

**CITY OF VAUGHAN
 COUNCIL MINUTES
 APRIL 14, 2008**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, APRIL 14, 2008

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:03 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 Alan Shefman

74. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

That the following addendums be added to the agenda:

1. **2008 MUNICIPAL ROAD AND BRIDGE INFRASTRUCTURE GRANT**

Report of the City Manager and the Deputy City Manager/Commissioner of Finance & Corporate Services with respect to the above.

2. **PROCLAMATION REQUEST –
CHILDREN'S MENTAL HEALTH WEEK**

Report of the Deputy City Clerk with respect to the above.

3. **PROCLAMATION REQUEST –
GIRLS RIGHTS WEEK**

Report of the Deputy City Clerk with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

75. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to Item 12, Committee of the Whole Report No. 20, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, MICHAEL DI BIASE, as he has been the subject of an audit which has similar implications.

Mayor Jackson declared an interest with respect to the following matters:

- i) Item 12, Committee of the Whole, Report No. 20, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, MICHAEL DI BIASE, as she has been the subject of an audit which has similar implications;
- ii) Item 5, Committee of the Whole (Closed Session), Report 21, PERSONAL MATTER, as the matter relates to her; and
- iii) Item 2, Audit and Operational Review Committee, Report No. 1, PERSONAL MATTER, as the matter relates to her.

76. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Shefman
seconded by Councillor Carella

THAT the minutes of the meeting of March 31, 2008 be adopted as presented.

CARRIED

77. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Working Session) Report No. 19

Items 3 and 5

Committee of the Whole Report No. 20

Items 12, 14, 15, 19, and 20

Committee of the Whole (Closed Session) Report No. 21

Items 1 and 5

Audit and Operational Review Committee, Report No. 1

Items 1 and 2

Addendum Items

1, 2, and 3

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

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THAT Items 1 to 5 of the Environment Committee Report No. 3, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Committee of the Whole (Working Session) Report No. 19, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 22 of the Committee of the Whole Report No. 20, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Committee of the Whole (Closed Session) Report No. 21, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 22, BE APPROVED and the recommendations therein be adopted.

CARRIED

78. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 20

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

ITEM - 14 OFFICIAL PLAN AMENDMENT FILE OP.05.026
LAKE RIVERS INC.

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 14, Committee of the Whole Report No. 20 be adopted and amended, as follows:

By receiving the written submission from Mr. Jory Kesten, Kerrowood Developments Ltd., 10744 Highway 27, Kleinburg, L0J 1C0, dated April 10, 2008.

CARRIED

ITEM - 15 OFFICIAL PLAN AMENDMENT FILE OP.06.027
MOLISE KLEINBURG ESTATES INC.

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 15, Committee of the Whole Report No. 20 be adopted and amended, as follows:

By receiving the following written submissions:

- a) Mr. Jory Kesten, Kerrowood Developments Ltd., 10744 Highway 27, Kleinburg, L0J 1C0, dated April 10, 2008; and
- b) Mr. Roger Dickinson, 133 Donhill Cr., PO Box 354, Kleinburg, L0J 1C0, dated April 7, 2008.

CARRIED

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 19

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

ITEM - 3 CITY OF VAUGHAN - PESTICIDE BY-LAW
(Referred from the Committee of the Whole meeting of March 3, 2008)

MOVED by Councillor Shefman
seconded by Regional Councillor Ferri

THAT Item 3, Committee of the Whole (Working Session) Report No. 19 be adopted and amended, as follows:

By receiving the memorandum from the Director, Enforcement Services, dated April 9, 2008;
and

By receiving the written submission from Mr. Ken Lund, Plant Health Care Committee Chairman, Ontario Commercial Arborists Association, 6282 Bloomington Rd., Stouffville, L4A 7X3, dated April 11, 2008.

CARRIED

ITEM - 5 LICENSING REVIEW

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 5, Committee of the Whole (Working Session) Report No. 19 be adopted without amendment.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 20

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

ITEM - 19 PROCLAMATION REQUEST –
NATIONAL DAY OF MOURNING

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

THAT Item 19, Committee of the Whole Report No. 20 be adopted and amended, as follows:

By receiving the written submission from Ms. Maureen King, Labour Council, Toronto & York Region, 15 Gervais Drive, Suite 407, Toronto, M3C 1Y8, dated April 9, 2008.

CARRIED

ITEM - 20 RENEWAL OF THE VAUGHAN CIVIC CENTRE REVIEW WORKING
GROUP

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

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

By approving Clause 2 of the recommendation of the City Manager, dated April 7, 2008, as follows:

The Working Group be composed of:

- Mayor Linda D. Jackson;
- Regional Councillor Joyce Frustaglio;
- Regional Councillor Mario Ferri;
- Regional Councillor Gino Rosati; and
- Ward 1 Councillor Peter Meffe.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 21

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

ITEM - 1 APPOINTMENT OF INTEGRITY COMMISSIONER

MOVED by Councillor Shefman
seconded by Regional Councillor Frustaglio

THAT Item 1, Committee of the Whole (Closed Session) Report No. 21 be adopted and amended, as follows:

By approving that William (Bill) Weissglas be appointed as Vaughan's Integrity Commissioner.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Carella
Councillor Di Vona
Regional Councillor Ferri
Regional Councillor Frustaglio
Mayor Jackson
Regional Councillor Rosati
Councillor Shefman

Addendums

**79. 2008 MUNICIPAL ROAD AND BRIDGE INFRASTRUCTURE GRANT
(Addendum No. 1)**

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

That the recommendation contained in the following report of the City Manager and the Deputy City Manager/Commissioner of Finance & Corporate Services, be approved:

CARRIED

Recommendation

The City Manager and the Deputy City Manager/Commissioner of Finance & Corporate Services in consultation with the Director of Reserves & Investments recommend:

1. That Council agree to the following terms and conditions in order to receive the Provincial grant.
 - i) That the \$2,938,615 allocated to the City of Vaughan by the Province will be used for municipal road and bridge capital investments needs;
 - ii) That a final summary report detailing expenditures, use of provincial funding and outcomes achieved be submitted to the Ministry of Transportation and the Ministry may request an independent audit of the project; and
 - iii) That any funds intended for the project that are not used in accordance with the rehabilitation of municipal road and bridge capital investment needs or the terms outlined above will be returned to the Ministry of Transportation.
2. That Council authorize the City Manager or his designate to acknowledge receipt of the letter from Jim Bradley, Minister of Transportation, (Attachment 1).

Economic Impact

The City of Vaughan will receive \$2,938,615 towards municipal roads and bridge infrastructure that otherwise would have been financed through long term debt funding.

Communications Plan

Not applicable.

Purpose

To provide Council with information pertaining to the 2008 Municipal Road and Bridge Infrastructure Investment Program and inform Council of the Provincial announcement providing the City of Vaughan with a \$2,938,615 grant for such works.

Background - Analysis and Options

In the 2008 Provincial Budget, the Province introduced the Roads and Bridge Fund. The Province allocated \$400M in grants for municipal roads and bridges outside of Toronto. Of the \$400M, 30 percent (\$120M) is allocated based on the municipality's share of total Ontario municipal population and 70 percent (\$280M) is allocated on the municipality's share of the municipal road network. Funding is divided between upper tier municipalities and lower tier municipalities based on the road ownership. Unpaved roads were weighted less than paved roads because asset management costs are lower.

All municipalities with the exception of the City of Toronto were eligible for funding under the Roads and Bridges Fund.

The approved funds will be transferred to the City by June 30, 2008 at which time the Province will also provide details on reporting requirements and other accountability related requirements. These requirements will include as a minimum a description of the types of eligible expenditures for which the funding is intended and requirement for a final report on how the funds were used. Once the Province provides the criteria for eligible expenditure under this grant, staff will compile a list of projects for Council review and approval. The Province reserves audit rights to ensure that funds were used for the purpose intended and to recover funds if it is determined that they were not used, or will not be used for the intended purpose.

In order to receive these funds, the Province requires an authorizing bylaw/Council resolution from the City of Vaughan which should be dated no later than April 30, 2008.

Relationship to Vaughan Vision 2020

This report is consistent with the Vaughan Vision 2020 strategic initiatives to maintain assets and infrastructure and to ensure financial sustainability.

Regional Implications

Not applicable.

Conclusion

The Province through its Budget introduced the Roads and Bridges Fund which allocated a grant in the amount of \$2,938,615 to the City of Vaughan provided that the City of Vaughan authorize a by-law/Council resolution no later than April 30, 2008.

Attachments

Attachment 1 – Letter from Jim Bradley, Minister of Transportation

Report prepared by:

Ferrucio Castellarin, CGA
Director of Reserves & Investments, ext. 8271

(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.)

80. PROCLAMATION REQUEST – CHILDREN'S MENTAL HEALTH WEEK
(Addendum No. 2)

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Rosati

That the recommendation contained in the following report of the Deputy City Clerk, dated April 14, 2008, be approved:

CARRIED

Recommendation

The Deputy City Clerk in consultation with the Commissioner of Legal and Administrative Services/City Solicitor recommends:

- 1) That May 5 - 9, 2008 be proclaimed as "Children's Mental Health Week"; and
- 2) That the proclamation be posted on the City's website and published on the City Page, space permitting.

Economic Impact

N/A

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City's website under "Events – Proclamations". Publishing proclamations on the City Page depends on space availability.

Purpose

To respond to the request received from The York Centre for Children, Youth & Families.

Background - Analysis and Options

The correspondence received from The York Centre for Children, Youth & Families, dated April 3, 2008, is attached (Attachment #1).

The proclamation request meets the City's Proclamation Policy, as follows:

"That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act"

The York Centre for Children, Youth & Families, comprised of 3 children's mental health agencies in York Region (Blue Hills Child & Family Centre, Kinark Child & Family Services and the York Centre for Children, Youth & Families) has requested the City publicize this proclamation. The York Centre for Children, Youth & Families have scheduled a variety of activities to increase public awareness of children's mental health issues to dispel the associated stigma, and to encourage parents of troubled children and youth to seek help. Council granted this request last year.

Relationship to Vaughan Vision 2020

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

Regional Implications

N/A

Conclusion

Staff is recommending that May 5 - 9, 2008 be proclaimed as "Children's Mental Health Week" and that the proclamation be posted on the City's website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from The Centre for Children, Youth & Families, dated April 3, 2008

Report prepared by:

Connie Bonsignore, Admin Assistant to City Clerk

(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.)

81. PROCLAMATION REQUEST –

GIRLS RIGHTS WEEK

(Addendum No. 3)

MOVED by Councillor Carella
seconded by Councillor Shefman

That the recommendation contained in the following report of the Deputy City Clerk, dated April 14, 2008, be approved:

CARRIED

Recommendation

The Deputy City Clerk in consultation with the Commissioner of Legal and Administrative Services/City Solicitor recommends:

- 1) That April 28th through May 2nd, 2008 be proclaimed as “Girls Rights Week”; and
- 2) That the proclamation be posted on the City’s website and published on the City Page, space permitting.

Economic Impact

N/A

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability.

Purpose

To respond to the request received from Girls Incorporated® of York Region.

Background - Analysis and Options

The correspondence received from Girls Incorporated® of York Region, dated March 28, 2008, is attached (Attachment #1).

The proclamation request meets the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

Girls Incorporated® of York Region (GIYR) is a non-profit youth organization that is dedicated to empowering girls and young women to seek the highest quality of life possible. The various programs offered help girls and young women develop to the fullest of their capacities in all areas of life, while giving them the skills needed to be empowered, productive and contributing members of society.

Relationship to Vaughan Vision 2020

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

Regional Implications

N/A

Conclusion

Staff is recommending that April 28th, through to May 2nd, 2008 be proclaimed as “Girls Rights Week” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from Girls Incorporated® of York Region, dated March 28, 2008

Report prepared by:

Connie Bonsignore, Admin Assistant to City Clerk

(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.)

82. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

AUDIT AND OPERATIONAL REVIEW COMMITTEE REPORT NO. 1

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

ITEM - 1 CONFIRMATION / APPOINTMENT OF CHAIR

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 1, Audit and Operational Review Committee Report No. 20 be adopted without amendment.

CARRIED

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

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 21

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

ITEM - 5 PERSONAL MATTER

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Ferri

THAT Item 5, Committee of the Whole (Closed Session) Report No. 21 be adopted without amendment.

CARRIED

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

the foregoing matter.

MOVED by Regional Councillor Rosati
seconded by Councillor Carella

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

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

CARRIED

Council recessed at 1:27 p.m.

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT Council reconvene at 1:52 p.m.

CARRIED

Council reconvened at 1:52 p.m. with the following members present:

Mayor Jackson Jackson
Regional Councillor Joyce Frustaglio
Regional Councillor Mario F. Ferri
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Alan Shefman

At this point in the meeting, Regional Councillor Frustaglio was in the Chair.

83. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

AUDIT AND OPERATIONAL REVIEW COMMITTEE REPORT NO. 1

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

ITEM - 2 PERSONAL MATTER
Item 5, Report No. 21, Committee of the Whole (Closed Session)

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Ferri

THAT Item 2, Audit and Operational Review Committee Report No. 20 be adopted without amendment.

CARRIED

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

the foregoing matter.

COMMITTEE OF THE WHOLE REPORT NO. 20

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

ITEM - 12 APPLICATION FOR A COMPLIANCE AUDIT
2006 MUNICIPAL ELECTION CAMPAIGN FINANCES
MICHAEL DI BIASE

MOVED by Councillor Shefman
seconded by Councillor Carella

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

By approving the following:

- 1) That a Special Council meeting be held on April 23, 2008, at 11:00 a.m. to receive any further submissions and to render a decision to the request for a compliance audit on Michael Di Biase's 2006 Municipal Election Campaign Finances;
- 2) That Council request further information from Mr. Michael Di Biase relating to particular issues identified in our review of the information dated April 4 and 11, previously provided by him;
- 3) That the confidential memorandum from the Commissioner of Legal and Administrative Services and City Solicitor, dated April 11, 2008, be received; and
- 4) That the written submission from Mr. Michael Di Biase, 166 Riverview Avenue, Vaughan, L4L 2L6, dated April 11, 2008, be received.

CARRIED

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

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

At this point in the meeting, Mayor Jackson resumed the Chair.

84. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

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

By-Law Number 85-2008 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Oakbank Road and Thornbank Road) (Council, February 11, 2008, Item 2, Committee of the Whole, Report No. 5)

By-Law Number 86-2008 A By-law to amend the Consolidated Traffic By-law 284-94, as

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amended, to govern and control traffic in the City of Vaughan. (Canada Drive and Vellore Park Boulevard) (Council, February 11, 2008, Item 30, Committee of the Whole, Report No. 5)

By-Law Number 87-2008 A By-Law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Vellore Woods Blvd., Johnswood Crescent, Sunview Drive) (Council, February 11, 2008, Item 7, Committee of the Whole, Report No. 5)

By-Law Number 88-2008 A By-law to regulate the use of pesticides on public and private property in the City of Vaughan. (Item 3, Committee of the Whole (Working Session), Report No. 19)

By-Law Number 89-2008 A By-law to adopt Amendment Number 675 to the Official Plan of the Vaughan Planning Area. (Z.06.033 and OP.06.012, 390 Steeles West Holdings Inc., located at 390 Steeles Avenue West, being Lot 17, Registered Plan No. 1607, in Part of Lot 26, Concession 2) (Council, February 11, 2008, Item 26, Committee of the Whole, Report No. 5)

By-Law Number 90-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.06.033 and OP.06.012, 390 Steeles West Holdings Inc., located on the north side of Steeles Avenue West, being Lot 17 on Registered Plan 1607, in Lot 26, Concession 1) (Council, February 11, 2008, Item 26, Committee of the Whole, Report No. 5)

CARRIED

85. CONFIRMING BY-LAW

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT By-law Number 91-2008, being a by-law to confirm the proceedings of Council at its meeting on April 14, 2008, be read a First, Second and Third time and enacted.

CARRIED

86. ADJOURNMENT

MOVED by Councillor Shefman
seconded by Councillor Carella

THAT the meeting adjourn at 1:56 p.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk