- 3. Prevent downloading of rail safety and emergency response costs to local taxpayers.**

Therefore be it resolved that the Town of Richmond Hill endorse the FCM National Municipal Rail Safety "Working Group communiqué", and support the FCM's call on the Federal Government to provide municipalities with adequate information on the dangerous goods that are being transported through their communities and further instruct the Clerk to communicate this resolution to FCM and to the Councils of all GTHA municipalities so that they may do the same; and

(continued)

Further, the Clerk communicate the endorsement of the FCM National Municipal Rail Safety Working Group communique and support for FCM's call on the Federal Government to provide municipalities with adequate information on the Transport of the dangerous goods through their communities, to the Prime Minister of Canada and the Federal Minister of Transport and Members of Parliament representing Richmond Hill and Oak Ridges-Markham.

Carried Unanimously

15. Councillor Perrelli – Town Property “Post Office” located at 10184 Yonge Street

Moved by: Councillor Perrelli

Whereas the Council of the Town of Richmond Hill has previously provided direction to staff to facilitate the rental or sale of Town property known as the “Post Office” at 10184 Yonge Street;

Whereas the listing agent has been instructed to reject offers from certain potential tenants;

Therefore be it resolved that staff be instructed to instruct the listing agent that all offers be encouraged, and that anyone who has made an offer in the past be contacted and advised of the changes to the listing, and said offers to be presented to Council for consideration, sign back or acceptance.

Moved by: Councillor Chan

That the matter of the rental or sale of 10184 Yonge Street be deferred to the September 23, 2013 Council meeting.

Motion Failed

Moved by: Councillor Perrelli

- Rec. 13** **Whereas the Council of the Town of Richmond Hill has previously provided direction to staff to facilitate the rental or sale of Town property known as the “Post Office” at 10184 Yonge Street;**

Whereas the listing agent has been instructed to reject offers from certain potential tenants;

(continued)

Therefore be it resolved that staff be instructed to instruct the listing agent that all offers be encouraged, and that anyone who has made an offer in the past be contacted and advised of the changes to the listing and said offers to be presented to Council for consideration, sign back or acceptance.

Carried Unanimously

13. Update: Notice of Intent to Demolish - 41 Elgin Mills Road East - File No. D12-07172 – (SRPRS.13.166)

Moved by: Regional and Local Councillor Spatafora

That Agenda Item 13 regarding SRPRS.13.166 for the Update: Notice of Intent to Demolish for 41 Elgin Mills Road East be deferred to the September 23, 2013 Council meeting.

A recorded vote was taken, as follows:

In Favour: Councillor Papa, Regional and Local Councillor Spatafora, Mayor Barrow, Councillor Chan, Councillor Liu

Opposed: Councillor Perrelli, Councillor Beros

Absent: Councillor Foster, Regional and Local Councillor Hogg

The motion Carried 5 - 2

ADJOURNMENT

Moved by: Mayor Barrow

That the meeting be adjourned.

Carried

The meeting was adjourned at 10:24 p.m.