

**CITY OF VAUGHAN
COUNCIL MINUTES
APRIL 13, 2010**

Table of Contents

<u>Minute No.</u>		<u>Page No.</u>
57.	CONFIRMATION OF AGENDA	77
58.	DISCLOSURE OF INTEREST	77
59.	ADOPTION OR CORRECTION OF MINUTES.....	77
60.	DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION	78
61.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION	78
62.	BY-LAWS FIRST, SECOND AND THIRD READINGS.....	83
63.	CONFIRMING BY-LAW	86
64.	ADJOURNMENT.....	86

CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, APRIL 13, 2010

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 Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

The Mayor on behalf of Members of Council expressed condolences and sympathies to the Polish community in the City of Vaughan on the death of Polish President Lech Kaczynski and his wife along with 94 other government and military officials and flight crew in a Russian plane crash on Saturday, April 10, 2010.

57. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT the agenda be confirmed.

CARRIED

58. DISCLOSURE OF INTEREST

Mayor Jackson declared an interest with respect to Item 25, of the Committee of the Whole Report No. 12, INDEMNIFICATION BY-LAW, as she is presently engaged in legal proceedings with the public.

Councillor Meffe declared an interest with respect to Item 25, of the Committee of the Whole Report No. 12, INDEMNIFICATION BY-LAW, as he is presently engaged in legal proceedings.

59. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

THAT the minutes of the meeting of March 9, 2010 be adopted as presented.

CARRIED

60. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 12

Items 1, 11, 12, 13, 19, 22, 25, 26 and 36

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Items 1 and 2 of the Strategic Planning Committee Report No. 2, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Environment Committee Report No. 2, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 40 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 and 2 of the Committee of the Whole (Closed Session) Report No. 13, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 14, BE APPROVED and the recommendations therein be adopted.

CARRIED

61. 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 - 1 NEW HORIZON FOR SENIORS PROGRAM –
COMMUNITY PARTICIPATION AND LEADERSHIP FUNDING GRANT

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 1, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Community Services, dated April 9, 2010.

CARRIED

ITEM - 11 AWARD OF TENDER T10-013
RAINBOW CREEK PARK – BRIDGE 1 & 2 REPLACEMENT
INCLUDING ASSOCIATED
LANDSCAPE WORKS – WARD 2

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 11, Committee of the Whole Report No. 12 be adopted and amended, as follows:

COUNCIL MEETING MINUTES – APRIL 13, 2010

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) That the tender T10-013 for Rainbow Creek Park – Bridge 1 & 2 Replacement including Associated Landscape Works be awarded to Forest Contractors Ltd. In the amount of \$167,222.00, plus GST; and
- 2) That a contingency in the amount of \$7,000.00, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.

CARRIED

ITEM - 12 AWARD OF TENDER T10-012
TWELVE OAKS PARK – WARD 1

MOVED by Councillor Meffe
seconded by Councillor Yeung Racco

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

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) That the tender T10-012 for Twelve Oaks Park Construction works be awarded to Forest Contractors Ltd. In the amount of \$1,123,827.67 including provisional items, plus GST; and
- 2) That a contingency in the amount of 10%, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.

CARRIED

ITEM - 13 AWARD OF TENDER T10-011
HILLSIDE PARK – WARD 1

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT Item 13, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) That the tender T10-011 for Hillside Park Construction works be awarded to Melfer Construction Inc. in the amount of \$1,095,738.09, plus GST; and
- 2) That a contingency in the amount of \$32,870.00, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.

CARRIED

COUNCIL MEETING MINUTES – APRIL 13, 2010

ITEM - 19 ZONING BY-LAW AMENDMENT FILE Z.07.009
GENERAL AMENDMENTS TO ZONING BY-LAW 1-88
CITY OF VAUGHAN
WARDS: 1 - 5

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 19, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Director of Development Planning, dated April 9, 2010:

- 1) That Amendments 1-4, 6-18, and 20-27 as contained in the Committee of the Whole report of March 23, 2010 for Zoning By-law Amendment File Z.07.009 (City of Vaughan) be approved, to make general amendments to Zoning By-law 1-88 as outlined in the report in order to clarify and/or correct specific sections of By-law 1-88 to improve its' interpretation, to update certain provisions in the By-law, and to make administrative amendments to the By-law;
- 2) That no change be made to the existing definition of "Pit" in By-law 1-88 with respect to Amendment 5 in the March 23, 2010 report; and
- 3) That Amendment 19 "Parking and Access Requirements" respecting reverse slope driveways as contained in the Committee of the Whole report dated March 23, 2010 for Zoning By-law Amendment File Z.07.009 (City of Vaughan), be approved, as follows:
 - a) add the following sub clause to Section 4.1.4 "Parking and Access Requirements":

"g) Reverse Slope Driveways

That all driveways shall have a positive slope away from all parts of the building or structure to the street for all single detached, semi-detached, townhouse and street townhouse dwellings."
 - b) include a general provision that all reverse slope driveways legally existing on or before the date of the enactment of the implementing zoning by-law shall be deemed to be in compliance with the provisions of the by-law; and
 - c) the 5 year exemption to construct a reverse slope driveway at 15 Oakbank Road be limited to this lot only; and

By receiving the report of the Commissioner of Planning, dated March 23, 2010.

CARRIED

ITEM - 22 GRANT FUNDING PROCUREMENT POLICY

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 22, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Finance & City Treasurer, dated April 9, 2010:

COUNCIL MEETING MINUTES – APRIL 13, 2010

- 1) That a by-law be enacted to authorize the Commissioner of Finance & City Treasurer to execute the grant applications in compliance with the Grant Funding Procurement Policy, as amended from time to time; and
- 2) That the Clerk be authorized to execute the standard grant agreements in a form satisfactory to the City Solicitor.

CARRIED

ITEM - 26 2010 MUNICIPAL ELECTION – MEET AND GREET SESSIONS

MOVED by Councillor Yeung Racco
seconded by Councillor Di Vona

THAT Item 26, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the following:

- 1) That the rules for the “Meet and Greet” Sessions be as follows:
 - a) Only the following be permitted:
 - 2 chairs;
 - 1 table;
 - 1 lawn sign;
 - campaign literature; and
 - a maximum of 2 representatives from each campaign; and
 - b) That at the end of the session, it is the responsibility of the candidate or campaign representative to remove literature, etc.;

By receiving the written submission from the Director of Recreation and Culture, dated April 13, 2010; and

By receiving the written submission from Mr. Elliott Silverstein, dated April 13, 2010.

CARRIED UPON A RECORDED VOTE

YEAS

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

NAYS

Regional Councillor Frustaglio

ITEM - 36 DEPUTATION - MR. QUINTO ANNIBALE, VAUGHAN HEALTH CARE WITH RESPECT TO EXEMPTION FROM SIGN PERMIT FEES AND SIGN VARIANCE

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 36, Committee of the Whole Report No. 12 be adopted and amended, as follows:

COUNCIL MEETING MINUTES – APRIL 13, 2010

By approving the following in accordance with the additional report from the Chairman of the Sign Variance Committee, dated April 13, 2010:

- 1) That a Sign Variance be authorized to permit the erection of (3) Three “V” Shaped Development Ground Signs each having a maximum Sign Area of 112 sqm;
- 2) That any conditions or comments imposed by the Ministry of Transportation or the Region of York be incorporated into the final approval of the Signs and the required Sign Permits; and
- 3) That the Sign Permit fees be waived.

CARRIED

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

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

ITEM - 25 INDEMNIFICATION BY-LAW

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT Item 25, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the following:

- 1) That this recommendation be referred to the Integrity Commissioner for her comments as it pertains to Members of Council, and that she comment specifically on the detail of the procedures of this By-law;
- 2) That the Commissioner of Legal & Administrative Services/City Solicitor report to the Committee of the Whole prior to the end of this term of Council on the adoption of an Indemnification By-law, taking into account, if necessary, any comments received from the Integrity Commissioner; and
- 3) That the Indemnification By-law to be adopted by Council take effect at the beginning of the new term of Council 2010-2014, specifically December 1, 2010;

By receiving the memorandum from the Solicitor, dated April 12, 2010; and

By receiving the following written submissions:

- a) Mr. Richard T. Lorello, 235 Treelawn Boulevard, P.O. Box 927, Kleinburg, L0J 1C0, dated April 9, 2010; and
- b) Ms. Deborah Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, dated April 12, 2010.

CARRIED

Regional Councillor Frustaglio resumed the Chair.

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

Mayor Jackson resumed the Chair.

62. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

That the memorandum from the Senior Manager of Real Estate, dated March 26, 2010, regarding By-law 62-2010, be received; and

That the memorandum from the Senior Manager of Real Estate, dated March 26, 2010 regarding By-law 64-2010, be received.

CARRIED

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

That the following be approved in accordance with the memorandum from the Commissioner of Planning, dated April 8, 2010, regarding By-law 81-2010:

That an amending Zoning By-law be enacted to substitute Schedule "E-770" to By-law 1-88, with a new schedule showing the correct PB1(S) Parkway Belt Linear Facilities Zone on the subject lands shown on Attachment #1.

CARRIED

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

That the confidential memorandum of the Director of Legal Services, dated April 9, 2010, regarding By-law 77-2010, be received.

CARRIED

MOVED by Councillor Carella
seconded by Councillor Di Vona

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

By-Law Number 60-2010 A By-law to authorize the execution of the agreement between the City of Vaughan and the Association of Municipalities of Ontario pursuant to the Federal Gas Tax Program. (Item 31, Committee of the Whole, Report No. 12)

By-Law Number 62-2010 A By-Law to authorize the Mayor and Clerk to execute a Lease Agreement between Bethridge Developments Inc. and the City of Vaughan for the location for the Sonoma Seniors Club. (Council, April 25, 2005, Item 7, Committee of the Whole (Closed Session), Report No. 25)

COUNCIL MEETING MINUTES – APRIL 13, 2010

- By-Law Number 63-2010 A By-law to authorize the Mayor and Clerk to execute an Application to Expropriate certain lands. (North side-Major Mackenzie Drive, west of Weston Road Block 40- District Park and extension of Lawford Road) (Item 27, Committee of the Whole, Report No. 12)
- By-Law Number 64-2010 A By-law to amend By-law 6-2010. (Lease with Bellshire Woods Estates Inc., Animal Shelter – 70 Tigi Court) (Council, December 14, 2009, Item 39, Committee of the Whole, Report No. 54)
- By-Law Number 65-2010 A By-law to exempt parts of Plan 65M-4110 from the provisions of Part Lot Control. (PLC.10.010, Minto Communities (Toronto) Inc., located on Elihof Drive (Blocks 159 and 165 on Plan 65M-4110) and Southdown Avenue (Blocks 162 and 168 on Plan 65M-4110), south of Major Mackenzie Drive, west of Bathurst Street, in Part of Lot 19, Concession 2) (Delegation By-law 333-98)
- By-Law Number 66-2010 A By-law to repeal By-law 65-2010. (PLC.10.010, Minto Communities (Toronto) Inc., located on Elihof Drive (Blocks 159 and 165 on Plan 65M-4110) and Southdown Avenue (Blocks 162 and 168 on Plan 65M-4110), south of Major Mackenzie Drive, west of Bathurst Street, in Part of Lot 19, Concession 2) (Delegation By-law 333-98)
- By-Law Number 67-2010 A By-law to exempt parts of Plan 65M-4107 from the provisions of Part Lot Control. (PLC.10.008, Gardenia Orchard Estates Inc. (Greenpark), located on Canada Drive, south of Teston Road, west of Cityview Boulevard, being Block 135 on Registered Plan 65M-4107, in Part of Lot 24, Concession 5) (Delegation By-law 333-98)
- By-Law Number 68-2010 A By-law to repeal By-law 67-2010. (PLC.10.008, Gardenia Orchard Estates Inc. (Greenpark), located on Canada Drive, south of Teston Road, west of Cityview Boulevard, being Block 135 on Registered Plan 65M-4107, in Part of Lot 24, Concession 5) (Delegation By-law 333-98)
- By-Law Number 69-2010 A By-law to exempt parts of Plan 65M-4130 from the provisions of Part Lot Control. (PLC.10.005, Spallacci Construction Ltd., located on the north and south sides of Millhouse Court and west of Ilan Ramon Boulevard being Blocks 30, 31, 32, 33, 38, 39 and 40 on Registered Plan 65M-4130, in Part of Lot 17, Concession 2) (Delegation By-law 333-98)
- By-Law Number 70-2010 A By-law to repeal By-law 69-2010. (PLC.10.005, Spallacci Construction Ltd., located on the north and south sides of Millhouse Court and west of Ilan Ramon Boulevard being Blocks 30, 31, 32, 33, 38, 39 and 40 on Registered Plan 65M-4130, in Part of Lot 17, Concession 2) (Delegation By-law 333-98)
- By-Law Number 71-2010 A By-law to exempt parts of Plan 65M-3973 from the provisions of Part Lot Control. (PLC.10.006, Nine-Ten West Ltd., located on the east side of Peter Rupert Avenue, north of Rutherford Road specifically on Warbler Avenue (Lots 13 and 14 on Plan 65M-3973), in Lot 16, Concession 3) (Delegation By-law 333-98)

COUNCIL MEETING MINUTES – APRIL 13, 2010

- By-Law Number 72-2010 A By-law to repeal By-law 71-2010. (PLC.10.006, Nine-Ten West Ltd., located on the east side of Peter Rupert Avenue, north of Rutherford Road specifically on Warbler Avenue (Lots 13 and 14 on Plan 65M-3973), in Lot 16, Concession 3) (Delegation By-law 333-98)
- By-Law Number 73-2010 A By-law to exempt parts of Plan 65M-3922 from the provisions of Part Lot Control. (PLC.10.007, Remington Homes (Weston) Inc., located on the west side of Vellore Avenue, south of Major MacKenzie Drive, specifically on Credo Drive (Lots 391 and 394, on Plan 65M-3922), in Lot 17, Concession 6) (Delegation By-law 333-98)
- By-Law Number 74-2010 A By-law to repeal By-law 73-2010. (PLC.10.007, Remington Homes (Weston) Inc., located on the west side of Vellore Avenue, south of Major MacKenzie Drive, specifically on Credo Drive (Lots 391 and 394, on Plan 65M-3922), in Lot 17, Concession 6) (Delegation By-law 333-98)
- By-Law Number 75-2010 A By-law to exempt parts of Plan 65M-3906 from the provisions of Part Lot Control. (PLC.10.009, Dufferin Contwo Investments Ltd., located on the north side of Apple Blossom Drive west of Pleasant Ridge Avenue (Block 279 on Plan 65M-3906), in Lot 15, Concession 2). (Delegation By-law 333-98)
- By-Law Number 76-2010 A By-law to repeal By-law 75-2010. (PLC.10.009, Dufferin Contwo Investments Ltd., located on the north side of Apple Blossom Drive west of Pleasant Ridge Avenue (Block 279 on Plan 65M-3906), in Lot 15, Concession 2) (Delegation By-law 333-98)
- By-Law Number 77-2010 A By-law to declare City lands on the West side of Keele Street, being Parts 1 to 5 on Plan 65R-31283, surplus and to authorize the conveyance of City lands to The Regional Municipality of York. (Confidential Memo dated April 9, 2010 from Director of Legal Services)
- By-Law Number 78-2010 A By-law to be enacted to authorize the Commissioner Finance & City Treasurer to execute the grant applications and the Clerk to execute standard grant agreements. (Additional Information Memo dated April 9, 2010, Item 22, Committee of the Whole, Report No. 12)
- By-Law Number 79-2010 A By-law to authorize the Mayor and Clerk to execute a Master Servicing Agreement on behalf of the City of Vaughan between The Corporation of the City of Vaughan and The Toronto Transit Commission for the Toronto-York Spadina Subway Extension Project. (Item 21, Committee of the Whole, Report No. 12)
- By-Law Number 80-2010 A By-law to amend City of Vaughan By-law 1-88. (Z.09.033, 1806878 Ontario Inc., located southwest of Dufferin Street and Langstaff Road, municipally known as 266 North Rivermede Road, being Lot 8, Registered Plan 65M-2223, in Part of Lot 8, Concession 3) (Council, March 9, 2010, Item 6, Committee of the Whole, Report No. 9)
- By-Law Number 81-2010 A By-law to amend City of Vaughan By-law 1-88. (Z.08.063 (DA.08.062), Blackwood Real Estate General Partner I Ltd.), located at the southeast corner of Weston Road and Highway #407

in Part of Lots 2 and 3, Concession 5) (Administrative Correction) (Council, November 24, 2009, Item 5 , Committee of the Whole, Report No. 50)

By-Law Number 82-2010

A By-law to authorize the Mayor and Clerk to execute Agreements and documents on behalf of the City of Vaughan between The Corporation of the City of Vaughan and The Toronto Transit Commission and the Regional Municipality of York for land acquisitions and dispositions and to authorize land acquisitions and dispositions required for the Toronto-York Spadina Subway Extension. (Item 21, Committee of the Whole, Report No. 12)

CARRIED

63. CONFIRMING BY-LAW

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

THAT By-law Number 83-2010, being a by-law to confirm the proceedings of Council at its meeting on April 13, 2010, be read a First, Second and Third time and enacted.

CARRIED

64. ADJOURNMENT

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT the meeting adjourn at 2:16 p.m.

CARRIED

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk