

**CITY OF VAUGHAN
SPECIAL COUNCIL MINUTES
JULY 19, 2007**

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CITY OF VAUGHAN
SPECIAL COUNCIL MEETING

THURSDAY, JULY 19, 2007

MINUTES

9:30 A.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 9:49 a.m. Notice for the meeting had been provided.

The following members were present:

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

167. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT the agenda be confirmed.

CARRIED

168. DISCLOSURE OF INTEREST

Councillor Carella declared an interest with respect to Item 2, of the Special Council meeting, CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) LOCAL 905, VAUGHAN PART-TIME EMPLOYEES - SETTLEMENT, as a member of his family is a part-time employee.

**169. AMENDMENT TO INTERIM CONTROL BY-LAW 193-2007
GROUP HOMES LAND USE STUDY**

MOVED by Councillor Meffe
seconded by Councillor Di Vona

That this matter be reconsidered.

CARRIED UPON A 2/3 VOTE

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Commissioner of Planning and the Commissioner of Legal and Administrative Services and City Solicitor, dated July 19, 2007, be approved;

That application fees for an exemption under this recommendation, be waived; and

That the following written submissions be received:

- a) Mr. Russell Jacobson, 11 Church Street, Suite 200, Toronto, M5E 1W1, dated July 18, 2007; and
- b) Mr. John Mascarin, Aird & Berlis, Barristers and Solicitors, BCE Place, 181 Bay Street, Suite 1800, Box 754, Toronto, M5J 2T9, dated July 18, 2007.

CARRIED

Recommendation

The Commissioner of Planning and the Commissioner of Legal & Administrative Services and City Solicitor recommend:

1. THAT the proposed By-law (Attachment #1) to amend Interim Control By-law 193-2007 be enacted.

Economic Impact

There is no significant economic impact associated with this report.

Communications Plan

A notice will be placed in the local newspaper to inform the public of the enactment of the amending Interim Control By-law, as required under Section 38 of the Planning Act, as amended.

Purpose

The purpose of this report is to recommend an amendment to the Interim Control By-law (193-2007), which applies to properties within the R1V Old Village Residential Zone, that provides for the following:

1. permit a single family detached dwelling and/or additions thereto which result in a building having a total gross floor area not to exceed 500 sq.m. (5,382 sq.ft) subject to all other provisions of By-law 1-88;
2. permit accessory buildings and/or structures subject to all other provisions of By-law 1-88; and
3. permit a single family detached dwelling on Lot 27, Registered Plan 3270 having a maximum gross floor area of 821 sq.m and accessory buildings and/or structures subject to all other provisions of By-law 1-88.

Background - Analysis and Options

On June 11, 2007, Council approved the following recommendations contained in a report on Group Homes (Minute No. 110):

- “1. THAT Staff initiate a limited land use study respecting properties zoned R1V-Old Village Residential, and the City’s policies governing Group Homes, and report back to a future Committee of the Whole meeting, outlining the results of the study, including recommendations pursuant to the Planning Act, to ensure the character of affected residential neighbourhoods is maintained; and

2. THAT an Interim Control By-law applicable to properties zoned R1V-Old Village Residential be forwarded to Council for enactment, to provide six months in which to complete the land use study.”

The Interim Control By-law (193-2007) was enacted on June 11, 2007. The by-law has the affect of restricting the use of properties in R1V Zones for no other purpose than for those uses existing as of the date of enactment for a period of one year, to permit completion of the Land Use Study. Therefore, no building permits can be issued while the Interim Control By-law is in effect. This restriction also applies to building permit applications that were submitted prior to the enactment of the by-law.

A number of building permit applications that were submitted prior to and after the by-law’s enactment remain outstanding and include projects such as additions, alterations, accessory structures (gazebos and decks) and new dwellings. Property owners have expressed concern that the by-law is too restrictive and that they should be allowed to proceed with their proposals. In some instances, grading permits have been processed. Further, the owner of Lot 27, Registered Plan 3270, has requested an exemption from the Interim Control By-law and has made application for a building permit to allow the construction of a new single family detached dwelling (Permit # 07 4238) with a gross floor area over the proposed exemption amount (821 sq.m). For this property, a permit for the demolition of a dwelling was issued on June 6, 2007, followed by grading permit that was submitted on June 28, 2007.

In light of these concerns, it is recommended that the Interim Control By-law be amended by including provisions that allow for a reasonable amount of construction to proceed without jeopardizing the objectives of the land use study. The provisions would permit a new single family residential dwelling and/or additions thereto resulting in a building having a total maximum gross floor area of 500 sq.m (5,382 sq.ft) and accessory buildings and structures. Single family detached dwellings and accessory buildings and structures will continue to be subject to the provisions and zone requirements contained in By-law 1-88.

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 amending the Interim Control By-law.

Conclusion

Interim Control By-law 193-2007 was enacted on June 11, 2007 to provide time for staff to complete a limited land use study respecting properties zoned R1V- Old Village Residential Zone and the City’s policies governing Group Homes to ensure the character of affected residential neighbourhoods is maintained. Under the current Interim Control By-law, no building permits can be issued. As a result, a number of residents have expressed concern that the Interim Control By-law is too restrictive and does not allow for construction projects within the municipal application process to proceed.

It is recommended that the that the Interim Control By-law be amended by including provisions identified in this report that allow for a reasonable amount of construction to proceed without jeopardizing the objectives of the land use study. Further the amended by-law will allow for the exemption requested by the owner of Lot 27, Registered Plan 3270.

Should Council concur, it is recommended that the proposed By-law (Attachment #1) to amend Interim Control By-law 193-2007 be enacted.

Attachments

1. Amended Interim Control By-law

Report prepared by:

Duncan MacAskill, Senior Planner, Policy Planning Department, ext. 8017
Wayne McEachern, Manager, Policy Planning Department, ext. 8026
Diana Birchall, Director of Policy Planning, ext. 8411

/CM

(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.)

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Ferri

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

- i) labour relations or employee negotiations.

CARRIED

Council recessed at 10:05 a.m.

MOVED by Councillor Shefman
seconded by Regional Councillor Ferri

THAT Council reconvene at 10:12 a.m.

CARRIED

Council reconvened at 10:12 a.m. with the following members present:

Mayor Linda D. Jackson, Chair
Regional Councillor Mario F. Ferri
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Sandra Yeung Racco
Councillor Alan Shefman

**170. CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) LOCAL 905
VAUGHAN PART-TIME EMPLOYEES – SETTLEMENT**

MOVED by Regional Councillor Ferri
seconded by Councillor Meffe

That the Settlement achieved with the CUPE Local 905 Bargaining Committee be ratified; and

That the confidential report of the City Manager and the Commissioner of Legal and Administrative Services and City Solicitor, dated July 19, 2007, be received.

CARRIED

171. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Meffe
seconded by Councillor Di Vona

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

By-Law Number 264-2007 A By-law to amend By-law 193-2007. (Special Council, July 19, 2007, Item 1, Minute No. 169)

CARRIED

172. CONFIRMING BY-LAW

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT By-law Number 265-2007, being a by-law to confirm the proceedings of Council at its meeting on July 19, 2007, be read a First, Second and Third time and enacted.

CARRIED

173. ADJOURNMENT

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

THAT the meeting adjourn at 10:13 a.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk