



**CITY OF VAUGHAN  
COUNCIL MINUTES  
MAY 26, 2003**

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**CITY OF VAUGHAN**

**COUNCIL MEETING**

**MONDAY, MAY 26, 2003**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:08 p.m.

The following members were present:

Mayor Michael Di Biase, Chair  
Regional Councillor Joyce Frustaglio  
Regional Councillor Gino Rosati  
Councillor Bernie Di Vona  
Councillor Mario F. Ferri  
Councillor Linda D. Jackson  
Councillor Susan Kadis  
Councillor Mario G. Racco

**115. PRESENTATION**

Ms. Kathryn Henderson, Director of Development, Big Brothers of York, presented Regional Councillor Rosati with a plaque in appreciation of his support of Big Brothers of York's Bowl for Kids Sake 2003 and expressed thanks for his continued support as a "Big Brother Champion".

**116. CONFIRMATION OF AGENDA**

MOVED by Regional Councillor Frustaglio  
seconded by Councillor Kadis

THAT the agenda be confirmed.

Amendment

MOVED by Councillor Ferri  
seconded by Councillor Jackson

That the following addendum be added to the agenda:

- 1) RESERVATION OF WATER SUPPLY CAPACITY  
MAPLE PRESSURE DISTRICT SEVEN WATER SYSTEM

Report of the Commissioner of Engineering and Public Works with respect to the above.

- 2) COVERAGE OF LEGAL COSTS ASSOCIATED WITH HUMAN RIGHTS COMPLAINT

Confidential report of the Commissioner of Finance & Corporate Services and the Commissioner of Legal and Administrative Services/City Solicitor with respect to the above provided to Mayor and Members of Council only.

Voting upon the addendums was split as follows:

Upon the question of Addendum 1

CARRIED UNANIMOUSLY

Upon the question of Addendum 2

CARRIED UNANIMOUSLY

Upon the question of the main motion, as amended:

CARRIED

**117. DISCLOSURE OF INTEREST**

Councillor Ferri declared an interest with respect to Item 8, Committee of the Whole Report No. 41, HOLY JUBILEE CATHOLIC SCHOOL, PROPOSED SCHOOL CROSSING GUARDS, as a member of his family is employed as a crossing guard with the City of Vaughan.

Councillor Ferri declared an interest with respect to Item 8, Committee of the Whole (Closed Session) Report No. 42, SCHOOL CROSSING GUARDS REMUNERATION, as a member of his family is employed as a crossing guard with the City of Vaughan.

**118. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Di Vona  
seconded by Regional Councillor Rosati

THAT the minutes of the meeting May 12, 2003 be adopted as presented.

CARRIED

**119. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

Committee of the Whole Report No. 41

Items 2, 4, 8, 10, 13, 17, 26, and 36

Committee of the Whole (Closed Session) Report No. 42

Item 8

Committee of the Whole (Public Hearing) Report No. 43

Item 3

Addendums

Items 1 and 2

MOVED by Councillor Ferri  
seconded by Councillor Di Vona

THAT Items 1 to 39 of the Committee of the Whole Report No. 41, with the exception of the items identified for separate discussion BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 15 of the Committee of the Whole (Closed Session) Report No. 42, with the exception of the item identified for separate discussion BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 5 of the Committee of the Whole (Public Hearing) Report No. 43, with the exception of the item identified for separate discussion BE APPROVED and the recommendations therein be adopted.

CARRIED

ADDENDUM

**120. RESERVATION OF WATER SUPPLY CAPACITY  
MAPLE PRESSURE DISTRICT SEVEN WATER SYSTEM**  
(Addendum No. 1)

MOVED by Councillor Ferri  
seconded by Councillor Di Vona

That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 26, 2003, be approved:

CARRIED

The Commissioner of Engineering and Public Works recommends:

That subject to the Region of York confirming the availability of water supply capacity in the Maple Service Areas of the Vaughan Water Distribution Systems of the York Water Supply System for an additional 12,800 persons;

1. Water supply capacity for 2,800 persons equivalent (about 800 units) be reserved from the Vaughan Water Distribution Systems for residential development within OPA No.332, OPA No.350 and the Block Plans approved to date in OPA No.400, which may be allocated by Council at the site plan or draft plan of subdivision approval stage; and
2. Water supply capacity for 10,000 persons equivalent (about 2,860 units) be reserved from the Maple Pressure District Seven Water System for residential development in Blocks 18 and 33 West in OPA No.600, which may be allocated by Council at the draft plan of subdivision approval stage.

**Purpose**

The purpose of this report is to reserve water supply capacity from the Vaughan Water Distribution Systems for development in the Maple area consistent with the reservation of interim sewage servicing capacity adopted by Council on June 24, 2003 in order to satisfy a provision of the financial agreement between the City and the Block 33 West Landowners Group for the design and construction of the proposed Pressure District Seven Trunk Watermain on Teston Road.

**Background - Analysis and Options**

On June 24, 2002, Vaughan Council adopted the following resolution:

*“That subject to the Region of York confirming satisfactory arrangements are in place with the Blocks 18 and 33 West Landowners Groups for the up-front financing of the design and construction of the*

*proposed Langstaff Sanitary Trunk Sewer, and that interim servicing capacity is available in the Maple Collector for an additional 12,800 person;*

- 1 Sewage servicing capacity for 2,800 persons equivalent (about 800 units) be reserved from the additional interim capacity in the Maple Service Area for residential development within OPA No.332, OPA No.350 and the Block Plans approved to date in OPA No.400, which may be allocated by Council at the site plan or draft plan of subdivision approval stage; and*
- 2 Sewage servicing capacity for 10,000 persons equivalent (about 2,860 units) be reserved from the additional interim capacity in the Maple Service Area for residential development in Blocks 18 and 33 West in OPA No.600, which may be allocated by Council at the draft plan of subdivision approval stage.”*

The Region and the Blocks 18 and 33 West Landowners Groups are currently finalizing a Prepaid Development Charge Credit Agreement that would provide for the construction of the Langstaff Trunk Sewer and the release of the additional interim sewage servicing capacity in the Maple Service Area.

On March 10, 2003, Council resolved the following with regards to the up-front financing of the City's proposed Pressure District Seven Trunk Watermain on Teston Road:

- 1 That a By-law be enacted authorizing the Mayor and Clerk to execute a Financial Agreement with the Block 33 West Landowners Group with respect to the up-front financing of the cost associated with the design and construction of the Pressure District Seven Teston Road Trunk Watermain between Cranston Park Avenue and the proposed north/south primary road (Street 'A') in Block 33 West; and*
- 2 That the Region of York be requested to include the design and construction of the Pressure District Seven Teston Road Trunk Watermain between Cranston Park Avenue and the proposed north/south primary road (Street 'A') in Block 33 West with the York-Peel Feedermain design-build project subject to the City executing a financial agreement with the Block 33 West Landowners Group for the up-front financing of the Teston Road Watermain and the completion of the Environmental Assessment for the Maple Pressure District Seven Trunk Watermain Network Extension.*

The Region subsequently included the design and construction of the Pressure District Seven Trunk Watermain in the Request for Proposal for the York-Peel Feedermain design/build project but requested the City to confirm that the Environmental Assessment was completed and funding was in place for the works by May 22, 2003.

The Environmental Assessment was completed and received final clearance from the Ministry of the Environment on April 28, 2003. Over the past several weeks, City staff and the Block 33 West Landowners Group have been negotiating the terms of the financial agreement with the goal of finalizing the agreement before the Region's May deadline.

On May 20, 2003, City and Regional staff met to discuss the status of long-term water supply for Vaughan. As a result of this meeting, there is now some uncertainty with respect to the availability of adequate water supply capacity to meet the development anticipated in Vaughan in the coming years. Staff subsequently advised the Block 33 West Landowners Group of this situation.

On May 21, 2003, the Block 33 West Landowners Group executed the financial agreement; however, recognizing the present uncertainty regarding water supply and the significant financial investment being made by the Block 33 West Landowners Group, Section 2.7 of the final agreement sets out that:

*“The Parties acknowledge and agree that:*

- (a) *if on or before May 26, 2003, City Council does not reserve an allocation of water capacity in the Region’s and City’s water systems to the lands in Block 33 West to the Landowners’ satisfaction for the same amount of new development in respect of which an allocation of sanitary sewer capacity was reserved by City Council, by resolution dated June 2002, to the lands in Block 33 West; or*
- (b) *if on or before May 27, 2003 the Region does not confirm to the City additional available water capacity in the Region’s water system in an amount corresponding to the number of units for which an allocation of sanitary sewer capacity was reserved for the Block 33 West lands by the aforementioned City Council resolution;*

*then the landowners may, on or before May 28, 2003, deliver written Notice to the City that this Agreement is terminated and at an end (a “Termination Notice”)... Upon the delivery of such Termination Notice the Parties shall have no further obligation to each other hereunder.”*

If the financial agreement is terminated then the City’s trunk watermain would be deleted from the Region’s York-Peel Feedermain contract, which would have implications on the overall cost and timing of the City’s watermain project, and the timing of development in Block 33 West. The Region has been advised of the significance of this provision in the agreement.

The necessary by-law authorizing the Mayor and Clerk to sign the financial agreement with the Block 33 West Landowners Group is being submitted to Council for approval concurrently with this report.

**Conclusion**

Accordingly, to facilitate the design and construction of the proposed Pressure District Seven Trunk Watermain on Teston Road between Cranston Park Avenue and Street “A” in Block 33 West, Staff recommend that Council reserve water supply capacity from the Vaughan Water Distribution Systems for development in Maple area consistent with the reservation of the interim sewage servicing capacity adopted by Council on June 24, 2002 subject to the Region of York confirming the availability of the necessary water supply. Should Council concur, the recommendations of this report could be adopted.

**Attachments**

N/A

**Report prepared by:**

Andrew Pearce, Manager of Development Services, ext 8235

**121. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE REPORT NO. 41**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 2            CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

MOVED by Regional Councillor Rosati  
seconded by Councillor Racco

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THAT Item 2, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By deleting Clause 2 of the Committee recommendation and replacing it with the following:

“That the Directors of Community Planning and Urban Design, or designates, be appointed to attend the CPTED course.”

CARRIED

ITEM - 4        “ADOPT-A-BED” PILOT PROJECT

MOVED by Councillor Ferri  
seconded by Regional Councillor Rosati

THAT Item 4, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By receiving the written submission from Councillor Ferri entitled, “Ward Beautification Challenge 2003”.

CARRIED

ITEM - 8        HOLY JUBILEE CATHOLIC SCHOOL  
PROPOSED SCHOOL CROSSING GUARDS

MOVED by Councillor Di Vona  
seconded by Regional Councillor Rosati

THAT Item 8, Committee of the Whole Report No. 41 be adopted without amendment.

CARRIED

Having previously declared an interest Councillor Ferri did not take part in the discussion or vote on the foregoing matter.

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 42**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 8        SCHOOL CROSSING GUARDS REMUNERATION

MOVED by Councillor Di Vona  
seconded by Regional Councillor Rosati

THAT Item 8, Committee of the Whole (Closed Session) Report No. 42 be adopted without amendment.

CARRIED

Having previously declared an interest Councillor Ferri did not take part in the discussion or vote on the foregoing matter.

**COMMITTEE OF THE WHOLE REPORT NO. 41**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 10      AWARD OF TENDER - T03-033  
RIVERMEDE ROAD - WATERMAIN REPLACEMENT  
AND ROAD REHABILITATION

MOVED by Councillor Racco  
seconded by Regional Councillor Rosati

THAT Item 10, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By approving the following in accordance with the additional report of the Commissioner of Engineering and Public Works, dated May 26, 2003:

- “1.      That Tender T03-033 for the replacement of watermain on Rivermede Road from Keele Street to Bowes Road and road rehabilitation from Keele Street to Highway No. 7 be awarded to Vaughan Paving Ltd., in the amount of \$1,523,596.86;
2.      That a contingency allowance in the amount of \$153,000.00 be approved, within which the Commissioner of Engineering and Public Works is authorized to approve amendments to the Contract; and
3.      That the Mayor and Clerk be authorized to sign the necessary document.”

CARRIED

ITEM - 13      REQUEST FOR FENCE HEIGHT EXEMPTION  
6 FREEMONT STREET

MOVED by Councillor Racco  
seconded by Regional Councillor Frustaglio

THAT Item 13, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By approving that the fence height exemption be granted;

By receiving the report of the City Clerk, dated May 20, 2003; and

By receiving the memorandum from the Director of Legal Services, dated May 23, 2003.

CARRIED

ITEM - 17      SITE DEVELOPMENT FILE DA.02.034  
COBI CONTRACTING LTD.

MOVED by Councillor Racco  
seconded by Regional Councillor Frustaglio

THAT Item 17, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, dated May 20, 2003; and



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By receiving the revised colour renderings, submitted by the applicant.

CARRIED

ITEM - 26      SITE DEVELOPMENT FILE DA.02.075  
FIRST VAUGHAN INVESTMENTS LIMITED

MOVED by Councillor Racco  
seconded by Regional Councillor Frustaglio

THAT Item 26, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, dated May 20, 2003; and

By receiving the revised colour renderings, submitted by the applicant.

CARRIED

ITEM - 36      ZONING BY-LAW AMENDMENT FILE Z.02.058  
J. WALLACE BEATON  
REPORT #P.2002.57

MOVED by Councillor Jackson  
seconded by Councillor Ferri

THAT Item 36, Committee of the Whole Report No. 41 be adopted and amended, as follows:

By approving the recommendation of the Commissioner of Planning, dated January 20, 2003;

By receiving the memorandum from the Director of Community Planning, dated May 23, 2003; and

By receiving the written submission from Mr. J. Wallace Beaton, 737 Clarence Street, Woodbridge, L4L 1A7, dated May 23, 2003.

CARRIED

### **COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 43**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 3      ZONING BY-LAW AMENDMENT FILE Z.03.030  
1405731 ONTARIO LIMITED  
PRELIMINARY REPORT

MOVED by Councillor Jackson  
seconded by Regional Councillor Rosati

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THAT Item 3, Committee of the Whole (Public Hearing) Report No. 43 be adopted and amended, as follows:

By deleting Clause 2 of the Committee recommendation.

CARRIED

### ADDENDUM

#### **122. COVERAGE OF LEGAL COSTS ASSOCIATED WITH HUMAN RIGHTS COMPLAINT** (Addendum No. 2)

MOVED by Councillor Di Vona  
seconded by Councillor Ferri

That this matter be referred to the Committee of the Whole (Closed Session) meeting of June 2, 2003.

CARRIED

#### **123. BY-LAWS FIRST, SECOND AND THIRD READINGS**

MOVED by Councillor Ferri  
seconded by Councillor Jackson

THAT the following by-laws be read a First, Second and Third time and enacted:

- |                        |   |
|------------------------|---|
| By-Law Number 143-2003 | A By-law to regulate standing water in The Corporation of the City of Vaughan. (Standing Water By-Law – West Nile Virus) (Item 34, Committee of the Whole, Report No. 41)   |
| By-Law Number 144-2003 | A By-law to authorize execution of a Financing Agreement between the City of Vaughan and Landowners related to the Design and Construction of the Pressure District Seven Trunk Watermain Network Extension between Cranston Park Avenue and proposed north-south primary road (Street "A") in Block 33 West. (Council, March 17, 2003, Item 31, Committee of the Whole, Report No. 22) |
| By-Law Number 145-2003 | A By-law to amend By-law 126-2003, to authorize the sale of City lands described as Part of Lot 17, Concession 8, being part of a closed road allowance known as Clarence Street. (Item 14, Committee of the Whole (Closed Session), Report No. 42)   |
| By-Law Number 146-2003 | A By-law to dedicate certain lands as part of the public highway known as Cold Creek Road. (Part of Lot 32, Concession 10, Part 1 of Registered Plan 65R-25540) (Delegation By-Law 333-98)  |
| By-Law Number 147-2003 | A By-law to A By-law to adopt Amendment Number 593 to the Official Plan of the Vaughan Planning Area. (OP.02.025, Z.02.089, York Major Holdings Inc., northeast corner of Keele Street and Teston Road, being Part of Lots 26 and 27, Concession 3) (Council, May 12, 2003, Item 19, Committee of the Whole, Report No. 38)   |
| By-Law Number 148-2003 | By-law to exempt parts of Plan 65M-2811 from the provisions of Part Lot Control. (PLC.03.015, Michael Pupo, between Highway No. 27 and Clarence Ave, south of Rutherford Road, being Lots 17,31,32,33,35,36,37,38,39,47,48,76 and 77 of Registered Plan 65M-2811) (Delegation By-Law 333-98)  |

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- By-Law Number 149-2003 A By-law to repeal By-Law 148-2003. (PLC.03.015, Michael Pupo, between Highway No. 27 and Clarence Ave, south of Rutherford Road, being Lots 17, 31,32, 33, 35, 36, 37, 38, 39, 47, 48, 76 and 77 of Registered Plan 65M-2811) (Delegation By-Law 333-98)
- By-Law Number 150-2003 A By-law to exempt parts of Plans 65M-3550 from the provisions of Part Lot Control. (between Pine Valley Drive and Weston Road, north of Rutherford Road, being Lots 10 to 15 inclusive of registered Plan 65M-3550) (Delegation By-Law 333-98)
- By-Law Number 151-2003 A By-law to repeal By-Law 150-2003. (between Pine Valley Drive and Weston Road, north of Rutherford Road, being Lots 10 to 15 inclusive of registered Plan 65M-3550) (Delegation By-Law 333-98)
- By-Law Number 152-2003 A By-law to exempt parts of Plans 65M-3646 from the provisions of Part Lot Control. (PLC.03.016, Wesmak Estates Inc. between Pine Valley Drive and Weston Road, south of Major Mackenzie Drive, being Lots 67 to 77 inclusive and Lots 123 to 130 inclusive of registered Plan 65M-3646) (Delegation By-Law 333-98)
- By-Law Number 153-2003 A By-law to repeal By-Law 152-2003. (PLC.04.016, Wesmak Estates Inc. between Pine Valley Drive and Weston Road, south of Major Mackenzie Drive, being Lots 67 to 77 inclusive and Lots 123 to 130 inclusive of registered Plan 65M-3646) (Delegation By-Law 333-98)
- By-Law Number 154-2003 A By-law to exempt parts of Plans 65M-3646 from the provisions of Part Lot Control. (PLC.03.017, Fandor Homes (Vellore Village) Inc., between Pine Valley Drive and Weston Road, south of Major Mackenzie Road, being Lots 78 to 88 inclusive and Lots 112 to 122 inclusive of registered Plan 65M-3646) (Delegation By-Law 333-98)
- By-Law Number 155-2003 A By-law to repeal By-Law 154-2003. (PLC.03.017, Fandor Homes (Vellore Village) Inc., between Pine Valley Drive and Weston Road, south of Major Mackenzie Road, being Lots 78 to 88 inclusive and Lots 112 to 122 inclusive of registered Plan 65M-3646) (Delegation By-Law 333-98)
- By-Law Number 156-2003 A By-law to exempt parts of Plans 65M-3591 and 65M-3650 from the provisions of Part Lot Control. (PLC.03.013, Fieldgate Thornhill Woods Limited, east of Dufferin Street and north of Autumn Hill Boulevard, being Blocks 268, 271, and 291, Registered Plan 65M-3591; and, Lots 1 to 27 inclusive and 88 to 91 inclusive, and Blocks 94 to 96 inclusive, Registered Plan 65M-3650, in Part of Lot 14, Concession 2) (Delegation By-Law 333-98)
- By-Law Number 157-2003 A By-law to repeal By-Law 156-2003. (PLC.03.013, Fieldgate Thornhill Woods Limited, east of Dufferin Street and north of Autumn Hill Boulevard, being Blocks 268, 271, and 291, Registered Plan 65M-3591; and, Lots 1 to 27 inclusive and 88 to 91 inclusive, and Blocks 94 to 96 inclusive, Registered Plan 65M-3650, in Part of Lot 14, Concession 2) (Delegation By-Law 333-98)
- By-Law Number 158-2003 A By-law to amend City of Vaughan By-law 1-88. (Z.03.011, Alterra-Finer Space Limited, located northeast of Steeles Avenue West and Dufferin Street, in Part of Lot 1, Concession 2) (Council, March 17, 2003, Item 25, Committee of the Whole, Report No. 22)

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By-Law Number 159-2003      A By-law to authorize the Mayor and Clerk to execute an Agreement on behalf of the City of Vaughan between The Corporation of the City of Vaughan and Road Watch Canada Inc. (Item 35, Committee of the Whole, Report No. 41)

By-Law Number 160-2003      A By-law to A By-law to amend City of Vaughan By-law 1-88. (Z.02.089, OP.02.025, York Major Holdings Inc., north east corner of Keele Street and Teston Road in Part of Lots 26 and 27, Concession 3, being Parts 1 to 14 inclusive on Plan 65R-20678) (Council, May 12, 2003, Item 19, Committee of the Whole, Report No. 38)

CARRIED

**124. CONFIRMING BY-LAW**

MOVED by Regional Councillor Rosati  
seconded by Councillor Jackson

THAT By-law Number 161-2003, being a by-law to confirm the proceedings of Council at its meeting on May 26, 2003, be read a First, Second and Third time and enacted.

CARRIED

**125. ADJOURNMENT**

MOVED by Councillor Racco  
seconded by Councillor Jackson

THAT the meeting adjourn at 2:25 p.m.

CARRIED

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Michael Di Biase, Mayor

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J. D. Leach, City Clerk