

**CITY OF VAUGHAN
COUNCIL MINUTES
SEPTEMBER 12, 2005**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, SEPTEMBER 12, 2005

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:35 p.m.

The following members were present:

Mayor Michael Di Biase, Chair
Regional Councillor Mario F. Ferri
Regional Councillor Joyce Frustaglio
Regional Councillor Linda D. Jackson
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

That the Rules of Procedure with respect to start time be waived to permit the meeting to commence at 1:35 p.m.

CARRIED

183. PRESENTATION

Mr. Rahul Bhardwaj, United Way of York Region, appeared before Council to provide information regarding the 2005 campaign and to request that Council pass a resolution recognizing the Month of October as United Way Month 2005.

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

BE IT RESOLVED that City Council of the City of Vaughan, in the Province of Ontario, hereby does the following:

1. Proclaims the month of October 2005 as "United Way Month in the City of Vaughan" and urges all citizens to recognize and support the mission of the United Way of York Region; and
2. During "United Way Month in the City of Vaughan":
 - i) Permit the posting of United Way posters and signs in the City of Vaughan facilities; and
 - ii) Fly the United Way flag at the City Hall during United Way month and for the duration of the City of Vaughan United Way campaign.

CARRIED

184. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT the agenda be confirmed.

AMENDMENT

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

That the following addendums be added to the agenda:

1) Recommendations from Report No. 49, Special Committee of the Whole (Closed Session) meeting of September 12, 2005.

2) **PERSONNEL MATTER**

Confidential verbal report of Mayor Di Biase.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

185. DISCLOSURE OF INTEREST

Councillor Ferri declared an interest with respect to Items 19 and 20, Committee of the Whole Report No. 46, SIGN VARIANCE APPLICATION, FILE NO: SV.05-17, OWNER: CANADIAN TIRE REAL ESTATE LTD., LOCATION: CANADIAN TIRE STORE #237 WOODBRIDGE, 3850 HIGHWAY 7, LOT 19, PLAN M-1607, and SIGN VARIANCE APPLICATION, FILE NO: SV.05-18, OWNER: CANADIAN TIRE REAL ESTATE LTD., LOCATION: CANADIAN TIRE STORE #653, 3200 RUTHERFORD ROAD, LOT 16, CONCESSION 5, as his daughter is an employee of Canadian Tire.

Regional Councillor Jackson declared an interest with respect to Item 1, Special Committee of the Whole Report No. 49, LITIGATION MATTER, as the matter deals with her mother's estate.

186. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Jackson

THAT the minutes of the meeting June 27, 2005 be adopted as presented.

CARRIED

187. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 46

Items 3, 4, 8, 10, 17, 18, 19, 20, 23, 27, 28, 30, 41, and 45

Committee of the Whole (Closed Session) Report No. 47

Item 1

Special Committee of the Whole (Closed Session) Report No.49 (Addendum No. 1)

Item 1

Addendum Item

2

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT Items 1 to 45 of the Committee of the Whole Report No. 46, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 8 of the Committee of the Whole (Closed Session) Report No. 47, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 48, BE APPROVED and the recommendations therein be adopted.

CARRIED

188. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 46

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

ITEM - 19 SIGN VARIANCE APPLICATION
FILE NO: SV.05-17
OWNER: CANADIAN TIRE REAL ESTATE LTD.
LOCATION: CANADIAN TIRE STORE #237 WOODBRIDGE
3850 HIGHWAY 7
LOT 19, PLAN M-1607

MOVED by Regional Councillor Jackson
seconded by Councillor Di Vona

THAT Item 19, Committee of the Whole Report No. 46 be adopted without amendment.

CARRIED

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

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ITEM - 20 SIGN VARIANCE APPLICATION
FILE NO: SV.05-18
OWNER: CANADIAN TIRE REAL ESTATE LTD.
LOCATION: CANADIAN TIRE STORE #653
3200 RUTHERFORD ROAD
LOT 16, CONCESSION 5

MOVED by Regional Councillor Jackson
seconded by Councillor Di Vona

THAT Item 20, Committee of the Whole Report No. 46 be adopted without amendment.

CARRIED

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

ITEM - 8 PUBLIC HIGHWAY STOP-UP AND CLOSE
HUNTINGTON ROAD
CLOSURE AND IMPLEMENTATION OF A TEMPORARY
ALTERNATIVE ROAD LINK BETWEEN
MAJOR MACKENZIE DRIVE AND MCGILLIVRAY ROAD

MOVED by Councillor Meffe
seconded by Councillor Di Vona

THAT Item 8, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving Clauses 1 and 2 of the recommendation of the Commissioner of Engineering and Public Works, dated September 6, 2005; and

By approving the following contained in the memorandum from the Commissioner of Engineering and Public Works, dated September 9, 2005:

- “1. That Council direct the City Clerk to commence Municipal Act procedures to stop-up and close a portion of Huntington Road, between McGillivray Road and Major Mackenzie Drive;
2. That a By-law be enacted authorizing the Mayor and Clerk to execute a development agreement and any other necessary agreements thereto between the City of Vaughan and Canadian Pacific Railway with respect to the construction and conveyance and reconveyance of an alternate road link east of Huntington Road, in a form satisfactory to the Commissioner of Engineering and Public Works and the City Solicitor;
3. Council confirms that the stopping up and closing of the portion of Huntington Road and the construction, conveyance and reconveyance with the Canadian Pacific Railway of the alternate road link is an interim temporary solution and that the ultimate solution is anticipated to be established through the planning of the adjacent road network together with the determination of the ultimate alignment for the extension of Highway 427.”

CARRIED

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ITEM - 28 ZONING BY-LAW AMENDMENT FILE Z.05.008
CANADIAN PACIFIC RAILWAY
REPORT #P.2005.19

MOVED by Councillor Meffe
seconded by Councillor Di Vona

THAT Item 28, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated September 12, 2005:

“THAT the recommendation in the September 6, 2005 Committee of the Whole report for zoning By-law Amendment File Z.05.008 (Canadian Pacific Railway) be replaced as follows:

- 1) THAT Zoning by-law Amendment File Z.05.008 (Canadian Pacific Railway) BE APPROVED, and that the implementing by-law amend the M3 Transportation Industrial zone to allow the continued use of the subject lands shown on Attachment #1 only for a driveway access to the existing westerly fuel operation business located at 852 Nashville Road (Maw's Fuels Ltd.) with the following site-specific exceptions:
 - a) to permit a maximum driveway access and aisle width of 24.91m;
 - b) to prohibit any employment use, including prohibiting any fuel related business, for the 3-storey grain elevator; and
 - c) to prohibit any new buildings or structures or employment uses, other than the driveway access use to the existing westerly fuel operation located at 852 Nashville Road (Maw's Fuels Ltd.) on the subject lands.

- 2) That the zoning by-law not be enacted until such time as the remnant building foundation on the south end of the subject lands is removed.

By receiving the report of the Commissioner of Planning, dated September 6, 2005;

By receiving the written submission from Ms. Michelle T. Banfield, Larkin & Associates Planning Consultants Inc., 1168 Kingdale Road, Newmarket, L3Y 4W1, dated September 7, 2005.

MOTION WITHDRAWN

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Frustaglio

That this matter be referred to the Committee of the Whole meeting of September 19, 2005 for further consultation with staff and the applicant to address the access, egress, and property standards issues;

That the memorandum from the Commissioner of Planning, dated September 12, 2005, be received; and

That the written submission from Ms. Michelle T. Banfield, Larkin & Associates Planning Consultants Inc., 1168 Kingdale Road, Newmarket, L3Y 4W1, dated September 7, 2005, be received.

CARRIED

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ITEM - 30 ZONING BY-LAW AMENDMENT FILE Z.05.026
 SHAWN MARK IN TRUST
 REPORT #P.2005.44

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Frustaglio

THAT Item 30, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following:

“That prior to the initiation of construction within the Plan, the Owner shall provide construction access to the Plan to the satisfaction of the City. Construction access to the Plan shall be from Jane Street. No other access to the Plan shall be used for construction unless authorized in writing by the City.”; and

By receiving the memorandum from the Commissioner of Planning, dated September 12, 2005.

CARRIED

ITEM – 3 PILOT PROJECT TO REDUCE LITTER AT COMMUNITY MAIL BOXES

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 3, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving that a pilot project to reduce litter at Canada Post community mail boxes be initiated at 5 locations, using a prototype litter/community bulletin board unit manufactured by Envirozone;

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005; and

By receiving the report of Mayor Di Biase, dated September 6, 2005.

CARRIED

ITEM – 4 STAFF ATTENDANCE AT COMMUNITY MEETING

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

THAT Item 4, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following in accordance with the additional report of Regional Councillor Ferri, and Councillors Meffe, Carella and Di Vona, dated September 12, 2005:

1. That staff from the City of Vaughan's Public Works Department and Planning Department be authorized to attend a community meeting in the Fall of 2005, for the residents of Wards 2 and 3 to discuss a) "Greening Vaughan" strategy and b) implications of the "Places to Grow" legislation;
2. That the same as above be granted to the residents of Ward 1; and

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3. That a City facility be used for the community meetings.

CARRIED

ITEM – 10 ONTARIO TRAFFIC CONFERENCE APPOINTEES

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT Item 10, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By replacing “Councillor Shefman” in Clause 2 of the Committee of the Whole recommendation with “Councillor Carella”.

CARRIED

ITEM – 17 SIGN VARIANCE APPLICATION
FILE NO: SV.05-15
OWNER: ASSOCIATED VAUGHAN PROPERTIES
LOCATION: 330 STEELES AVENUE, UNIT #A1
LOT 19, PLAN M-1607

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 17, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the recommendation of the Sign Variance Committee, dated September 6, 2005.

CARRIED

ITEM – 18 SIGN VARIANCE APPLICATION
FILE NO: SV.05-16
OWNER: ASSOCIATED VAUGHAN PROPERTIES
LOCATION: 330 STEELES AVENUE, UNIT #1
LOT 19, PLAN M-1607

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 18, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the recommendation of the Sign Variance Committee, dated September 6, 2005.

CARRIED

ITEM – 23 SIGN VARIANCE APPLICATION
FILE NO: SV.05-21
OWNER: ROBERTO CLAUSI
LOCATION: 4855 HIGHWAY NO. 7
LOT 5, PLAN 9831, CONCESSION 7

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MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

That this matter be referred to staff for further comments from York Region.

CARRIED

ITEM – 27 SITE DEVELOPMENT FILE DA.05.016
 YORK CATHOLIC DISTRICT SCHOOL BOARD
 VELLORE WOODS ELEMENTARY SCHOOL-BLOCK 39

MOVED by Regional Councillor Jackson
seconded by Councillor Carella

THAT Item 27, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving Clause 1 of the recommendation of the Commissioner of Planning, dated September 6, 2005;

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated September 12, 2005:

1. That this supplementary report respecting file DA.05.016 (Vellore Woods Catholic School) be received and that Recommendation #2 in the Committee of the Whole report be replaced as follows:

“The School Board is hereby advised that no unauthorized alterations shall be made to the approved site plan which does not maintain the traffic circulation plan in and around the school without first obtaining approval from the City”; and

By requesting that the working name be changed to Vellore Village Catholic School site.

CARRIED

ITEM – 41 PROPOSED SCHOOL CROSSING GUARD
 THORNHILL WOODS PUBLIC SCHOOL
 ADDENDUM REPORT

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 41, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005.

CARRIED

ITEM – 45 DEPUTATION – MR. GIANFRANCO LOCANTORE
 WITH RESPECT TO FLOODING ON JEANNE DRIVE

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT Item 45, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following resolution:

WHEREAS the rain storm of August 19, 2005 was an extreme event that caused significant damage to municipal infrastructure and private property within the City of Vaughan; and

WHEREAS The City of Vaughan desires to effect repairs to damaged municipal infrastructure as soon as possible; and

WHEREAS the Province has the authority to grant approvals to the City to undertake remedial works in water courses which form a part of the City's drainage infrastructure; and

WHEREAS the City of Vaughan proposes to complete the remedial works in accordance with the policies and practices of the authorities having jurisdiction;

NOW THEREFORE BE IT RESOLVED:

THAT the Ministry of Natural Resources, the Ministry of Municipal Affairs and Housing and the Toronto and Region Conservation Authority be requested to consider granting regulatory approval to the City of Vaughan for such emergency repair works deemed necessary and appropriate by the City of Vaughan; and

THAT the Toronto and Region Conservation Authority be requested to undertake a review of Valleylands that it owns to determine what action may be necessary to reduce the impact of future severe rainfall events; and

THAT copies of the resolution be forwarded to the Ministry of Natural Resources, the Ministry of Municipal Affairs and Housing, the Toronto and Region Conservation Authority, the Regional Municipality of York, the Association of Municipalities of Ontario and Conservation Ontario.

By approving that copies of the resolution be forwarded to the Honourable Greg Sorbara, MPP, and Mario G. Racco, MPP; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005.

CARRIED

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Council resolve into Committee of the Whole (Closed Session) for the purpose of discussing the following matters:

- i) the security of property of the City or local board;
- ii) personal matters about an identifiable individual, including municipal or local board employees;
- iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
- iv) labour relations or employee negotiations;
- v) litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
- vi) the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose; and
- vii) a matter in respect of which Council, boards, Committee or other body has

authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament.

CARRIED

Council recessed at 2:54 p.m.

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT Council reconvene at 3:58 p.m.

CARRIED

Council reconvened at 3:58 p.m. with all members present.

189. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 47

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

ITEM – 1 PERSONNEL MATTER

MOVED by Councillor Shefman
seconded by Regional Councillor Jackson

THAT Item 1, Committee of the Whole (Closed Session) Report No. 47 be adopted and amended, as follows:

By approving the confidential recommendation of the Committee of the Whole (Closed Session) of September 12, 2005.

CARRIED

**SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 49
(Addendum No. 1)**

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

ITEM – 1 LITIGATION MATTER

MOVED by Councillor Di Vona
seconded by Councillor Carella

THAT Item 1, Special Committee of the Whole (Closed Session) Report No. 49 be adopted without amendment.

CARRIED

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

Addendum Item

190. PERSONNEL MATTER

(Addendum No. 2)

MOVED by Councillor Shefman
seconded by Councillor Di Vona

That the confidential recommendation of the Committee of the Whole (Closed Session) of September 12, 2005, be approved.

CARRIED

191. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

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

- | | |
|------------------------|--|
| By-Law Number 251-2005 | A By-law to authorize the payment of an annual remuneration and expenses to the Members of Council. (Council, June 27, 2005, Item 2, Committee of the Whole (Closed Session), Report No. 43) |
| By-Law Number 252-2005 | A By-law to authorize execution of a Settlement and Development Agreement between the City of Vaughan, First Pro Shopping Centres and Agau Developments Limited. (Council, May 9, 2005, Item 1, Special Committee of the Whole, Report No. 32) |
| By-Law Number 253-2005 | A By-Law to authorize execution of a Settlement and Development Agreement between the City of Vaughan, Metrontario Investments Limited and Blue Water Ranch Developments Inc. (Council, May 9, 2005, Item 1, Special Committee of the Whole, Report No. 32) |
| By-Law Number 254-2005 | A By-law to dedicate certain lands as part of the public highway known as Creditview Road and Westcreek Drive. (Block 39, Plan 65M-3427, PIN 03280-0341 and Block 40, Plan 65M-3427, PIN 03280-0342) (Delegation By-Law 333-98) |
| By-Law Number 255-2005 | A By-law to dedicate certain land as part of the public highway known as Beverly Glen Boulevard. (Plan 65R-28045, PIN 03269-0022) (Delegation By-Law 333-98) |
| By-Law Number 256-2005 | A By-law to dedicate certain lands as part of the public highway known as Village Green Drive. (Block 36, PIN 03284-2092, Block 38, PIN 03284-2094, Block 40, PIN 03284-2096, Block 42, PIN 03284-2098, Block 44, PIN 03284-2100, Block 52, PIN 03284-2108, Plan 65M3566) (Delegation By-Law 333-98) |
| By-Law Number 257-2005 | A By-law to exempt parts of Plans 65M-3828 from the provisions of Part Lot Control. (F.S.R.C. Investments Ltd., PLC.05.016, located on the south side of Teston Road, between Keele Street and Jane Street, being lots 1 and 9 on registered Plan 65M-3828) (Delegation By-Law 333-98) |

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By-Law Number 258-2005 A By-law to repeal By-law 257-2005. (F.S.R.C. Investments Ltd., PLC.05.016, located on the south side of Teston Road, between Keele Street and Jane Street, being lots 1 and 9 on registered Plan 65M-3828) (Delegation By-Law 333-98)

CARRIED

192. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT By-law Number 259-2005, being a by-law to confirm the proceedings of Council at its meeting on September 12, 2005, be read a First, Second and Third time and enacted.

CARRIED

193. ADJOURNMENT

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT the meeting adjourn at 4:01 p.m.

CARRIED

Michael Di Biase, Mayor

J. D. Leach, City Clerk