



**CITY OF VAUGHAN
COUNCIL MINUTES
MAY 22, 2007**

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, MAY 22, 2007

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:05 p.m.

The following members were present:

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

83. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT the agenda be confirmed.

AMENDMENT

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

That the following addendums be added to the agenda:

- 1) **BY-LAW NUMBER 159-2007**
(Council, September 25, 2006, Item 71, Committee of the Whole Report No. 43)

A By-law to amend City of Vaughan By-law 1-88. (Z.97.062, Artibus Development Corp., located south of Major Mackenzie Drive, on the east side of Piney Valley Drive within Planning Block 39, being Blocks 143, 144 and 145 of Registered Plan 65M-3646 in Part of Lot 20, Concession 6)

- 2) **BY-LAW NUMBER 160-2007**
(Council, September 25, 2006, Item 69, Committee of the Whole Report No. 43)

A By-law to amend City of Vaughan By-law 1-88. (Z.04.002, 1307180 Ontario Inc., located on the east side of Pine Valley Drive, south of Major Mackenzie Drive, within Planning Block 39 in Part of Lot 19, Concession 6)

- 3) **BY-LAW NUMBER 161-2007**
(Council, September 25, 2006, Item 64, Committee of the Whole Report No. 43)

A By-law to amend City of Vaughan By-law 1-88. (Z.97.075 (19T-97V23), 830595 Ontario Limited, located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, within Planning Block 39, in Part of Lot 20, Concession 6)

- 4) BY-LAW NUMBER 162-2007
(Council, September 25, 2006, Item 70, Committee of the Whole Report No. 43)

A By-law to amend City of Vaughan By-law 1-88. (Z.03.090, 2032331 Ontario Inc., located on the south side of Major Mackenzie Drive, east of Pine Valley Drive within Planning Block 39, in Part of Lot 20, Concession 6)

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

84. DISCLOSURE OF INTEREST

Mayor Jackson declared an interest with respect to Item 32, Committee of the Whole Report No. 26, DEPUTATION – MR. ERIC K. GILLESPIE, LL.B WITH RESPECT TO MATTERS ARISING UNDER THE MUNICIPAL ELECTIONS ACT, as the matter deals with herself.

85. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT the minutes of the meeting May 7, 2007 be adopted as presented.

CARRIED

86. TAX ADJUSTMENTS PURSUANT TO SECTION 356 OF THE MUNICIPAL ACT, 2001

Deputations with respect to this matter were permitted pursuant to Section 356 of the Municipal Act.

No one appeared either in support of or in opposition to this matter.

MOVED by Regional Councillor Rosati
seconded by Councillor Meffe

That the recommendation contained in the following report of the Director of Financial Services, dated May 22, 2007, be approved:

CARRIED

Recommendation

The Director of Financial Services, in consultation with the Manager of Property Tax and Assessment recommends:

That the tax adjustments as outlined on the attached report be approved in accordance with the requirements under the Municipal Act.

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

As required by the Act, notification of this meeting has been sent to all applicants and persons in respect of whom the applications were made, at least 14 days prior to the meeting.

Purpose

To obtain Council approval for the apportionment of property taxes as permitted under the *Municipal Act, 2001*.

Background - Analysis and Options

Section 356 – Division Into Parcels:

In accordance with the Act, one (1) application to sever property that was returned on the roll as one parcel was received. The Municipal Property Assessment Corporation (MPAC) has provided the City with a report outlining the value of each separate piece, and the taxes levied on the single piece are apportioned to the various parts in accordance with the assessment.

Applications under this section of the Act divide land which was assessed as one parcel into two or more parcels. Due to timing of the year end assessment roll as provided by MPAC, the new parcels have not been created and, therefore, cannot be separately taxed. This application process allows the new parcels to be taxed appropriately.

An apportionment does not result in a reduction or increase of taxes; it simply shares the taxes levied, among the parcels. Should any property owner disagree with the recommendation approved by Council, they can appeal the decision to the Assessment Review Board (ARB) for a further hearing.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional Implications in this Report.

Conclusion

Council approval of the recommendations in this report will allow staff to bill the separate property owners their proportionate share, and confirm their right to appeal the decision to the ARB. If no appeals are filed with the ARB, staff will proceed with the property tax apportionments.

Attachments

Attachment 1 - Severance Report

Report prepared by:

Maureen E. Zabiuk, A.I.M.A., AMTC
Manager, Property Tax & Assessment
Ext. 8268

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

87. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 26

Items 4, 27, 29 and 32

Committee of the Whole (Closed Session) Report No. 27

Item 1

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 25, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 34 of the Committee of the Whole Report No. 26, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 5 of the Committee of the Whole (Closed Session) Report No. 27, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

88. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 26

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

ITEM - 4 MAPLE VILLAGE TURNING PROHIBITIONS FOLLOW UP REVIEW

MOVED by Councillor Meffe
seconded by Regional Councillor Frustaglio

That a public meeting be held on Monday, May 28, 2007, at +/- 8:00 p.m.;

That the report of the Commissioner of Engineering and Public Works, dated May 14, 2007, be received; and

That the following written submissions be received:

- a) Mrs. Lina Masci, Maple Village Ratepayer's Association, dated May 15, 2007;
- b) Mr. Michael McVicar, dated May 15, 2007; and

- c) Mr. Vince Garofalo, Maple Village Ratepayer's Association, dated May 17, 2007.

CARRIED

ITEM - 27 YONGE STREET STUDY OPA 669

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 27, Committee of the Whole Report No. 26 be adopted and amended, as follows:

By approving that a report regarding this matter be provided as soon as possible.

CARRIED

ITEM - 29 DEPUTATION – MR. MARIO DEL RIO WITH RESPECT TO THE MAPLE ITALIAN FESTIVAL

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Item 29, Committee of the Whole Report No. 26 be adopted and amended, as follows:

By approving that staff provide facilities and services in accordance with the Vaughan resident fees as referenced in the memorandum from the Commissioner of Community Services, dated May 17, 2007.

NOT VOTED UPON

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

That this matter be dealt with later in the meeting.

CARRIED

At this point in the meeting Mayor Jackson relinquished the Chair to Regional Councillor Frustaglio.

ITEM - 32 DEPUTATION – MR. ERIC K. GILLESPIE, LL.B. WITH RESPECT TO MATTERS ARISING UNDER THE MUNICIPAL ELECTIONS ACT

MOVED by Councillor Di Vona
seconded by Regional Councillor Rosati

That this matter be discussed in Closed Session for the purpose of receiving advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

CARRIED

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

At this point, Mayor Jackson resumed the Chair.

89. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Shefman
seconded by Councillor Carella

That the memorandum from the Director of Legal Services, dated May 17, 2007, regarding By-law 149-2007, be received.

CARRIED

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

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

By-Law Number 146-2007 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Castlepark Boulevard and Colle Melito Way) (Council, April 23, 2007, Item 16, Committee of the Whole, Report No. 18)

By-Law Number 147-2007 A By-law to authorize execution of an Agreement regarding the construction and long-term maintenance of the Portage Parkway - Applewood Crescent Overpass between the City of Vaughan and the 407 ETR Concession Company Limited and with Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation of Ontario. (Council, June 12, 2006, Item 3, Committee of the Whole, Report No. 34)

By-Law Number 148-2007 A By-Law to declare City land surplus and to authorize the sale of City lands, described as Part of Lot 6 Concession 4, designated as Part 3 on Plan 65R-10888 and to authorize the execution of an Agreement of Purchase and Sale with the Regional Municipality of York. (Item 3, Committee of the Whole (Closed Session), Report No. 27)

By-Law Number 149-2007 A By-law to authorize the acquisition of an easement for a Stormwater Management Pond from Ontario Realty Corporation. (Additional Memo dated May 17, 2007)

By-Law Number 150-2007 A By-law to exempt parts of Plan 65M-3941 from the provisions of Part Lot Control. (PLC.07.020, Arstone Developments Limited, located South of Major Mackenzie and West of Dufferin being Blocks 119 to 136 inclusive, on Registered Plan 65M-3941, in Lot 18, Concession 3) (Delegation By-law 333-98)

By-Law Number 151-2007 A By-law to repeal By-law 150-2007. (PLC.07.020, Arstone Developments Limited, located South of Major Mackenzie and West of Dufferin being Blocks 119 to 136 inclusive, on Registered Plan 65M-3941, in Lot 18, Concession 3) (Delegation By-law 333-98)

By-Law Number 152-2007 A By-law to exempt parts of Plan 65M-3906 from the provisions of Part Lot Control. (PLC.07.019, Dufferin Contwo Investments Limited, located east of Dufferin Street, south of Apple Blossom Drive, north of Autumn Hill Boulevard and west of Redmond Drive being Lots 10 to 17 inclusive; 32 to 36 inclusive; and 43 to 87 inclusive on Registered Plan 65M-3906, in Lot 14, Concession 2) (H & R Developments) (Delegation By-law 333-98)

By-Law Number 153-2007 A By-law to repeal By-law 152-2007. (PLC.07.019, Dufferin Contwo

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- Investments Limited, located east of Dufferin Street, south of Apple Blossom Drive, north of Autumn Hill Boulevard and west of Redmond Drive being Lots 10 to 17 inclusive; 32 to 36 inclusive; and 43 to 87 inclusive on Registered Plan 65M-3906, in Lot 14, Concession 2) (H & R Developments) (Delegation By-law 333-98)
- By-Law Number 154-2007 A By-law to exempt parts of Plan 65M-3922 from the provisions of Part Lot Control. (PLC.07.021, Jenrette Construction Ltd., located west of Weston Road, south of Major Mackenzie Drive and north of Rutherford Road) (Delegation By-law 333-98)
- By-Law Number 155-2007 A By-law to repeal By-law 154-2007. (PLC.07.021, Jenrette Construction Ltd., located west of Weston Road, south of Major Mackenzie Drive and north of Rutherford Road) (Delegation By-law 333-98)
- By-Law Number 156-2007 A By-law to dedicate certain lands as part of the public highway. (Drummond Drive - Mackenzie Glen Developments Ltd., Phase 5) (Delegation By-law 333-98)
- By-Law Number 157-2007 A By-law to dedicate certain land as part of the public highway being Helen Street. (Part of Block 4 (0.3m reserve) on Plan 65M-3920, designated as Part 189 on Reference Plan 65R-29604. (Delegation By-law 333-98)
- By-Law Number 158-2007 A By-law to dedicate certain lands as part of the public highway. (Peter Rupert Avenue – Honeyvale Glade Estates) (Delegation By-law 333-98)
- By-Law Number 159-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.97.062, Artibus Development Corp., located south of Major Mackenzie Drive, on the east side of Piney Valley Drive within Planning Block 39, being Blocks 143, 144 and 145 of Registered Plan 65M-3646 in Part of Lot 20, Concession 6) (Council, September 25, 2006, Item 71, Committee of the Whole Report No. 43)
- By-Law Number 160-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.04.002, 1307180 Ontario Inc., located on the east side of Pine Valley Drive, south of Major Mackenzie Drive, within Planning Block 39 in Part of Lot 19, Concession 6) (Council, September 25, 2006, Item 69, Committee of the Whole Report No. 43)
- By-Law Number 161-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.97.075 (19T-97V23), 830595 Ontario Limited, located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, within Planning Block 39, in Part of Lot 20, Concession 6) (Council, September 25, 2006, Item 64, Committee of the Whole Report No. 43)
- By-Law Number 162-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.03.090, 2032331 Ontario Inc., located on the south side of Major Mackenzie Drive, east of Pine Valley Drive within Planning Block 39, in Part of Lot 20, Concession 6) (Council, September 25, 2006, Item 70, Committee of the Whole Report No. 43)

CARRIED

MOVED by Councillor Shefman

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seconded by Councillor Yeung Racco

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

- i) the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose; and
- ii) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

Council recessed at 1:55 p.m.

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT Council reconvene at 2:50 p.m.

CARRIED

Council reconvened at 2:50 p.m. with the following members present:

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

90. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 26

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

At this point in the meeting Mayor Jackson relinquished the Chair to Regional Councillor Frustaglio.

ITEM - 32 DEPUTATION – MR. ERIC K. GILLESPIE, LL.B. WITH RESPECT TO MATTERS ARISING UNDER THE MUNICIPAL ELECTIONS ACT

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 32, Committee of the Whole Report No. 26 be adopted and amended, as follows:

By approving the following:

That Council resolves that the period of time within which Council should consider the application and decide whether it should be granted or rejected, be extended to a date after the last supplementary filing date, in accordance with the candidate's extension for filing and in accordance with the Act;

By receiving the confidential memorandum from the Director of Legal Services, dated May,

17, 2007;

By receiving the memorandum from the Director of Legal Services, dated May 17, 2007;

By receiving the Supplementary Affidavit of Quintino Mastroguisepe, dated May 18, 2007;
and

By receiving the Supplementary Affidavit of Gino Ruffolo, dated May 18, 2007.

CARRIED

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

At this point, Mayor Jackson resumed the Chair.

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 27

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

ITEM - 1 ORGANIZATIONAL CHANGE

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Item 1 Committee of the Whole (Closed Session) Report No. 27 be adopted and amended, as follows:

By approving that the remuneration, based on the salary administration schedule, be at Grade 15, as recommended in 2002 by Grant Thornton in their report.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Carella
Councillor Di Vona
Regional Councillor Frustaglio
Mayor Jackson
Councillor Meffe
Councillor Yeung Racco
Regional Councillor Rosati
Councillor Shefman

COMMITTEE OF THE WHOLE REPORT NO. 26

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

ITEM - 29 DEPUTATION – MR. MARIO DEL RIO WITH RESPECT TO THE
MAPLE ITALIAN FESTIVAL

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT Item 29, Committee of the Whole Report No. 26 be adopted and amended, as follows:

By approving that services-in-kind be provided to Mr. Mario Del Rio for the Maple Italian Festival, at no cost to a maximum of \$776;

By directing that staff review the policy with respect to this issue and provide a report; and

By receiving the memorandum from the Commissioner of Community Services, dated May 17, 2007.

AMENDMENT

MOVED by Councillor Meffe
seconded by Councillor Carella

By approving that services-in-kind be provided at no cost to a maximum of \$776 per day to a maximum of two days.

FAILED TO CARRY UPON A RECORDED VOTE

YEAS

Councillor Carella
Councillor Di Vona
Councillor Meffe
Regional Councillor Rosati

NAYS

Regional Councillor Frustaglio
Mayor Jackson
Councillor Yeung Racco
Councillor Shefman

Upon the question of the main motion, as amended:

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

Councillor Carella
Councillor Di Vona
Regional Councillor Frustaglio
Mayor Jackson
Councillor Meffe
Councillor Yeung Racco
Regional Councillor Rosati
Councillor Shefman

NAYS

91. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Councillor Meffe

THAT By-law Number 163-2007, being a by-law to confirm the proceedings of Council at its meeting on May 22, 2007, be read a First, Second and Third time and enacted.

CARRIED

92. ADJOURNMENT

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

THAT the meeting adjourn at 3:10 p.m.

CARRIED

Linda D. Jackson, Mayor

J. D. Leach, City Clerk