

**CITY OF VAUGHAN
COUNCIL MINUTES
MARCH 19, 2007**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, MARCH 19, 2007

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:18 p.m.

The following members were present:

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

34. PRESENTATION – MR. ASIF KHAN, RUN FOR VAUGHAN

Mr. Asif Khan presented Council with details of this year's Run for Vaughan event to be held on Sunday, May 12th, 2007, from 10:00 a.m. to 2:00 p.m. in Maple. The fundraising community event is initiated by the Ahmadiyya Muslim Community Canada, located in the City of Vaughan and the proceeds will go to support Vaughan's future healthcare facility. Mr. Khan provided Council with a submission detailing the event and encouraged Members of Council, family, friends and staff to support the event.

**35. PRESENTATION – RETIREMENT OF MR. ROBB BROWN
ENGINEERING SERVICES DEPARTMENT**

Mayor Jackson and members of Council presented Mr. Robb Brown with a certificate and gift in honour of his retirement and in recognition of his 30 years of dedicated service to the City of Vaughan.

36. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That the following addendums be added to the agenda:

- 1) REQUEST FOR PUBLIC INQUIRY – INFORMATION FOR THE PUBLIC LEGAL ADVICE

Confidential report of the Director of Legal Services with respect to the above *provided to Members of Council only.*

- 2) APPOINTMENTS OF DIRECTORS BY SHAREHOLDERS

Verbal report of Mayor Jackson with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

37. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

38. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Ferri
seconded by Councillor Shefman

THAT the minutes of the meeting of February 26, 2007 be adopted as presented.

CARRIED

39. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 12

Items 2, 15, and 20

Budget Committee Report No. 3

Item 1

Addendum Items

1 and 2

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Items 1 and 2 of the Committee of the Whole (Working Session) Report No. 11 BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 23 of the Committee of the Whole Report No. 12, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 13 BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 9 of the Budget Committee Report No. 3, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

40. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 12

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

ITEM - 2 NAPA VALLEY AVENUE AND SGOTTO BOULEVARD
PROPOSED SCHOOL CROSSING GUARD

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Item 2, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving that the phrase “in May 2007” be inserted following the word “meeting” in Clause 1 of the Committee of the Whole recommendation.

CARRIED

ITEM - 15 OFFICIAL PLAN AMENDMENT FILE OP.03.023(N)
ZONING BY-LAW AMENDMENT FILE Z.03.071(N)
DRAFT PLAN OF SUBDIVISION FILE 19T-05V05(N)
YORK MAJOR HOLDINGS INC. & YORK CIRCLE HOLDINGS INC.
REPORT #P.2003.75

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Rosati

THAT Item 15, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the recommendation of the Commissioner of Planning, dated March 5, 2007, subject to replacing Clauses #1a) and #2a) with the following in accordance with the memorandum from the Commissioner of Planning, dated March 14, 2007:

A) THAT Recommendations #1a) and #2a) of Item #15, Report #P.2003.75 (York Major Holdings Inc. & York Circle Holdings Inc.) be replaced with the following:

“1. THAT Official Plan Amendment File OP.03.023(N) (York Major Holdings Inc. and York Circle Holdings Inc.) BE APPROVED, to amend OPA #332, as amended, on the subject lands shown on Attachment #2 of this memorandum, as follows:

a) Part of Blocks 4 and 8, Blocks 9 to 12 inclusive, and Blocks 16 to 19 inclusive be redesignated from “Oak Ridges Moraine Settlement Area - Open Space Special Policy Area 3” to “Oak Ridges Moraine Settlement Area - Industrial (Part N)” as shown on Attachment #2, to permit industrial uses and subject to the following provisions:

- i) open storage up to a maximum of 30% of the lot area shall be permitted on Part of Blocks 4 and 8, and Blocks 9 and 16;
 - ii) a contractors' yard and open storage up to a maximum of 85% of the lot area without the requirement for a building shall be permitted on Blocks 10 to 12 inclusive, and Blocks 17 to 19 inclusive, and that these lands be zoned with the Holding Symbol (H), which when removed, the uses shall be subject to the maximum open storage percentages and locations identified in conditions 1a)i) and 1a)iii) of this recommendation; and,
 - iii) open storage shall be permitted on a corner lot.
- 2. THAT Zoning By-law Amendment File Z.03.071(N) (York Major Holdings Inc. and York Circle Holdings Inc.) BE APPROVED, to amend the existing zoning on the subject lands shown on Attachment #3 of this memorandum in accordance with Maple Valley By-law 427-2000, as follows:
 - a) Part of Blocks 4 and 8, Blocks 9 to 12 inclusive, and Blocks 16 to 19 inclusive, shall be rezoned from OS2(H) Open Space Park Zone with the Holding Symbol (H) to M2(H) General Industrial Zone with the Holding Symbol (H), and permit the following:
 - i) open storage, as an accessory use, up to a maximum of 30% of the lot area for Part of Blocks 4 and 8, Blocks 9 and 16;
 - ii) a contractors' yard and open storage up to a maximum of 85% of the lot area and up to a maximum height of 5 m, with a 9 m landscaping strip to be provided adjacent to the internal public street, and without the requirement for a building for Blocks 10 to 12 inclusive, and Blocks 17 to 19 inclusive, with the Holding Symbol (H), which when removed, the permitted uses shall revert to the M2 General Industrial Zone and be subject to the maximum open storage percentages and locations identified in conditions 2a)i) and 2a)iii) of this recommendation; and,
 - iii) open storage shall be permitted on a corner lot."
- B) THAT the Recommendation #3 of Item #15 of Report #P.2003.75 (York Major Holdings Inc. & York Circle Holdings Inc.) be replaced as follows:
 - "3. THAT Draft Plan of Subdivision File 19T-05V05(N) (York Major Holdings Inc. and York Circle Holdings Inc.), dated December 11, 2006, as redlined on February 19, 2007, and shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1 to this report, and the Region of York's Condition #61 being replaced as follows:
 - "61. Prior to final approval, the Owner shall prepare, in consultation with the City and the Regional Transportation and Works Department, an updated Traffic Impact Study (further to that prepared by Stantec Consulting Ltd., dated November 14, 2006), that demonstrates that potential mitigation measures have been assessed comprehensively and implemented to the extent possible."

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C) THAT the following Recommendation #5, be added to the Recommendation Section of Item #15 of Report #P.2003.75 after Recommendation #4 as follows:

“5. THAT Site Plan Control By-law 228-2005 be amended, to require Site Plan Control for a contractors’ yard and open storage uses, without the requirement for a building, as applicable to the York Major/York Circle lands for Official Plan Amendment File OP.03.023(N) and Zoning By-law Amendment File Z.03.071(N) (York Major Holdings Inc. and York Circle Holdings Inc.), as follows:

1. Adding Note “7” after Note “6” in the “Employment Area” category as follows:

TYPE OF DEVELOPMENT (See Subsection 2. b.)	COMPLEX PROCEDURE (Development Planning Department Application)
EMPLOYMENT AREA^{2,6,7} - Development abutting arterial roads within Employment Area - Retail/Service Commercial/Retail Warehouse Development within Employment Area - Industrial Development Outside of Employment Area	 <p style="text-align: center;"><u>X</u></p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p>

2. Adding the following paragraph after Note “6”:

“7. For the purposes of this By-law, “development”, in the case of Blocks 10 to 12 inclusive, and Blocks 17 to 19 inclusive, within Plan of Subdivision 19T-05V05(N), shall include a contractors’ yard and/or open storage up to a maximum of 85% of the lot area, and up to a maximum of 5m in height other than machinery and equipment, without the requirement for a building. Site Plan Control shall be required for development on a lot or block for a contractors’ yard and/or open storage, without the requirement for a building, for Blocks 10 to 12 inclusive, and Blocks 17 to 19 inclusive, on Plan of Subdivision 19T-05V05(N) and shall comprise as follows:

- i) the landscaping, screening, and fencing of the uses in accordance with the City approved McNaughton Community Commercial/Industrial Landscape Master Plan, and McNaughton Community Plan - North Portion Urban Design Guidelines (Addendum); and,
- ii) the access routes and driveways (public and private) shall be to the satisfaction of the Vaughan Fire, Engineering and Development Planning Departments, and appropriate authorities, in accordance with the minimum requirements of the Zoning By-law.”

CARRIED

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ITEM - 20 NEW BUSINESS – NON-PARTICIPATION OF
CITY OF VAUGHAN IN TORONTO SUMMIT 2007

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 20, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving that staff provide a copy of the policy with respect to the protocol in responding to invitations to the City of Vaughan.

CARRIED

Refer to Minute No. 41 for reconsideration of this matter.

BUDGET COMMITTEE REPORT NO. 3

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

ITEM - 1 2007 DRAFT CAPITAL BUDGET

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 1, Budget Committee Report No. 3 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated March 7, 2007.

CARRIED

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

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

- i) the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

CARRIED

Council recessed at 1:50 p.m.

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Council reconvene at 2:59 p.m.

CARRIED

Council reconvened at 2:59 p.m. with all members present.

41. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 12

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

ITEM - 20 NEW BUSINESS – NON-PARTICIPATION OF
CITY OF VAUGHAN IN TORONTO SUMMIT 2007

MOVED by Councillor Meffe
seconded by Councillor Carella

That this matter be reconsidered

CARRIED UPON A 2/3 VOTE

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 20, Committee of the Whole Report No. 12 be adopted and amended, as follows:

That the report to be provided by the City Manager, in memorandum form, include a recommended procedure by which staff of the City (particularly the offices of the Mayor and that of the City Manager) will identify and respond to significant invitations, to ensure that a representative of the City is in fact present at events at which representation will reflect well on the City of Vaughan, and alternatively, the absence of such representative, will have the opposite effect.

CARRIED

Refer to Minute No. 40 for further disposition regarding this matter.

Addendum Items

**42. APPOINTMENTS OF DIRECTORS BY SHAREHOLDERS
(Addendum No. 2)**

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

That Item 2, Committee of the Whole (Closed Session) Report No. 9, APPOINTMENTS OF DIRECTORS BY SHAREHOLDERS, adopted at the Council meeting of February 26, 2007, be reconsidered.

CARRIED UPON A 2/3 VOTE

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

That, it is understood that the annual retainer for Regional Councillor Rosati will be paid in full.

CARRIED

Refer to Item 2, Committee of the Whole (Closed Session) Report No. 9, Council meeting of February 26, 2007, for further disposition regarding this matter.

43. REQUEST FOR PUBLIC INQUIRY – INFORMATION FOR THE PUBLIC

LEGAL ADVICE

(Addendum No. 1)

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

- 1) That staff provide an information report to the Committee of the Whole meeting of March 26, 2007, based upon the legal advice provided by the City's external solicitor, and that the staff report be made available to the public in advance; and
- 2) That the confidential report of the Director of Legal Services, dated March 19, 2007, be received.

CARRIED

44. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Councillor Meffe

That the memoranda from the Commissioner of Planning, dated March 7, 2007, regarding By-Law 95-2007, and March 13, 2007, regarding By-Law 96-2007, be received.

CARRIED

MOVED by Councillor Carella
seconded by Councillor Shefman

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

- | | |
|-----------------------|---|
| By-Law Number 75-2007 | A By-law to authorize the Mayor and Clerk to execute an Agreement between The Corporation of the City of Vaughan, Greater Toronto Transit Authority ("Go Transit") and The Regional Municipality of York, for the design, construction and maintenance of a pedestrian walkway stair access from Major Mackenzie Drive to Station Street. (Item 14, Committee of the Whole, Report No. 12) |
| By-Law Number 76-2007 | A By-law to authorize the Mayor and Clerk to execute a Property Assessment Information Licence Agreement and Product Use Sheets between The Corporation of the City of Vaughan and the Municipal Property Assessment Corporation (MPAC). (Item 6, Committee of the Whole, Report No. 12) |
| By-Law Number 77-2007 | A By-Law to authorize the compensation for Lot 106 on Plan M-2014 on Sydel Crescent. (Pine-York Developments Limited) (Council, February 26, 2007, Item 4, Committee of the Whole (Closed Session), Report No. 9) |
| By-Law Number 78-2007 | A By-law to adopt Amendment Number 657 to the Official Plan of the Vaughan Planning Area. (OP.02.007 (Z.02.028), Andrew and Wayne Scott, located on northwest corner of Regional Road No.7 and Lansdowne Avenue, being Part of Lot 6, Concession 7, Registered Plan 1764, municipally known as 4 and 8 Lansdowne Avenue) (Council, June 14, 2004, Item 21, Committee of the Whole, Report No. 51) |
| By-Law Number 79-2007 | A By-law to exempt parts of Plans 65M-3950 and 65M-3952 from |

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- the provisions of Part Lot Control. (PLC.07.007, St Magnus Developments Inc., located north of Rutherford Road and west of Weston Road, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 80-2007 A By-law to repeal By-law 79-2007. (PLC.07.007, St Magnus Developments Inc., located north of Rutherford Road and west of Weston Road, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 81-2007 A By-law to exempt parts of Plan 65M-3922 from the provisions of Part Lot Control. (PLC.07.008, Woodbridge Vellore Homes Inc. (Phase 7), located north of Rutherford Road and east of Pine Valley Drive, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 82-2007 A By-law to repeal By-law 81-2007. (PLC.07.008, Woodbridge Vellore Homes Inc. (Phase 7), located north of Rutherford Road and east of Pine Valley Drive, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 83-2007 A By-law to exempt parts of Plan 65M-3922 from the provisions of Part Lot Control. (PLC.07.009, Aspen Ridge (New Marita) Ltd., located north of Rutherford Road and east of Pine Valley Drive, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 84-2007 A By-law to repeal By-law 83-2007. (PLC.07.009, Aspen Ridge (New Marita) Ltd., located north of Rutherford Road and east of Pine Valley Drive, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 85-2007 A By-law to exempt parts of Plan 65M-3914 from the provisions of Part Lot Control. (PLC.07.011 (19T-00V10), Gardenia Orchard Estates, located south of Teston Road and east of Weston Road, in Part of Lot 24, Concession 5) (Delegation By-law 333-98)
- By-Law Number 86-2007 A By-law to repeal By-law 85-2007. (PLC.07.011 (19T-00V10), Gardenia Orchard Estates, located south of Teston Road and east of Weston Road, in Part of Lot 24, Concession 5) (Delegation By-law 333-98)
- By-Law Number 87-2007 A By-law to exempt parts of Plan 65M-3927 from the provisions of Part Lot Control. (PLC.07.014, Stelltacc Properties Inc., located on the north side of Langstaff Road, east of Regional Road No. 27, in Part of Lot 11, Concession 8) (Delegation By-law 333-98)
- By-Law Number 88-2007 A By-law to repeal By-law 87-2007. (PLC.07.014, Stelltacc Properties Inc., located on the north side of Langstaff Road, east of Regional Road No. 27, in Part of Lot 11, Concession 8) (Delegation By-law 333-98)
- By-Law Number 89-2007 A By-law to exempt parts of Plan 65M-3932 from the provisions of Part Lot Control. (PLC.07.005, Laredo Construction, located South of Major Mackenzie and West of Dufferin Street being Lot 1, Lots 90 to 109 inclusive, Lots 148 to 161 inclusive, Lots 168 to 175 inclusive, Blocks 194 to 199 inclusive and Blocks 205 to 208 inclusive on Registered Plan 65M-3932, in Lot 20, Concession 3) (Delegation By-law 333-98)

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- By-Law Number 90-2007 A By-law to repeal By-law 89-2007. (PLC.07.005, Laredo Construction, located South of Major Mackenzie and West of Dufferin Street being Lot 1, Lots 90 to 109 inclusive, Lots 148 to 161 inclusive, Lots 168 to 175 inclusive, Blocks 194 to 199 inclusive and Blocks 205 to 208 inclusive on Registered Plan 65M-3932, in Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 91-2007 A By-law to exempt parts of Plan 65M-3918 from the provisions of Part Lot Control. (PLC.07.010, Spallacci Construction Limited, located north of Rutherford Road and west of Bathurst Street, being Blocks 1 to 8 inclusive on Registered Plan 65M-3918, part of lots 16 & 17, Concession 2) (Delegation By-law 333-98)
- By-Law Number 92-2007 A By-law to repeal By-law 91-2007. (PLC.07.010, Spallacci Construction Limited, located north of Rutherford Road and west of Bathurst Street, being Blocks 1 to 8 inclusive on Registered Plan 65M-3918, part of lots 16 & 17, Concession 2) (Delegation By-law 333-98)
- By-Law Number 93-2007 A By-law to exempt parts of Plan 65M-3937 from the provisions of Part Lot Control. (PLC.07.012, Fernbrook Homes (Block 18 Gulf) Limited, located south of Major Mackenzie and west of Dufferin being Block 131 on Registered Plan 65M-3937, in Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 94-2007 A By-law to repeal By-law 93-2007. (PLC.07.012, Fernbrook Homes (Block 18 Gulf) Limited, located south of Major Mackenzie and west of Dufferin being Block 131 on Registered Plan 65M-3937, in Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 95-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.06.055 (OP.05.017 and Z.05.032), Isabella Filippelli, located on the west side of Pine Valley Drive, north of Intersite Place, more particularly north of Langstaff Road, municipally known as 8550 Pine Valley Drive, in Lot 11, Concession 7) (Lifting of (H) Zone) (Council, February 27, 2006, Item 8, Committee of the Whole, Report No. 9)
- By-Law Number 96-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.06.069, Andridge Three & Andridge Gaetano Franco Castlepoint Investment, located west of Bathurst Street and south of Teston Road, more specifically on the future Sir Francesco Street and Di Marino Drive, being Parts 63 and 68 on Plan 65R-28326, Part 15 on Plan 65R-28328, and Blocks 68,69,70,75,76 and 77 on Plan 65M-3916, within Part of Lot 24, Concession 2) (Lifting of (H) Zone) (Council, May 25, 2004, Item 23, Committee of the Whole, Report No. 46)

CARRIED

45. **CONFIRMING BY-LAW**

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT By-law Number 97-2007, being a by-law to confirm the proceedings of Council at its meeting on March 19, 2007, be read a First, Second and Third time and enacted.

CARRIED

46. ADJOURNMENT

MOVED by Councillor Di Vona
seconded by Councillor Yeung Racco

THAT the meeting adjourn at 3:05 p.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk