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**COUNCIL
C#36-11**

**Monday, November 14, 2011
7:30 p.m.**

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

**His Worship
Mayor David Barrow**

MINUTES

A meeting of the Council of the Town of Richmond Hill was held on Monday, November 14, 2011 at 7:30 p.m. in the Council Chambers. The meeting was preceded by a Question and Answer Period at which no members the public addressed Council.

The following Members of Council were present:

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

The following members of Staff were present:

J. Anderton, Chief Administrative Officer
D. Melitzer, Town Solicitor
S. Baker, Commissioner of Community Services
I. Brutto, Commissioner of Environment and Infrastructure Services
D. Miller, Commissioner of Corporate and Financial Services
S. Kaplan, Director of Human Resources
P. Lee, Director of Planning Policy
M. L. Cosentino, Manager of Human Resources
D. Sanna, Manager of Real Estate
T. Steele, Manager, Parks Planning and Natural Heritage
D. Wight, Manager, Employee Health, Safety and Benefits
R. Healey, Outreach/Community Liaison Coordinator
C. Kelly, Investments and Grants Analyst
A. O'Malley, Communications Officer
B. Zimmer, Outreach/Community Liaison Assistant
D. McLarty, Town Clerk
T. Arbuckle, Council/Committee Clerk

COUNCIL ANNOUNCEMENTS

Councillor Beros advised that November 13 to 20, 2011 has been proclaimed by the Town as Restorative Justice week and this years theme is re-visioning justice. Councillor Beros acknowledged the efforts of Matt Delany of the Salvation Army and others for their commitment to this issue.

ADOPTION OF AGENDA

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

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

- 1) Correspondence from Murray Evans, Evans Planning, dated November 14, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review - Agenda Item No. 10.0
- 2) Correspondence from Adriana Pisand Beaumont, , 62 Wicker Drive, received November 14, 2011, regarding the Off Leash Area - Agenda Item No. 11.0
- 3) Correspondence from Jeffrey E. Streisfield, Land Law, dated November 11, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review - Agenda Item No. 12.0

Carried Unanimously

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 PREVIOUS COUNCIL MINUTES

Council Public Meeting C#31-11
October 5, 2011

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

That the minutes of Council Public Meeting C#31-11 held on October 5, 2011 be adopted.

Carried Unanimously

Council Meeting C#34-11
October 24, 2011

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

That the minutes of Council Meeting C#34-11 held on October 24, 2011 be adopted.

Carried Unanimously

Council Public Meeting C#35-11
November 2, 2011

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

That the minutes of Council Public Meeting C#35-11 held on November 2, 2011 be adopted.

Carried Unanimously

ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION

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

That the following Items be approved and that the various officials of the Corporation be hereby authorized and directed to take such action as may be necessary to give effect to the recommendations contained therein:

1.0 Minutes – Budget Committee of the Whole meeting BCW#08-11 held on October 25, 2011

That the minutes of the Budget Committee of the Whole meeting BCW#08-11 held on October 25, 2011 be adopted as circulated and the following recommendations be approved:

1.1 2011 Surplus Allocation/Deficit Funding Strategy - (SRCFS.11.054) (Item No. 3.2) (By-law No. 103-11 and By-law No. 104-11)

- Rec. 1 a) That the attached By-law No.103-11 be enacted to authorize the Treasurer and the Commissioner of Corporate and Financial Services to make necessary year-end adjustments and to allocate any 2011 Operating Surplus or fund any 2011 Operating Deficit in the following order of priority:
- i. Any unspent funds allocated in the 2011 Budget for suggested expenditures be returned to the respective original funding sources: 225 EBC Revenue Stabilization Reserve; Administration & Legal Reserve; Anti-Tampering Reserve; Development Repair & Replacement Reserve; Elections Reserve; Monitoring Reserve; Inspection Reserve; Parks Inspection Reserve; Sewage Inspection Reserve; Staffing, Training & Development Reserve; Street Signs Reserve; Tax Adjustment Stabilization Reserve; Tax Rate Stabilization Reserve; Theatre Rate Stabilization Reserve; Tree Reserve; Water Meter Reserve; Winter Snow Removal Reserve; Capital Asset Continuity Reserve Fund; Cash-In-Lieu of Parkland Reserve Fund; Community Enhancement & Economic Vitality Reserve Fund; Federal Gas Tax Reserve Fund; General Government Development Charge Reserve Fund; Infrastructure Repair & Replacement Reserve Fund; Insurance Reserve Fund; Mayor's Endowment Fund for the Arts; Non-Growth Portion of Development Reserve Fund; Sanitary Sewer Repair & Replacement Reserve Fund; Sick Leave Reserve Fund; Theatre Repair & Replacement Reserve Fund; Water Meter Repair & Replacement Reserve Fund; Watermain Repair & Replacement Reserve Fund; Worker's Safety Insurance Board Reserve Fund;
 - ii. That any net Building Permit revenue surplus/deficit be allocated to/funded from the Building Permit Stabilization Reserve Fund;
 - iii. That 50% of the fine revenues collected from disabled parking offenses be allocated to the Disabled Parking Reserve;
 - iv. That amounts in excess of the budget for OMB costs be funded from the OMB Reserve;

(continued)

- v. That up to a maximum of the first \$50,000 of any remaining surplus be retained for 2012 Budget;
 - vi. That fund from remaining surplus any 2011 Budget Carry-Forwards to be approved by Council as part of the 2011 Year-end Operating Results report;
 - vii. That the remainder of any surplus be allocated to the Tax Rate Stabilization Reserve;
 - viii. That any operating deficit for 2011 be funded from the Tax Rate Stabilization Reserve.
- b) That the attached By-law No.104-11 be enacted to authorize the Treasurer and the Commissioner of Corporate and Financial Services to allocate any 2011 Operating Surplus for the Water and Wastewater Fund to the Watermain Repair and Replacement Reserve Fund or Sanitary Sewer Repair & Replacement Reserve Fund, and that any operating deficit in the Water and Wastewater Fund be funded by the Water and Sewer Rate Stabilization Reserve;
 - c) That the Treasurer and the Commissioner of Corporate & Financial Services report to Budget Committee of the Whole after the adjustments and allocations have been performed.

1.2 2012 Tariff of Fees Update - (SRCFS.11.050) (Item No. 3.3) (By-law No. 97-11)

- Rec. 2 That the proposed fees as set out in draft By-law No. 97-11 (Appendix "D" to SRCFS.11.050), be adopted.

2.0 Minutes – Audit Committee meeting A#01-11 held on October 31, 2011

That the minutes of the Audit Committee meeting A#01-11 held on October 31, 2011 be adopted as circulated and the following recommendations be approved:

2.1 2010 Draft Consolidated Financial Statements - (SRCFS.11.058) (Item No. 3.1)

- Rec. 1
- a) That the 2010 Audited Consolidated Financial Statements included in Appendix "A" to SRCFS.11.058, be approved and published;
 - b) That the Mayor and the Treasurer be authorized to sign the Financial Statements;
 - c) That the Draft 2010 Audited Richmond Hill Public Library Board Financial Statements included in Appendix "B" to SRCFS.11.058, be received for information purposes.

2.2 Audit Engagement Letter from Deloitte & Touche LLP dated October 13, 2011 - (Item No. 3.4)

- Rec. 2 That the Chair of the Audit Committee and the Commissioner of Corporate and Financial Services be authorized to execute the Audit Engagement Letter for the audit for the fiscal year ending December 31, 2011.

3.0 Minutes – Budget Committee of the Whole meeting BCW#09-11 held on November 1, 2011

That the minutes of the Budget Committee of the Whole meeting CW#09-11 held on November 1, 2011 be adopted as circulated and the following recommendations be approved:

3.1 2012 Capital Expenditure Budget and Ten Year Capital Forecast - (SRCFS.11.055) (Item No. 3.1)

- Rec. 1
- a) That the *Draft 2012 Capital Expenditure Budget* (SRCFS.11.055) in the amount of \$37.7 million as attached to Appendix A of SRCFS.11.055 be received, with questions and comments referred to staff, for approval at the November 15, 2011 Budget Committee of the Whole meeting;
 - b) That the *Ten Year Capital Forecast* (SRCFS.11.055) be received, with questions and comments referred to staff, for approval at the November 15, 2011 Budget Committee of the Whole meeting;
 - c) That consideration of the draft By-law No. 106-11 (attached as Appendix D to SRCFS.11.055), be referred to the November 28, 2011 Council meeting.

4.0 Minutes – Committee of the Whole meeting CW#15-11 held on November 7, 2011

The Committee of the Whole presents its Report for meeting CW#15-11 held on November 7, 2011 and respectfully recommends that the minutes be adopted as circulated and the following recommendations be approved:

4.1 Extract – Heritage Richmond Hill meeting HRH#08-11 of September 13, 2011 - (Item No. 2)

Demolition of Garage located at 11644 Leslie Street

- Rec. 1
- That Heritage Richmond Hill advise Council of its support of the removal of the garage located at 11644 Leslie Street being a property identified in the Town's Heritage Register.

Heritage Permit for 11575 Yonge Street (Jefferson Schoolhouse)

- Rec. 2
- That Heritage Richmond Hill recommend to Council that the heritage permit for 11575 Yonge Street (Jefferson Schoolhouse), as detailed in Drawing Number A1 dated August 30, 2011, be approved.

4.2 Terms of Reference for the Lake Wilcox Special Policy Area Review - File No.: D10-PL-SPA - (SRPRS.11.158) (Item No. 5)

- Rec. 3
- a) That the Terms of Reference for the Lake Wilcox Special Policy Area (SPA) Review as outlined in SRPRS.11.158 be received and all comments referred to staff;
 - b) That consulting services be retained to undertake certain components of the SPA Review, as outlined in SRPRS.11.158, and that such consulting services be funded from the approved 2011 Planning and Regulatory Services Department Budget.

4.3 Proposed Parking Restrictions - Roosevelt Drive - (SRPRS.11.169) (Item No. 7)

Rec. 4 That Chapter 1116, Schedule 'A' (Parking Prohibited-Signs-Displayed) of the Municipal Code be amended by adding the following:

Highway	Side	From and To	Prohibited Time of Day
Roosevelt Drive	Both	Yonge Street to a point 150 m westerly thereof	8a.m. - 6p.m. Monday to Friday

4.4 Naming of Parks and Open Spaces - (SRPRS.11.122) (Item No. 8)

- Rec. 5
- a) That the proposed names "Laurentian Park" and "East Humber Trail" be approved in principle for the sites described in Appendix 2 to SRPRS.11.122, and that staff proceed to advertise the proposed new names and request comments from the public in accordance with the Town's *Policy for Naming and Renaming Town Parks, Open Space Lands and Recreation Facilities*;
 - b) That staff report back at the end of the required 30 day public comment period with final recommendations regarding the proposed park and trail system names.

4.5 2012 Richmond Hill Winter Carnival - (SRCS.11.39) (Item No. 15)

- Rec. 6
- a) That skydivers be allowed to jump from an airplane to the Mill Pond surface, between the hours of 11:00 a.m. and 4:00 p.m. on both Saturday, February 4th and Sunday, February 5th, 2012 subject to the organizers providing proof of satisfactory liability insurance coverage in the form of the Town's standard certificate of insurance in the amount of \$2 million naming the Town of Richmond Hill and the Richmond Hill Winter Carnival Committee as additional insureds and providing "hold harmless agreements" to the Town's Risk Manager as well as providing a copy of their Transport Canada approved flight plan/jump authorization;
 - b) That recycling bins for bottles and cans and waste bins be placed around the Mill Pond area on the weekend of the Winter Carnival and that they be emptied and replaced by Town Staff, as needed;
 - c) That Mill Street be closed from Trench Street to Sugar Maple Lane from Friday, February 3, 2012 at 12:00 noon to Sunday, February 5, 2012 at 7:00 p.m. and that the appropriate authorities be notified of the road closure;
 - d) That staff be required to place appropriate pedestrian and vehicular barriers at Mill Pond for the weekend of February 3 to February 5, 2012;
 - e) That the week of January 30 to February 5, 2012 be proclaimed "Richmond Hill Winter Carnival Week" and that notice be published on the Bulletin Board page in The Liberal;
 - f) That the Town include a notice on the Bulletin Board page in The Liberal once the winning Carnival button numbers have been drawn;

(continued)

- g) That the Town Christmas lights and the lights on the Town Christmas tree be left on throughout Winter Carnival weekend;
- h) That the Town Website include a link to the Winter Carnival Website (www.wintercarnival.net);
- i) That any licensing, permit or other similar fees for the Amusement Rides, Food Tent and Carnival Button permit be waived;
- j) That the Richmond Hill Winter Carnival Committee ensure that all insurance issues are properly addressed with the Town's Risk Manager no less than 15 days prior to the event, including the submission of evidence of \$2 million General Liability Insurance by the Richmond Hill Winter Carnival Committee and by all contractors/entertainment providers of the Event who must also submit proof of licensing and compliance with the Amusement Devices Act administered by Technology Safety Standards Association (TSSA). Evidence of insurance must be provided on the Town Standard Insurance Certificate form, which will identify the Town of Richmond Hill as additional insured;
- k) That the Richmond Hill Winter Carnival Committee be granted permission to use the Town logo on its Website solely as a button for Website visitors to link to the Town's Website;
- l) That parking be restricted on one side only on Starlight Crescent, Leisure Lane, Sugar Maple Lane, Sugar Maple Court and Tyneview Lane during the event.

4.6 National Water, Wastewater and Stormwater Benchmarking Initiative - (SRCS.11.036) (Item No. 17)

- Rec. 7
- a) That Council endorse staff participation in the National Water, Wastewater and Stormwater Benchmarking Initiative, and that costs to participate in this project be funded from the Water and Sewer Operations budget;
 - b) That consulting services be purchased from Aecom for the next four years for an amount not to exceed \$40,000 per year exclusive of all taxes, in accordance with the Municipal Code Chapter 285 – Purchasing Section 285.6.6(d) which waives the requirement to solicit competitive bids for goods or services in prescribed circumstances including when the goods or services are available from only one source.

4.7 Annual Report - Integrity Commissioner - (SRCFS.11.059) (Item No. 14)

- Rec. 8
- a) That the 2010-2011 Annual Report of the Integrity Commissioner, attached as Appendix 'A' to SRCFS.11.059, be received;
 - b) That in accordance with Article 10 of the agreement dated October 26, 2010 between the Town of Richmond Hill and David Tsubouchi, that the term of the agreement be extended for one additional year ending on October 31, 2012.
 - c) That the recommendation of the Integrity Commissioner as outlined in his Annual Report respecting discreditable conduct be referred back to staff to report back on inclusion of this item in the Council Code of Conduct.

4.8 Oak Ridges Corridor Park East Management Plan - (SRPRS.11.173) (Item No. 9)

- Rec. 9 a) That the *Oak Ridges Corridor Park East Management Plan* (dated August 2011 and prepared by Toronto and Region Conservation) be endorsed;
- b) That the Town commit to funding 50% of the cost of the Oak Ridges Corridor Park East trail system (contingent upon the TRCA's ability to secure the remaining 50% of required funds) by incorporating the following items into the 10 year Capital Forecast:
- i) \$360,000 for Primary Trail Construction in 2013, and
- ii) \$60,000 for Secondary Trail Construction in 2015.

4.9 Correspondence from Severina Lutaj, dated October 24, 2011 regarding a request for sponsorship to attend the Forum for Young Canadians to be held in Ottawa on November 13 to 18, 2011 - (Item No. 3)

- Rec. 10 a) That the correspondence from Severina Lutaj, dated October 24, 2011 regarding a request for sponsorship to attend the Forum for Young Canadians to be held in Ottawa on November 13 to 18, 2011, be received;
- b) That Council provide financial sponsorship in the amount of \$250.00 to be funded from the 2011 Council Contingency account.

4.11 All-Way Stop Warrant and Parking Restrictions - Intersection of May Avenue and Walmer Road - (SRPRS.11.168) (Item No. 6)

- Rec. 13 a) That an all-way stop be installed at the intersection of May Avenue and Walmer Road;
- b) That Chapter 1116, Schedule 'A' (Parking Prohibited-Signs-Displayed) of the Municipal Code be amended by adding the following:

Highway	Side	From and To	Prohibited Time of Day
Walmer Road	Both	May Avenue to a point 90 metres southerly thereof	8a.m. - 5p.m. Monday to Friday

4.12 Terry Fox Tribute - (SRCAO.11.20) (Item No. 11)

- Rec. 14 a) That the Town pay tribute to Terry Fox in 2015, during the 35th anniversary year of the Marathon of Hope, and that the tribute be consistent with the Town's public art policy being developed by staff;
- b) That staff report to Council in the first quarter of 2013 with tribute options, location options along the Yonge Street Corridor within the Town of Richmond Hill, as well as associated costs.

4.13 Advertising Contract - (SRCFS.11.020) (Item No. 12)

- Rec. 15 a) That advertising services from Metroland Printing, Publishing and Distribution be purchased for a one year period commencing January 2012 to December 2012 in accordance with the terms outlined in SRCFS.11.020;

(continued)

- b) That the Chief Purchasing Officer be authorized to issue the necessary purchase orders to give effect to the above upon the written recommendation of the Commissioner of Corporate and Financial Services.
- c) That staff review and report back within 6 to 8 months on the feasibility and implications of establishing a Town Page making use of the Town of Richmond Hill website in advance of the 2013 budget cycle.

4.14 2012 Richmond Hill Council and Committee Meeting Schedule - (SRCFS.11.040) (Item No. 13)

- Rec. 16 That the 2012 schedule of meetings of Richmond Hill Council and its Committees as outlined in Appendix 'A' to SRCFS.11.040, be approved with the change to move the January 23, 2012 Committee of the Whole meeting to January 24, 2012.

4.15 Tender Award - RFQ-105-11 - For The Installation of Residential Water, Wastewater and Storm Sewer Service Connections - (SRCS.11.040) (Item No. 16)

- Rec. 17
- a) That the sole bid received from the firm V.M. DiMonte Construction Limited which meets the terms and conditions of bid RFQ-105-11 be awarded for a three (3) year term commencing January 1, 2012 to December 31, 2014;
 - b) That the Corporate and Financial Services Department, Procurement Section issue a Purchase Order to V.M. DiMonte Construction Limited at the unit prices as set out in RFQ-105-11;
 - c) That the Mayor and Clerk execute such agreement as required upon the written recommendation of the Commissioner of Community Services, and;
 - d) That the Tariffs and Fees By-Law No. 97-11 be amended as per Appendix A: Amendments to Tariffs and Fees By-Law attached to SRCS.11.040 and the amended schedule be effective upon Council approval.

4.17 Tax Sale Extension Agreement - (SRCFS.11.060) (Item A)

- Rec. 19
- a) That a Tax Sale Process Extension Agreement to January 31m 2013 be authorized for 56 Glenarden Crescent in accordance with section 378(1) of the *Municipal Act, 2001*;
 - b) That the Mayor and Clerk be authorized to execute the attached extension agreement as outlined in SRCFS.11.060.

6.0 Demolition Application for 9090 Yonge Street and 9104-9106 Yonge Street - File No. D12-07425 and D12-07426 - (SRPRS.11.192)

That since the structures located at 9090 Yonge Street and 9104-9106 Yonge Street does not merit designation under Part IV of the *Ontario Heritage Act*, Council consent to the demolition applications submitted by the owner.

7.0 Demolition Application for the Structure Located at 23 Bond Crescent - File No. D12-07072 - (SRPRS.11.191)

That since the structure located at 23 Bond Crescent does not merit designation under Part IV of the *Ontario Heritage Act*, Council consent to the demolition application submitted by the owner.

9.0 *Diabetes Awareness Month - November 2011 and World Diabetes Day - November 14, 2011*

That November 2011 be proclaimed *Diabetes Awareness Month* and that November 14, 2011 be proclaimed *World Diabetes Day* for the Town of Richmond Hill.

10.0 Correspondence from Murray Evans, Evans Planning, dated November 14, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review

That the correspondence from Murray Evans, Evans Planning, dated November 14, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review - (Relates to Agenda Item No. 4.0 - Rec. 3), be received.

11.0 Correspondence from Adriana Pisand Beaumont, , 62 Wicker Drive, received November 14, 2011, regarding the Off Leash Area

That the correspondence from Adriana Pisand Beaumont, , 62 Wicker Drive, received November 14, 2011, regarding the Off Leash Area, be received.

12.0 Correspondence from Jeffrey E. Streisfield, Land Law, dated November 11, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review - (Relates to Agenda Item No. 4.0 - Rec. 3)

That the correspondence from Jeffrey E. Streisfield, Land Law, dated November 11, 2011, regarding Terms of Reference for the Lake Wilcox Special Policy Area Review - (Relates to Agenda Item No. 4.0 - Rec. 3), be received.

Carried Unanimously

PRESENTATIONS

Mayor Barrow reviewed the selection process for the recipient charities of the funds raised at the 18th annual Mayor's Charity Golf Tournament, advising that Pathways of York Region and the PKD Foundation were the charities selected this year. He provided a brief description of each charity noting that both were active volunteers in the event. Mayor Barrow advised that the event raised over \$80,000 with each charity receiving \$40,000. Mayor Barrow presented the proceeds from the 2011 Town of Richmond Hill 18th Annual Mayor's Charity Golf Tournament to representatives of Pathways of York Region and the PKD Foundation.

DELEGATIONS

Alexandra Pupo and Alexandra Sanita advised of their support for the Tower Hill off leash dog area noting the location and benefits such as exercise, movement and fun.

Justin Majnarich, 89 Mayvern Crescent, noted the benefits of the off leash dog area for young adults including a sense of community, active green space and engaging young dog owners. He also noted the benefits of multi off leash dog areas and the noise generated from children's parks compared to the off leash dog area.

Nick Mashin advised that he is in support of keeping the Tower Hill off leash dog area in addition to opening a new facility.

Barbara Czege, 151 Laverock Avenue, expressed her support for the off leash dog area noting the number of dogs in Richmond Hill, concern for the distance to the new off leash dog area and support for public financing of the off leash dog area. She expressed her desire to see benchmark testing of the noise from the Tower Hill off leash dog area and changes made to address concerns.

Sid Fischburg, 424 Crosby Avenue, advised that he is a dog owner, member of the K9 Klub and has visited dog parks throughout North America. He noted his desire to see the beauty and security of the Tower Hill off leash dog area enhanced.

Wendy Walker, 262 Browndale Crescent, Richmond Hill K9 Klub, advised that concerns raised by area residents are not the fault of the off leash dog area and its users. She noted that the off leash dog area is a public open space however was intended for dogs and their owners. Ms. Walker looks forward to the new off leash dog area and finding solutions for issues related to the Tower Hill off leash dog area.

Gurpreet Bhatia, 150 Selwyn Road, noted his surprise by issues raised by area residents and advised of his desire to see a study completed respecting the possible impacts of closing the Tower Hill off leash dog area.

Yuri Gerber, 38 Moraine Ridge Drive, noted his concerns with public financing of the Tower Hill off leash dog area and advised that he believes it was built to be permanent. He noted that the materials recovered from the decommissioning of the Tower Hill off leash dog area could be used in the new off leash dog area.

Laima Slizauskas, 39 Moraine Ridge Drive, expressed her concerns related to the site selection process for the Tower Hill off leash dog area and questioned why neighbourhood residents were not included in the process. She advised that she is being denied enjoyment of her property due to the off leash dog area and noted that supporters of the off leash dog area do not live in the surrounding neighbourhood. Ms. Slizauskas noted concerns regarding the public financing the off leash dog areas.

Murray Palmer, 33 Moraine Ridge Drive, advised that he was in attendance at the April 2011 meeting and questioned why this matter was being discussed again. He noted that there has been sufficient information collected from the pilot off leash dog area and requested that Council maintain their decision made in April 2011 to close the Tower Hill off leash dog area.

Dineen Robinson, 3 Winisk Street, Richmond Hill K9 Klub, reviewed positive aspects of the Tower Hill off leash dog area including the shade, hills, landscaping and social capital. She noted her participation in the Richmond Hill K9 Klub and requested that Council proceed with the study of the Tower Hill off leash dog area and mitigate concerns expressed by the area residents.

Marianne Yake, President, Richmond Hill Naturalists, advised of her desire to see more off leash dog areas, including one in Ward 6. She requested that the issues raised by area residents be addressed and noted issues with the distance to the new off leash dog area and off leash dogs in neighborhood parks. Ms. Yake advised of planting efforts in Phyllis Rawlinson Park and noted breeding birds in the park fields.

John Pickett, 20 Moraine Ridge Drive, advised of his concerns related to the conflict caused in the community by the Tower Hill off leash dog area. He advised of the success of the selection process for the new off leash dog area noting that if the same process was followed for the pilot project the Tower Hill location would not have been selected. Mr. Pickett noted his concern and confusion respecting the recommendation being considered by Council.

Andrew Wong, 17 Johna Drive, advised that the neighbours surrounding the Tower Hill off leash dog area are vulnerable and face disadvantages being close to the off leash dog area. He noted concerns related to the Tower Hill off leash dog area including the original selection process, public consultation, discussion and decisions made at previous Council meetings and the funding sources for the Tower Hill off leash dog area.

Bernard Lim, 19 Johna Drive, advised of his concerns related to the close proximity of the Tower Hill off leash dog area to his property, safety of his child, unleashed dogs in the neighbourhood and noted guidelines for off leash dog areas in Markham.

Eugene Liptsin, 252 Yorkland Street, advised that his comments would be read by Olga Gerber. His concerns related to the reconsideration of this matter, the original timeline for the pilot off leash dog area and a suggestion of using the funds raised from dog licenses towards the off leash dog areas.

Olga Gerber, 38 Moraine Ridge Drive, expressed her concerns respecting the Tower Hill off leash dog area including the location, selection criteria not being met and selection process. She advised that the noise issues cannot be mitigated and requested that the Tower Hill off leash dog area be converted to a public park in conjunction with the existing area trail system.

Sunny Reuter, 6 Anglin Drive, advised that she lives within walking distance to the Tower Hill off leash dog area and that it is responsibly used. She advised of benefits of the location including user safety and the maintenance of the off leash dog area by the Richmond Hill K9 Klub. Ms. Reuter noted her support for keeping the Tower Hill off leash dog area open.

Christian Gravel, 31 Moraine Ridge Drive, was not in attendance at the meeting.

Adriana Pisand Beaumont, 62 Wicker Drive, Richmond Hill K9 Klub, presented a short video outlining the current use of the Tower Hill off leash dog area and Richmond Hill K9 Klub events.

Gintaras Slizauskas, 39 Moraine Ridge Drive, advised of his concerns related to the Tower Hill off leash dog area including the location, public funding, notification of area residents, distance to residential neighbourhood and off leash dog area criteria not being met. He requested that Council maintain their decision to close the Tower Hill off leash dog area and advised of a possible appeal to the Ontario Municipal Board should the off leash dog area remain open.

Nicola Dorosh, 8548-9251 Yonge Street, advised of her support of both the Tower Hill and Phyllis Rawlinson off leash dog area noting that she does not want to see the money and effort put into the Tower Hill off leash dog area lost by decommissioning it.

David Walker, 262 Browndale Crescent, Richmond Hill K9 Klub, advised of his support for the Tower Hill off leash dog area noting his desire to see concerned area residents meet with members of the K9 Klub, T.H.O.R. and Town staff to find ways to mitigate concerns. He noted the increased demand for off leash dog areas and the continued partnership between the K9 Klub and the Town for off leash dog areas.

Phil Quackenbush, 105 Libby Boulevard, T.H.O.R. - Tower Hill Off-leash Rally, advised of community support for the Tower Hill off leash dog area and noted his desire to see the area residents concerns mitigated. He noted concern for the precedent that would be set by closing the Tower Hill off leash dog area and that the Phyllis Rawlinson off leash dog area was not a solution to concerns related to the current off leash dog area. He requested that Council make a motion to promptly deal with mitigating issues raised by area residents.

4.0 Minutes – Committee of the Whole meeting CW#15-11 held on November 7, 2011

4.10 Off Leash Dog Area - (SRPRS.11.183) (Item No. 10)

Moved by: Councillor Liu
Seconded by: Councillor Perrelli

Rec. 11 That a new, permanent off leash dog area be located in the south section of Phyllis Rawlinson Park as illustrated in Appendix 2 of SRPRS.11.183, and that \$126,000 be requested through the 2012 capital budget process for construction of the new facility.

Carried

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

Rec. 12 a) That the decommissioning of the existing pilot facility located south of Tower Hill Road be studied for 12 months following the opening of the off leash dog area at Phyllis Rawlinson Park and that staff report back to Council following this time.

A recorded vote was taken at this time:

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

Opposed: Councillor Papa

Motion Carried 8 - 1

Moved by: Councillor Foster
Seconded by: Councillor Chan

Rec. 12 b) That staff be directed to meet with representatives of the K9 Klub and neighbouring property owners in order to take steps to begin mitigation of the issues of concern.

A recorded vote was taken at this time:

In favour: Regional and Local Councillor Spatafora, Councillor Perrelli, Councillor Liu, Regional and Local Councillor Hogg, Councillor Foster, Councillor Chan, Councillor Beros

Opposed: Councillor Papa, Mayor Barrow

Motion Carried 7 - 2

Moved by: Councillor Foster
Seconded by: Councillor Liu

Rec. 12 c) That the \$13,000 designated for decommissioning the pilot facility be used as the source of funding for improvements to mitigate concerns.

A recorded vote was taken at this time:

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

Motion Carried 6 - 3

SEPARATION OF ISSUES REQUIRING DISCUSSION

4.0 Minutes – Committee of the Whole meeting CW#15-11 held on November 7, 2011

4.16 Tender Award - RFB-94-11 - Upgrading of the Existing Refrigeration Systems at Ed Sackfield Arena and Elvis Stojko Arena - (SREIS.11.025) (Item No. 19)

Moved by: Councillor Perrelli

That consideration of SREIS.11.025 regarding Tender Award - RFB-94-11 - Upgrading of the Existing Refrigeration Systems at Ed Sackfield Arena and Elvis Stojko Arena, be deferred for two weeks.

The motion failed for lack of a seconder

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

Rec. 18 That Request for Bid RFB-94-11, for the upgrading of the existing refrigeration systems at Ed Sackfield Arena and Elvis Stojko Arena, be awarded to CIMCO Refrigeration in the amount of \$955,329 excluding H.S.T.

A recorded vote was taken at this time:

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

Motion Carried 7 - 2

5.0 Extract - Economic Development Task Force - EDTF#05-11 of November 10, 2011

5.1 Economic Development Marketing Strategy - (SRCAO.11.21)

Moved by: Councillor Chan
Seconded by: Councillor Foster

- Rec. 1
- a) That SRCAO.11.21 regarding the Economic Development Marketing Strategy be received and that the Economic Development Task Force Committee recommend to Council that the Economic Development Marketing Strategy attached as Appendix A to SRCAO.11.21 be approved;
 - b) That the Economic Development Task Force recommend to Council that staff investigate possible options and related costs to accelerating the Economic Development Marketing Strategy and report out through the 2012 Budget process.

Carried

Motion to Extend the Meeting

Moved by: Councillor Chan
Seconded by: Councillor Foster

That pursuant to Section 38.3.13 of the Municipal Code, this meeting be extended beyond 11:30 p.m.

Carried Unanimously

8.0 Regional and Local Councillor Spatafora - Request to Reinstate the Sport Portfolio in the Ontario Cabinet

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

That at the November 28, 2011 Council Meeting, Council gives consideration to requesting the Premier of Ontario to reinstate the sport portfolio with a Cabinet Minister given that Ontario is the next host of the 2015 Pan/Parapan American Games.

Carried

RESOLUTION TO MOVE INTO CLOSED SESSION AND GENERAL NATURE THEREOF

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

That Council move into closed session to consider matters relating to labour relations or employee negotiations with respect to the Salaried Employees' Association (S.E.A.); to consider matters relating to labour relations or employee negotiations with respect to Non-Union Administrative Employees and Members of Council; and to consider matters relating to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to delegated authority for property acquisitions and disposals.

Carried

Council moved into closed session and then returned to open session (10:40 p.m. to 11:00 p.m.)

ADOPTION OF RECOMMENDATIONS ARISING FROM CLOSED SESSION

A. Ratification of S.E.A. Agreement, 2011 - 2014 - (SRCFS.11.052)

Moved by: Councillor Papa
Seconded by: Councillor Foster

That Council ratify the Memorandum of Settlement attached as Appendix 1 to SRCFS.11.052, dated September 28, 2011 between the Corporation of the Town of Richmond Hill and the Salaried Employees Association containing the negotiated changes to the Working Agreement which includes an annual increase in salaries of 3% on January 1, 2011, 3% on January 1, 2012 and 1.5% on January 1, 2013.

Carried

B. Adjustments to Employment Conditions and Wages for Non-Union Administrative Group Employees and Members of Council - (SRCFS.11.053)

Moved by: Councillor Papa
Seconded by: Councillor Foster

- a) That Council approve the various adjustments to the terms and conditions of employment for the Town's Non-Union Administrative employees, as outlined in Appendix 1 to SRCFS.11.053 which includes an annual increase of 3% on January 1, 2011, 3% on January 1, 2012 and 1.5 % on January 1, 2013;
- b) That Members of Council be provided with the same annual increase as the Town's Non-Union Administrative employees, as per the recommendations made by the Council Compensation Review Committee and approved by Council on June 28, 2010.

Carried

C. Delegated Authority with Respect to Property Acquisitions and Disposals and Acquisition of 165 Essex Avenue - (SRS.11.22)

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

- a) That Council delegate the Chief Administrative Officer the power to retain any real estate advisor and/or agent for the purpose of facilitating any real estate acquisitions by the Town, upon such terms and conditions as she deems appropriate, together with the power to execute, on behalf of the Town, any agreements with such real estate advisor and/or agent as are necessary;
- b) That Council delegate to the Chief Administrative Officer the power to authorize the obtaining of any appraisals required for the purposes of considering any real state acquisition provided there is a source of funding for such appraisal approved by the Treasurer;

(continued)

- c) That Council delegate the Chief Administrative Officer the authority to approve of the acquisition of any lands by the Town provided the Treasurer determines that there is an approved source of funding for such acquisition and, provided such acquisition is in accordance with such direction as may be given by Council or Committee of the Whole from time to time and to authorize the execution of or to execute any agreements required for such acquisition;
- d) That Council delegate the Chief Administrative Officer the authority to accept any offer and to sign back any offer on Town-owned lands which have been declared surplus and approved for sale provided such offer(s) are made conditional upon Council approval.

Carried

BY-LAWS

By-law No. 97-11, A By-law to Authorize Fees or Charges for Certain Services (Tariff of Fees By-law)

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 97-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 97-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 101-11, A By-law to amend By-law No. 313-96, as amended of the Corporation of the Town of Richmond Hill and By-law No. 1275, as amended, of the former Township of King

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 101-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 101-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 103-11, A By-law to Provide the Treasurer and the Commissioner of Corporate and Financial Services the Authority to reallocated any 2011 Operating Surplus or Fund any Operating Deficit

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 103-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 103-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 104-11, A By-law to Provide the Treasurer and the Commissioner of Corporate and Financial Services the Authority to Reallocated any 2011 Water and Wastewater Fund Operating Surplus or Fund any 2011 Water and Wastewater Fund Operating Deficit

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 104-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 104-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 105-11, A By-law to Remove Certain Lands from Part Lot Control

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 105-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 105-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 113-11, A By-law to Remove Certain Lands from Part Lot Control

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 113-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 113-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

By-law No. 115-11, A By-law to Amend By-law No. 235-97, as amended, of The Corporation of the Town of Richmond Hill

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 115-11 be taken as read a first and second time.

Carried

Moved by: Councillor Chan
Seconded by: Councillor Foster

That By-law No. 115-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT THIS MEETING

By-law No. 114-11, A By-law to confirm the proceedings of Council at this meeting

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

That By-law No. 114-11 be taken as read a first and second time.

Carried

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

That By-law No. 114-11 be taken as read a third time and finally passed and the Mayor and Clerk be authorized to sign same and have the seal of the Corporation attached thereto.

Carried

ADJOURNMENT

Moved by: Councillor Perrelli
Seconded by: Councillor Beros

That the meeting be adjourned.

Carried Unanimously

The meeting was adjourned at 11:10 p.m.

Mayor

Town Clerk