

**CITY OF VAUGHAN
REPORT NO. 14 OF THE
COMMITTEE OF THE WHOLE**

***For consideration by the Council
of the City of Vaughan
on May 1, 2019***

The Committee of the Whole met at 1:04 p.m., on April 2, 2019.

Present: Regional Councillor Linda D. Jackson, Chair
Hon. Maurizio Bevilacqua, Mayor
Regional Councillor Mario Ferri
Regional Councillor Gino Rosati
Councillor Marilyn Iafrate
Councillor Tony Carella
Councillor Rosanna DeFrancesca
Councillor Sandra Yeung Racco

The following items were dealt with:

1. GUIDELINE REVIEW FOR THE IMPLEMENTATION OF SECTION 37 OF THE PLANNING ACT (FILE NO.26.17)

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019:

Recommendations

1. That staff consult with the development industry and the public on proposed amendments to the 'Guidelines for the Implementation of Section 37 of the *Planning Act*'; and
2. That staff report back to Committee of the Whole in the 4th quarter of 2019 on the recommended amendments to the 'Guidelines for the Implementation of Section 37 of the *Planning Act*'.

2. PROPOSED OFFICIAL PLAN AMENDMENT SECTION 37 POLICIES VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN, FILE NO. 26.16

The Committee of the Whole recommends:

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- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019, be approved; and
- 2) That the following be approved in accordance with Communication C1, Memorandum from the Deputy City Manager, Planning and Growth Management dated April 1, 2019:
 1. That Official Plan Amendment #34, BE DEFFERED to amend the provisions of the Vaughan Official Plan 2010, specifically Policy 8.1.23 within Volume 2, Policy 11.12 Vaughan Metropolitan Centre Secondary Plan, to include a new provision to permit an increase in building height and/or density for a proposed development through a Zoning By-law Amendment approval without needing an Official Plan Amendment application if there is a Council approved Section 37 contribution; and
 2. That staff report back on the proposed Official Plan Amendment through the review of the Vaughan Metropolitan Centre Secondary Plan and following the release of Provincial amendments to the Planning Act and Local Planning Appeal Tribunal.

Recommendations

1. That Official Plan Amendment #34, appended as Attachment 1, BE APPROVED, to amend the provisions of Vaughan Official Plan 2010, specifically Policy 8.1.23 within Volume 2, Policy 11.12 Vaughan Metropolitan Centre Secondary Plan, to include a new provision to permit an increase in building height and/or density for a proposed development through a Zoning By-law Amendment approval without needing an Official Plan Amendment application if there is a Council approved Section 37 contribution.
3. **OFFICIAL PLAN AMENDMENT FILE OP.18.014 ZONING BY-LAW AMENDMENT FILE Z.18.021 DRAFT PLAN OF SUBDIVISION FILE 19T-18V008 2748355 CANADA INC. (QUADREAL BLOCK 2) VICINITY OF INTERCHANGE WAY AND JANE STREET**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019, be approved; and
- 2) That Communication C3 from Mr. Daniel B. Artenosi, Partner, Overland LLP, Yonge Street, Toronto, dated April 2, 2019, be received.

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Recommendations

1. THAT Official Plan Amendment File OP.18.014 BE APPROVED; to amend Vaughan Official Plan 2010 and Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
 - a) increase the maximum permitted tower floor plate size for Building 3 only (maximum 12-storeys) from approximately 750 m² to 891 m²
 - b) permit an increase in maximum building height from 15-storeys to 18-storeys for Building 2
 - c) reduce the facing distance between townhouse blocks from a minimum 18 m to the following:
 - i) 11 m between the front facing walls of stacked and back-to-back townhouse blocks
 - ii) 8 m between the front facing wall and a side wall of another structure
 - d) amend Schedule “D”, Major Parks and Open Space and modify Schedule “K”, Site Specific Policy Area, to include the proposed extension of the Millway Avenue Linear Park along the east side of Street B from Interchange Way to Exchange Avenue and the proposed relocated Public Square from the southwest to the northeast corner of Interchange Way and Street B, as shown on Attachment 4. The relocated Public Square shall be 0.2 ha in size minimum and a width 25 m.
2. THAT Zoning By-law Amendment File Z.18.021 BE APPROVED to:
 - a) amend Zoning By-law 1-88, to rezone the subject lands from “EM1 Prestige Employment Area Zone” and “C10 Corporate District Zone”, subject to site-specific Exception 9(957) to “RM2 Multiple Residential Zone” and “OS2 Open Space Park Zone”, in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 of this report
 - b) permit the bonussing for increased building height for Building 2 of the development shown on Attachment 6 in return for the provision of community benefits, pursuant to the *Planning Act*, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*, specifically park enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue equivalent to \$75,600.00 (off-site contribution).

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3. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the following conditions are fulfilled:
 - a) final approval of Site Development File DA.18.056 has been obtained, in accordance with Section 41 of the *Planning Act* that specifically addresses the following, to the satisfaction of the City of Vaughan:
 - i) the Owner shall adequately resolve the noise matters with the adjacent landowner to the west (‘IKEA’) and that the Owner and IKEA enter into Minutes of Settlement to address noise mitigations works that are to be incorporated into the site plan through Site Development File DA.18.056, with a copy of the Minutes of Settlement be provided to the City.
4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the park enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue equivalent to \$75,600.00 (off-site contribution), which will be implemented through the Section 37 Density Bonus Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
5. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Density Bonus Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2(b) and 4.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing zoning by-law.
7. THAT Draft Plan of Subdivision File 19T-18V008 BE APPROVED; to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a residential block, widening of existing streets, two new minor collector streets (Streets A and B), a new local street (Street C), and a new linear park, as shown on Attachment 4, subject to the Conditions of Draft Plan Approval set out in Attachment 1.

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**4. ZONING BY-LAW AMENDMENT FILE Z.17.039 SITE DEVELOPMENT
FILE DA.16.061 RIVERS OF LIFE FELLOWSHIP ASSOCIATION
VICINITY OF KEELE STREET AND GANTNER GATE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019, be approved; and
- 2) That the coloured elevations submitted by the applicant be received.

Recommendations

1. THAT Zoning By-law Amendment File Z.17.039 (Rivers of Life Fellowship Association) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from “A Agricultural Zone” and “EM1 Prestige Employment Area Zone”, as shown on Attachment 1, to “A Agricultural Zone” and “OS5 Open Space Environmental Protection Zone”, in the manner shown on Attachment 2, together with the site-specific zoning exceptions on Table 1, to permit a master-planned, 6,856 m² two-storey place of worship, as shown on Attachments 2 and 3.
2. THAT Site Development Application DA.16.061 (Rivers of Life Fellowship Association) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit a 3,605 m², two-storey Place of Worship as shown on Attachments 4 to 6, that represents Phase 1 of the master-planned Place of Worship shown on Attachments 2 to 3:
 - a) Prior to the execution of the Site Plan Agreement:
 - i) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate and lighting plan;
 - ii) The Development Engineering Department shall approve the final site servicing and grading plan, erosion and sediment control plan, and servicing and stormwater management report;
 - iii) The Owner shall pay the Development Engineering Department’s Site Plan fee pursuant to the Fees and Charges By-law, as amended;
 - iv) The Owner shall consolidate and register the Subject Lands as one lot;

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- v) The Owner shall convey the lands zoned “OS5 Open Space Environmental Protection Zone” into public ownership (i.e. the Toronto and Region Conservation Authority or the City), free of all costs and encumbrances;
 - vi) The Owner shall enter into a Tree Protection Agreement with the City in accordance with the Council adopted Tree By-law 052-2018, and upon finalization of the landscape plan, shall quantify the value of tree replacements using the Urban Design Tree Replacement Valuation outlined in the City’s Tree Protection Protocol. The Owner shall not remove trees without written approval by the City;
 - vii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Division;
 - viii) The Owner shall satisfy all requirements of York Region; and
 - ix) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.
- b) The Site Plan Agreement shall include the following clauses:
- i) “The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.”
 - ii) “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*. 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the *Act*.”
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

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**5. SITE DEVELOPMENT FILE DA.18.048 616 APPLEWOOD INC.
VICINITY OF APPLEWOOD CRESCENT AND PORTAGE PARKWAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019:

Recommendations

1. THAT Site Development File DA.18.048 (616 Applewood Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 7-storey, 11,464 m² hotel (Hilton Garden Inn and Hampton Inn) consisting of 204 suites, an eating establishment with an outdoor patio, 28 surface parking spaces and 2-levels of underground parking containing 180 spaces, as shown on Attachments 2 to 5:
 - a) prior to the execution of the Letter of Undertaking:
 - i) the Development Planning Department shall approve the final site plan, building elevations including bird-friendly design treatments, landscape plan, landscape cost estimate, signage details, and lighting plan;
 - ii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, parking level plan, Traffic Impact and Justification Study, geotechnical report, erosion and sediment control plan, Functional Servicing and Stormwater Management Report;
 - iii) the Owner shall execute an Encroachment Agreement with the City to the satisfaction of the Development Engineering Department;
 - iv) the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, and a Consent Application(s) for the required easements from the Committee of Adjustment. The Committee's decision for the Minor Variance and Consent Applications shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
 - v) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region; and

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vi) the Owner shall satisfy all requirements and obtain all necessary approvals from Ministry of Transportation ('MTO').

b) that prior to the issuance of a Building Permit, the Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

6. ALL-WAY STOP CONTROL REVIEW AT CARRIER CRESCENT AND OBERFRICK AVENUE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Deputy City Manager, Public Works dated April 2, 2019:

Recommendations

1. That the implementation of an all-way stop control at the intersection of Carrier Crescent and Oberfrick Avenue be approved;
2. That a By-law be enacted to amend By-law 284-94, the Consolidated Traffic By-law, to add an all-way stop control at the intersection of Carrier Crescent and Oberfrick Avenue; and
3. That the City Clerk forward a copy of this report to York Regional Police.

7. ALL-WAY STOP CONTROL REVIEW AT PINE VALLEY DRIVE AND KIRBY ROAD SOUTH INTERSECTION

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Deputy City Manager, Public Works dated April 2, 2019:

Recommendations

1. That the implementation of an all-way stop control at the south intersection of Pine Valley Drive and Kirby Road be approved;
2. That a By-law be enacted to amend By-law 284-94, the Consolidated Traffic By-law to add an all-way stop control at the south intersection of Pine Valley Drive and Kirby Road; and
3. That the City Clerk forward a copy of this report to York Regional Police.

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8. REGULATION OF NOT-FOR-PROFIT LOBBYING ACTIVITIES UNDER THE CITY OF VAUGHAN LOBBYING BY-LAW

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Integrity Commissioner dated April 2, 2019:

Recommendations

1. That Council approve the amended By-Law substantially in the form of Attachment #1.
2. That Council approve the definition of Not-For-Profit as:
A group or organization organized and operated exclusively for social welfare, civic improvement, or for any other purpose except profit, no part of the income of which was payable to, or was otherwise available for the personal benefit of, any proprietor, member or shareholder thereof.
3. That Council approve the addition in Attachment #1 of the provisions that:
 - a) The lobbying activities undertaken by the not-for-profit must be ancillary or incidental to the purpose or operation of the not-for-profit for the organization to be exempted from the lobbyist registration rules; and
 - b) Any lobbying activities on behalf of the not-for-profit must be performed by a voluntary unpaid lobbyist for the organization to be exempted from the lobbyist registration rules.

9. SMALL BUSINESS AND ENTREPRENEURSHIP SERVICES: UPDATE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim City Manager dated April 2, 2019:

Recommendations

1. THAT, as required during the 2019-2022 Term of Council, the City Clerk and the Chief Financial Officer be authorized to execute any Transfer Payment Agreements between the City of Vaughan Economic and Cultural Development Department (including the Vaughan Business Enterprise Centre) and the Federal Government, Province of Ontario, and the Regional Municipality of York related to funding for small business and entrepreneurship programs, services and projects, subject to the form of such agreements being satisfactory to the City Solicitor (or designate), and content of such agreements being satisfactory to the Chief of Corporate Initiatives and Intergovernmental Relations (or designate); and

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2. THAT the Manager, Small Business and Entrepreneurship Services and City Clerk be authorized to execute agreements, as required during the 2019-2023 time-frame related to awarding grants and/or sponsorship funding to eligible individuals and organizations through programs funded by the Federal Government, Province of Ontario, Regional Municipality of York, or non-governmental organizations (NGOs), and administered by the City of Vaughan; and
3. THAT, agreements shall be in a form satisfactory to the City Solicitor (or designate), and the content shall be satisfactory to the Chief Corporate Initiatives and Intergovernmental Relations (or designate).

10. AMENDMENTS TO THE CODE OF CONDUCT FOR MEMBERS OF COUNCIL, LOCAL BOARD AND COMMITTEES

The Committee of the Whole recommends approval of the recommendations contained in the following report of the Deputy City Manager, Corporate Services, dated April 2, 2019, subject to adding language to the code portion clarifying the definition of Family Members.

Recommendations

1. That the revised “Code of Ethical Conduct for Members of Council and Local Boards” be approved, substantially in the form of the Draft Code included as Attachment #1; and
2. That the revised “Complaint Protocol” be approved, substantially in the form of the Draft Complaint Protocol included as Attachment #2.

11. PROCEDURAL BY-LAW FOR THE CITY OF VAUGHAN COMMITTEE OF ADJUSTMENT

The Committee of the Whole recommends that consideration of this matter be deferred to the Council meeting of May 1, 2019:

Recommendations

1. That a By-law be enacted to establish procedures for the City of Vaughan Committee of Adjustment, substantially in the form found in Attachment #1.

12. PROCLAMATION REQUEST FRANCO-ONTARIAN DAY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services dated April 2, 2019:

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Recommendations

1. That September 25, 2019 be proclaimed as “Franco-Ontarian Day”, and;
2. That the proclamation be posted on the City’s website.

13. PROCLAMATION AND FLAG RAISING REQUEST FILIPINO DAY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services dated April 2, 2019:

Recommendations

1. That June 8, 2019 be proclaimed as Filipino Day in the City of Vaughan;
2. That the Philippine flag be raised on June 8, 2019 at 10:00 a.m. at Vaughan City Hall for the balance of the day, and;
3. That the proclamation be posted on the City’s website.

14. APPOINTMENT OF DEPUTY CITY CLERK

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services dated April 2, 2019:

Recommendations

1. That a by-law be enacted to appoint the successful candidate set out in confidential attachment ‘1’ as Deputy City Clerk, effective May 6, 2019.

15. PROPOSED AMENDMENT 1 TO THE GROWTH PLAN (2017)

The Committee of the Whole recommends:

- 1) That the recommendations contained in the following report of the Deputy City Manager, Planning and Growth Management dated April 2, 2019, be approved; and
- 2) That Communication C2 from Ms. Rosemarie Humphries, President, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated April 2, 2019, be received.

Recommendations

1. THAT the comments and recommendations contained in the staff report entitled “Proposed Amendment 1 to the Growth Plan” (March 19, 2019 Council Agenda, forming Attachment No. 1 to this report) be endorsed as the City’s comments on the proposed amendment to the Provincial Growth Plan for the Greater Golden Horseshoe (2017), subject to the superseding modifications set out in 2 below;

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2. THAT should Council wish to support the York Region modifications, the Province be requested to implement the following modifications to Amendment No. 1 to the Provincial Growth Plan:
 - a) Reduce the intensification target in York Region from 60% to 50%;
 - b) Continue to exclude the Provincially Significant Employment Zone (PSEZ) designation in the City of Vaughan along the Highway 400 Corridor, from approximately Major Mackenzie Drive to the King-Vaughan border and that the current levels of protection in the 2017 Growth Plan with respect to upper tier official plans should be maintained including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as Prime Employment Areas; thereby continuing to afford the protection of employment lands while allowing for the potential consideration of any future conversion requests.
 - c) If PSEZs are included in the Growth Plan, that prior to recommending mapping changes, Regional and City staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and the refinement to the mapping to reflect local planning considerations;
 - d) Reduce the targeted minimum density in the Designated Greenfield Areas to 50 residents and jobs per hectare from 60 residents and jobs per hectare.
 3. THAT this report be forwarded by the City Clerk to the Province, the Region of York and the Members of Provincial Parliament representing the City of Vaughan as the City's comments on the proposed Amendment No. 1 to the Provincial Growth Plan; and
 4. THAT Council shall ratify the actions taken.
- 16. CEREMONIAL PRESENTATION – 2018 DAVID C. ONLEY CHAMPION AWARD FOR LEADERSHIP IN ACCESSIBILITY**
- The 2018 David C. Onley Champion Award for Leadership in Accessibility was awarded to the City of Vaughan for meeting and exceeding the requirements of the Accessibility for Ontarians with Disabilities Act (OADA) to remove barriers in workplaces and communities.
- 17. CEREMONIAL PRESENTATION – FESTIVALS & EVENTS ONTARIO**
- The following awards were presented to the City of Vaughan:

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1. Top 100 Festivals in Ontario – 2018 Concerts in the Park Series;
and
2. Achievement Award – Best Volunteer Program.

18. DEPUTATION – 2019 RUN FOR VAUGHAN

The Committee of the Whole recommends that the deputation by Mr. Rinki Haque be received and referred to staff.

**19. NEW BUSINESS – INSTALLATION OF ALL WAY STOP SIGN
INTERSECTION OF BARONS STREET AND RICHLER AVENUE**

The Committee of the Whole recommends:

- 1) That staff bring forward a report to the May 7, 2019 Committee of the Whole meeting on the merits of installing an All Way Stop Sign at the intersection of Barons Street and Richler Avenue to address the safety concerns created by the permanent pedestrian crossing markings embedded at this location.

The foregoing matter was brought to the attention of the Committee by Councillor lafrate.

20. OTHER MATTERS CONSIDERED BY THE COMMITTEE

20.1 CONSIDERATION OF AD-HOC COMMITTEE REPORTS

The Committee of the Whole recommends:

That the following Ad-Hoc Committee reports be received:

1. Accessibility Advisory Committee meeting of February 26, 2019 (Report No. 1); and
2. Vaughan Metropolitan Centre Sub-Committee meeting of March 5, 2019 (Report No. 1).

The meeting adjourned at 2:42 p.m.

Respectfully submitted,

Regional Councillor Linda D. Jackson, Chair