



CITY OF VAUGHAN  
COUNCIL MINUTES  
APRIL 5, 2011

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**CITY OF VAUGHAN**

**COUNCIL MEETING**

**TUESDAY, APRIL 5, 2011**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:07p.m.

The following members were present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Gino Rosati  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**54. CONFIRMATION OF AGENDA**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Di Biase

THAT the agenda be confirmed.

CARRIED

**55. DISCLOSURE OF INTEREST**

Regional Councillor Di Biase declared an interest with respect to Item 9, Committee of the Whole (Closed Session) Report No. 15, LITIGATION MATTER – ROSSI v. CITY OF VAUGHAN ET AL as he is a party to the matter at issue.

**56. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Schulte

THAT the minutes of the meeting of March 8, 2011, Special Council meeting minutes of March 29, 2011 and Special Council (2) meeting minutes of March 29, 2011, be adopted as presented.

CARRIED

**57. COMMUNICATIONS**

MOVED by Councillor Shefman  
seconded by Councillor Racco

THAT Communications C1 to C7 inclusive be received and referred to their respective items on the agenda.

CARRIED

**58. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

Deferred Items

1 and 2

Finance and Administration Committee Report No. 6

Item 5

Committee of the Whole Report No. 14

Items 9, 10, 17 and 29

Committee of the Whole (Closed Session) Report No. 15

Items 2, 3, 4, 5, 6 and 9

Special Committee of the Whole (Closed Session) Report No. 18

Item 1

Addendum

By-law 51-2011

MOVED by Councillor Racco  
seconded by Regional Councillor DeFrancesca

THAT Items 1 to 5 of the Finance and Administration Committee Report No. 6, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Item 1 of the Finance and Administration Committee Report No. 7, BE APPROVED and the recommendation therein be adopted;

THAT Items 1 to 4 of the Priorities and Key Initiatives Committee Report No. 3, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Finance and Administration Committee Report No. 8, with BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 40 of the Committee of the Whole Report No. 14, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 9 of the Committee of the Whole (Closed Session) Report No. 15, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

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THAT Items 1 to 5 of the Committee of the Whole (Public Hearing) Report No. 16, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Finance and Administration Committee Report No. 9, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Committee of the Whole (Working Session) Report No. 17, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 10, BE APPROVED and the recommendations therein be adopted.

CARRIED

**59. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

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

DRAFT PLAN OF SUBDIVISION FILE 19T-08V03  
SRF VAUGHAN PROPERTY II INC.  
WARD 2  
(Deferred Item)

MOVED by Regional Councillor Schulte  
seconded by Regional Councillor Di Biase

That this matter be stood down until later in the meeting.

CARRIED

ZONING BY-LAW AMENDMENT FILE Z.08.025  
TRINITY DEVELOPMENT GROUP INCORPORATED  
WARD 2  
(Deferred Item)

MOVED by Regional Councillor Schulte  
seconded by Regional Councillor Di Biase

That this matter be stood down until later in the meeting.

CARRIED

**60. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 6**

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

ITEM - 5            AMENDMENT TO PLANNING APPLICATION FEES BY-LAW  
                         CITY OF VAUGHAN – FILE 12.13

MOVED by Councillor Racco  
seconded by Councillor Shefman

THAT Item 5, Finance and Administration Committee Report No. 6 be adopted and amended, as follows:

By approving:

That the following technical amendment be made to recommendation 1 by deleting the words:

“to the Council Meeting commensurate with the enactment of the Consolidated Fees and Charges By-law”

So that the recommendation now reads:

That an amending Planning application Fees By-law for a 2 year period be brought forward for enactment to reflect the revised fees outlined in Attachment #1 of this report, which represents cost of living increases of 5.5% (2011), and 3.85% (2012).

CARRIED

**COMMITTEE OF THE WHOLE REPORT NO. 14**

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

ITEM - 9            AWARD OF TENDER T11-018  
                          KING HIGH DRIVE, LAWRIE ROAD, CONCORD ROAD AND  
                          VAUGHAN BOULEVARD  
                          ROAD REHABILITATION AND WATERMAIN REPLACEMENT

MOVED by Regional Councillor Di Biase  
seconded by Councillor Shefman

THAT Item 9, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By approving:

1. That Tender T11-018, King High Drive, Lawrie Road, Concord Road and Vaughan Boulevard Road Rehabilitation and Watermain Replacement be awarded to Coco Paving Inc. in the amount of \$1,556,758.98, plus applicable taxes;
2. That a contingency allowance in the amount of \$160,000.00, plus applicable taxes be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
3. That a Geotechnical and Material Testing amount of \$16,000.00, plus applicable taxes be approved to ensure compliance with all applicable standards;
4. That a Utility Relocation amount of \$32,000.00, plus applicable taxes be approved; and
5. That the Mayor and City Clerk be authorized to sign the appropriate documents; and

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By receiving Communication C1, from the Commissioner of Engineering and Public Works, dated March 30, 2011.

CARRIED

ITEM - 10      TENDER AWARD – T11-078 SPRING STREET SWEEPING SERVICES  
WARD(S) - ALL

MOVED by Regional Councillor Di Biase  
seconded by Councillor DeFrancesca

THAT Item 10, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By approving:

1. That Tender T11-078 for Spring Street Sweeping Services be awarded to A&G The Road Cleaners Ltd.; and
2. That the Mayor and Clerk be authorized to sign the necessary documents; and

By receiving Communication C2, from the Commissioner of Engineering and Public Works, dated April 5, 2011.

CARRIED

ITEM - 17      CITY OF VAUGHAN  
GENERAL INSURANCE AND RISK MANAGEMENT SERVICES  
RFP 11-028

MOVED by Regional Councillor Di Biase  
seconded by Councillor Iafrate

THAT Item 17, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By approving:

1. That RFP 11-028 for the provision of General Insurance and Risk Management Services for the City of Vaughan be awarded to Frank Cowan Company Limited for the period of April 30, 2011 to April 30, 2012 for an annual premium of approximately \$3,464,282, plus applicable taxes;
2. That the City Clerk be authorized to renew the said contract on a year to year basis for a maximum period of two (2) years, depending upon quality of service, mutual agreement and annual premium negotiations; and
3. That the Mayor and City Clerk be authorized to sign the necessary documents; and

By receiving Communication C4, from the Commissioner of Commissioner of Legal and Administrative Services and City Solicitor, dated April 1, 2011.

CARRIED

ITEM - 29      HOLIDAY GREETING ADVERTISING PLACEMENT

MOVED by Regional Councillor Di Biase  
seconded by Regional Councillor Schulte

THAT Item 29, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By ratifying the submission of Easter/Passover holiday greeting advertising in SNAP publications at a cost of \$750.00; and

By receiving Communication C5, from the City Clerk, dated April 4, 2011.

CARRIED

**61. DRAFT PLAN OF SUBDIVISION FILE 19T-08V03  
SRF VAUGHAN PROPERTY II INC.**

**WARD 2**

(Deferred Item 1)

MOVED by Councillor Carella  
seconded by Councillor DeFrancesca

That the following recommendation of the Commissioner of Planning, Item 4, Committee of the Whole report No. 11, dated February 22, 2011, be approved:

1. THAT Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.) BE APPROVED, to facilitate the industrial employment plan of subdivision shown on Attachment #4, subject to the conditions of approval set out in Attachment #1.
2. THAT for the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated and/or cash-in-lieu paid in accordance with the Planning Act and conform to the City's approved "Cash-in-lieu of Parkland Policy".

CARRIED

Council, at its meeting of March 8, 2011, adopted the following:

That this matter be deferred to the Council meeting of April 5, 2011, to allow further discussion amongst the parties; and

That the communication from Mr. Cam Milani, 611428 Ontario Limited, C1, dated February 22, 2011, be received.

Committee of the Whole recommendation of February 22, 2011:

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 22, 2011:

Report of the Commissioner of Planning, dated February 22, 2011

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.) BE APPROVED, to facilitate the industrial employment plan of subdivision shown on Attachment #4, subject to the conditions of approval set out in Attachment #1.
2. THAT for the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated and/or cash-in-lieu paid in accordance with the Planning Act and conform to the City's approved "Cash-in-lieu of Parkland Policy".

**Contribution to Sustainability**

Sustainable features will be addressed through the review of a site plan application.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

On September 23, 2009, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners Association. No comments were received through the notice circulation. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 19, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 3, 2009.

**Purpose**

The Owner has submitted an application for Draft Plan of Subdivision approval for File 19T-08V03 (SRF Vaughan Property II Inc.) to establish a revised industrial employment lotting pattern and road network including a private laneway connecting the future extension of Milani Boulevard to Innovation Drive as shown on Attachment #4. The breakdown of the land uses are as follows:

- Block 1: Proposed Employment	4.583 ha
- Block 2: Lands for future Highway 427 extension	5.210 ha
- <u>Road widening, reserve block (Block 3) and streets</u>	<u>0.223 ha</u>
TOTAL	10.02 ha

The lotting and road pattern for this subdivision has changed several times as a result of requirements for widenings by the Ministry of Transportation (MTO) for the Highway #427 extension. The approved lotting and road pattern is shown on Attachment #6. Attachment #5 shows a revised proposal to accommodate a highway widening requirement by the MTO. The MTO has requested a further highway widening which has resulted in the current subdivision proposal shown on Attachment #4, and is the subject of this staff report. The MTO has advised that they are satisfied with the revised plan of subdivision, and that the easterly block can be released for development.

**Background - Analysis and Options**

Location

The 10.02 ha site is located southwest of Langstaff Road and Regional Road 27, more specifically north of the current Milani Boulevard terminus, shown as "Subject Lands" on Attachments #2 and #3. The surrounding land uses are shown on Attachment #3.

Site History

- a) 2001 Approved Plan of Subdivision File 19T-89063 and Zoning By-law Amendment File Z.00.020 (698069 Ontario Limited)

The subject lands were originally part of Draft Plan of Subdivision 19T-89063 as shown on Attachment #6, which was approved on August 27, 2001. Approved Plan of Subdivision 19T-89063 and Zoning By-law Amendment File Z.00.020 facilitated the development of service commercial and employment blocks bisected by a Hydro Corridor as shown on Attachment #6. The Zoning By-law Amendment Application (File Z.00.020) was approved by Vaughan Council on August 27, 2001 and subsequently By-law 147-2006 was enacted to zone the lands EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone both with and without the "H" Holding provision, C7 Service Commercial Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #6.



The westerly portion of Approved Plan of Subdivision 19T-89063, as shown on Attachment #6, represent the lands subject to this report. The westerly portion of the plan includes a General Employment Block and a Prestige Employment Block with the "H" Holding provision, and an Open Space Block, identified as Blocks 6, 7 and 8, respectively, on Attachment #6. These Blocks are accessed by the proposed northerly extension of Milani Boulevard, identified as Street "B" on Attachment #6, which was to connect Highway #27 to Langstaff Road through the subject subdivision and the approved Plan of Subdivision File 19T-90018 to the immediate south.

The easterly portion of Approved Plan of Subdivision 19T-89063 is developed with 2 service commercial blocks (Blocks 1 and 2), and the remaining blocks (Blocks 3, 4, 5, and 10) are a combination of Prestige and General Employment and Open Space blocks as shown on Attachment #6. The easterly portion of the subdivision is accessed by Innovation Drive, as identified on Attachment #6, which links Highway #27 to Langstaff Road. This portion of Approved Plan of Subdivision 19T-89063 was registered as Plan 65M-4044 on March 26, 2008.

b) 2008 Original Proposed and 2011 Current Proposed Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.)

On May 12, 2008, the applicant submitted Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.) proposing revisions to the westerly portion of Approved Plan of Subdivision 19T-89063 (Attachment #5) to facilitate the MTO's highway widening requirement for the Highway #427 extension. The applicant proposed revisions to the approved road network and lotting pattern including additional Prestige and General Employment Blocks as shown on Attachment #5. The draft plan of subdivision proposed 9 employment blocks, 2 OS1 Open Space Blocks, and related buffer blocks. The road network was revised to terminate Milani Boulevard into a cul-de-sac and introduce a public road connection (Street "A") between Milani Boulevard and Innovation Drive, as shown on Attachment #5. This proposal was brought forward and considered by Council at a Public Hearing on September 2, 2008.

Through the review process, the MTO advised that a significant portion of the property was subject to the future Highway #427 extension (Block 2 on Attachment #4). The MTO's proposed highway alignment extended into the subdivision thereby eliminating the proposed industrial blocks, and the development potential on the lands which necessitated revisions to the proposed public road connection from Milani Boulevard to Innovation Drive. As such, the applicant has revised the internal road network of the proposed draft plan of subdivision to reflect the current proposed draft plan, as shown on Attachment #4. This draft plan of subdivision includes the terminus of Milani Boulevard in a cul-de-sac and proposes a private laneway connection between Milani Boulevard and Innovation Drive identified as Street "A" and the development of 2 Employment Blocks, identified as Blocks 1 and 2 as shown on Attachment #4. The current proposal was considered by Council at a Public Hearing on October 19, 2009.

c) Concurrent Zoning By-law Amendment Application Z.08.025 (Trinity Development Group)

Block 1 on the current Draft Plan of Subdivision (Attachment #4), is subject to a Zoning By-law Amendment Application (File Z.08.025 - Trinity Development Group) that proposes to rezone the lands from its current EM2(H) General Employment Area Zone with Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone. The Zoning By-law Amendment Application will facilitate development of Block 1, which is to be combined with Part of Block 17 and Blocks 18 and 23 in approved Plan of Subdivision 19T-900187 to the south, for retail warehouse use. The proposed rezoning application will also be considered at the February 22, 2011, Committee of the Whole meeting.

Official Plan

The subject lands are designated "Prestige Area", "Employment Area General" and "Valley Lands" by OPA #450 (Employment Area Plan). The proposed land uses conform to the Official Plan.

a) Prestige Area (Block 2):

This designation provides locations for industrial activities which require high visibility, good accessibility and an attractive working environment with no outside storage. Block 2 has been identified by the MTO as lands for the future Highway #427 extension.

b) Employment Area General (Block 1):

This designation permits a wide range of employment uses, which accommodates uses that do not require high visual exposure, provides locational opportunities for industrial development which may require outside storage or be undertaken outdoors, and a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage operations, and transportation and distribution facilities.

c) Valley Lands:

The southwest corner of Block 2 is currently zoned OS1 Open Space Conservation Zone, which conforms to the “Valley and Stream Corridor” policies of OPA #450 (Employment Area Plan). No buildings or structures are permitted within the valley lands, except where structures are intended for flood and erosion control purposes.

The subject lands are designated “Commercial Mixed-Use” and “Infrastructure and Utilities” by the new City of Vaughan Official Plan 2010, which is pending approval from the Region of York and is not yet in effect.

Zoning By-law

The subject lands are zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol “(H)”, EM2(H) General Employment Area Zone with a Holding Symbol “(H)”, and OS1 Open Space Conservation Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1258), as shown on Attachment #3. The Holding Symbol “H” is to be lifted upon the determination of the final alignment of the Highway #427 extension and cross-over to the satisfaction of the Ministry of Transportation, and to ensure the creation of complete developable lots.

Block 1 on the current proposed Draft Plan as shown on Attachment #4, in conjunction with the blocks to the immediate south (Part of Block 17 and Blocks 18 and 23 in Approved Plan of Subdivision 19T-90018), are subject to a Zoning By-law Amendment Application (File Z.08.025 – Trinity Development Group Inc.) which proposes to rezone Block 1 from EM2(H) General Employment Area Zone to EM3 Retail Warehouse Employment Area Zone to allow for a retail warehouse use with further exceptions to allow for outside storage and reduced parking requirements. A technical report for Zoning By-law Amendment Application (File Z.08.025) will be considered at the Committee of the Whole meeting on February 22, 2011.

The current proposed draft plan of subdivision includes two Blocks (Blocks 1 and 2) as shown on Attachment #4. Approval of the draft plan of subdivision as proposed would result in Block 2 being split-zoned EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone, each with the Holding Symbol “(H)”. Since Block 2 is intended to facilitate the Highway 427 extension, the split-zoning is not a concern at this time since Section 3.10 “Public Uses” in By-law 1-88 would permit a public road allowance to locate in any Zone. However, in the future should the Ministry of Transportation determine that any part of Block 2 is no longer required for the Highway 427 extension and release the lands for development, it is possible that the development parcel may be split-zoned. Where a parcel is split-zoned, the most restrictive zone requirements would apply, in this case being the EM1 Prestige Employment Area Zone, which is appropriate and common when adjacent to a highway. In the event that this zone category does not facilitate the future development intentions for the lands, a Zoning Amendment Application will be required to rezone the property to one consistent zone category.

Subdivision Design

The proposed Draft of Plan Subdivision includes a Prestige Employment Block (Block 2) and General Employment Block (Block 1). Milani Boulevard is proposed to extend into the subdivision and terminate in a cul-de-sac. A private laneway is also proposed to connect the future extension of Milani Boulevard to Innovation Drive, and shown as Street "A" on Attachment #4.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

a) Road Network

The proposed Draft Plan of Subdivision includes the northerly extension of Milani Boulevard, where it terminates in a cul-de-sac. Given the proposed land uses in the plan and the existing and planned road network in this area, the applicant is required to provide a secondary vehicular access to the plan. To provide this second access, the applicant had initially proposed to extend Milani Boulevard easterly to connect with Innovation Drive. The Owner is now proposing a private laneway between Milani Boulevard and Innovation Drive due to the MTO's preferred alignment of Highway #427 and the resulting reduction in the developable area within the plan. The Owner is proposing to design and construct this private laneway in a manner that would provide for both vehicular and local transit bus movements between Milani Boulevard and Innovation Drive. The Owner will be required to maintain this private laneway (Street 'A'). The proposed alignment of the private laneway crosses lands owned by both Hydro One and the City of Vaughan, therefore the applicant will be required to secure the necessary lands for the laneway prior to final approval of the plan. The private laneway will have a right-of-way of approximately 23 metres, which is consistent with a standard industrial roadway. The details on the geometric design of the laneway shall comply with the City of Vaughan requirements, the details of which will be finalized through the design process. In addition, the Owner is proposing to design, construct and front-end finance the cost associated with the extension of Innovation Drive to Langstaff Road to complete the road network in the area.

The Highway #427 Environmental Assessment (EA) has been finalized and the preferred road alignment crosses the westerly part of Block 2.

The Owner is required to cause the conveyance of the future Milani Boulevard and carry-out the design and construction of the road and municipal servicing to provide access to the Plan through the Milani Subdivision (19T-90018) Phase 2 lands, as shown on Attachment #4.

b) Water Servicing

The subject lands are located within Pressure District 5 of the York Water System. The applicant has submitted a Functional Servicing Report (FSR) in support of the draft plan that identifies the need to extend the existing 300 mm diameter watermain on Milani Boulevard to service the development. In addition, to provide a looped watermain system, the Owner will be required to construct a secondary watermain feed to the development from the proposed watermain system on Innovation Drive along the proposed private laneway located at the north end of the development. This proposed water system is expected to provide sufficient water supply and pressure for the development.

c) Sanitary Servicing

A 750mm diameter trunk sanitary sewer exists on the north end of Milani Boulevard. This trunk sewer is intended to service the subject lands plus approximately 500 ha of lands within the east side of the Vaughan West Employment Area and will be the subject of a future Special Area Development Charge. The Owner will be required to extend the existing 750mm diameter sanitary trunk sewer northerly to the proposed end of Milani Boulevard, then eastward along the

private laneway to Innovation Drive and then northerly to Langstaff Road. The Owner shall agree in the subdivision agreement to design and construct this trunk sewer in accordance with City requirements.

d) Storm Drainage

The site is currently vacant and naturally drains in two directions; a portion of the site drains south-easterly towards Innovation Drive into the existing Innovation storm water management pond and the remainder of the site drains south-westerly towards Milani Boulevard into an existing Milani storm water management pond. These two storm water management facilities can provide both quantity and quality controls for the post-development storm flows from the subject lands.

As part of the engineering design and prior to the initiation of any grading within the draft plan, the Owner shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands. This report shall describe the proposed drainage system to develop the subject lands and include, but not be limited to, the following items:

- (i) plans illustrating the proposed system and its connection into the existing storm system;
- (ii) storm water management techniques that may be required to control minor or major flows;
- (iii) detail all external tributary lands, and include the existing development(s); and,
- (iv) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

e) Sewage and Water Allocation

Regional servicing capacity allocation protocols do not require formal allocation to employment land uses. Notwithstanding this, the City continues to allocate servicing capacity to industrial development applications at the draft plan/site plan approval stage or in accordance with Council approved servicing capacity distribution protocol.

f) Environmental Site Assessment

On August 6, 2008, the Vaughan Engineering Department confirmed the acceptance of the Environmental Site Assessment report for the proposed industrial/commercial development.

g) Street-lighting

The streetlighting shall meet the City criteria within the draft plan including the intersection of the private laneway and Innovation Drive. Also, the streetlighting at the intersection of Innovation Drive and Langstaff Road shall meet the City and/or Region of York criteria.

The conditions of approval with respect to Vaughan Engineering Department requirements have been included in Attachment #1.

Toronto and Region Conservation Authority (TRCA)

In a letter dated October 25, 2010, the TRCA indicated that they have no objections to the approval of the draft plan of subdivision application, subject to the conditions in Attachment #1.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objections to approval of the proposed draft plan of subdivision and have provided conditions of approval which have been included in Attachment #1.

Parkland Dedication

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 2% of the value of the subject lands, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. The cash-in-lieu payment in accordance with Section 42 of the Planning Act will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

Ministry of Transportation (MTO)

The MTO has reviewed the proposed draft plan of subdivision and has no issues or conditions with respect to this application. The MTO has advised that the final alignment of the Highway #427 extension and cross-over do not affect the subject lands, and that the easterly lands in the subdivision may be released for development.

Canada Post

Canada Post has indicated that if any buildings in Block 1 (General Employment Area) consist of more than two adjoining units, sharing common indoor entrance, the developer/owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

Utilities

Hydro One has no objection in principle to the proposed draft plan of subdivision, subject to the applicant entering into a separate agreement with Hydro One for the use of the lands. The conditions of approval are included in Attachment #1.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

**Regional Implications**

The Region of York Transportation Services Department has reviewed the proposed draft plan and provides the following comments:

"This application includes a proposed private connection from Milani Boulevard to Innovation Drive. YRT staff have identified that potential future transit services may be considered for this private road connection. Further detail, including the provision of bus stops and concrete shelter pads, and the specific location of these services will be determined through the review of future development approvals, including site plan approval."

The conditions of approval with respect to Region of York requirements have been included in Attachment #1.

**Conclusion**

The Vaughan Development Planning Department has reviewed the proposed Draft Plan of Subdivision Application in accordance with the policies of OPA #450, the provisions of By-law 1-88, comments from City Departments and external public agencies including the Vaughan Engineering

Department, Region of York Transportation Services Department, and the Ministry of Transportation affecting the lotting and road pattern, and the existing and proposed developments in the surrounding area. The Development Planning Department considers the proposed subdivision development to facilitate industrial employment uses to be desirable and appropriate and in keeping with the general intent of the Official Plan.

For these reasons, the Development Planning Department can support the approval of the Draft Plan of subdivision shown on Attachment #4, subject to the conditions of approval outlined in Attachment #1.

**Attachments**

1. Conditions of Subdivision Approval (File 19T-08V03)
2. Context Location Map
3. Location Map
4. Current Proposed Draft Plan of Subdivision (File 19T-08V03)
5. Original Proposed Draft Plan of Subdivision 19T-08V03
6. Approved Plan of Subdivision 19T-89063 and Zoning Amendment File Z.00.020
7. Communication from Mr. Cam Milani, 611428 Ontario Limited, C1, dated February 22, 2011

**Report prepared by:**

Mary Caputo, Planner 1, ext. 8215  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

/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.)

**62. ZONING BY-LAW AMENDMENT FILE Z.08.025  
TRINITY DEVELOPMENT GROUP INCORPORATED  
WARD 2  
(Deferred Item 2)**

MOVED by Councillor Carella  
seconded by Regional Councillor Schulte

That the following recommendations of the Commissioner of Planning, Item 7, Committee of the Whole report No. 11, dated February 22, 2011, be approved:

1. THAT Zoning By-law Amendment File Z.08.025 (Trinity Development Group Incorporated) BE APPROVED, to amend By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone to facilitate the future development of a one-storey retail warehouse building conceptually shown on Attachment #3.
2. THAT the implementing Zoning By-law:
  - a) permit an eating establishment (take-out), accessory outside storage, and a car brokerage as additional site-specific permitted uses in the EM3 Retail Warehouse Employment Area Zone as identified in the Zoning section of this report;

## **COUNCIL MEETING MINUTES – TUESDAY, APRIL 5, 2011**

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- b) permit site-specific exceptions to the EM3 Retail Warehouse Employment Area Zone as identified in Table 1 of this report; and,
- c) include a minimum 23 m building setback from the northwest property line for the purposes of protecting for the necessary private laneway right-of-way.

CARRIED

Council, at its meeting of March 8, 2011, adopted the following:

That this matter be deferred to the Council meeting of April 5, 2011, to allow further discussion amongst the parties; and

That the following communications be received:

- 1) Mr. Cam Milani, 611428 Ontario Limited, C2, dated February 22, 2011; and
- 2) Mr. Murray Evans, Evans Planning, C8, dated March 8, 2011.

Committee of the Whole recommendation of February 22, 2011:

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 22, 2011:

Report of the Commissioner of Planning, dated February 22, 2011

### **Recommendation**

The Commissioner of Planning recommends:

- 1. THAT Zoning By-law Amendment File Z.08.025 (Trinity Development Group Incorporated) BE APPROVED, to amend By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone to facilitate the future development of a one-storey retail warehouse building conceptually shown on Attachment #3.
- 2. THAT the implementing Zoning By-law:
  - a) permit an eating establishment (take-out), accessory outside storage, and a car brokerage as additional site-specific permitted uses in the EM3 Retail Warehouse Employment Area Zone as identified in the Zoning section of this report;
  - b) permit site-specific exceptions to the EM3 Retail Warehouse Employment Area Zone as identified in Table 1 of this report; and,
  - c) include a minimum 23 m building setback from the northwest property line for the purposes of protecting for the necessary private laneway right-of-way.

### **Contribution to Sustainability**

The proposal constitutes a change in zoning only at this time. Any contributions to sustainability will be determined through the site plan process.

### **Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

On September 25, 2009, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners Association. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 19, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 3, 2009.

**Purpose**

The Owner has submitted a Zoning By-law Amendment Application to amend By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM2(H) General Employment Area Zone with the Holding Symbol “(H)” to EM3 Retail Warehouse Employment Area Zone, to facilitate the future development of a one-storey retail warehouse building with additional accessory uses and the necessary zoning exceptions required to implement the conceptual site plan shown on Attachment #3.

**Background - Analysis and Options**

**Location**

The subject lands shown on Attachments #1 and #2, are located southwest of Regional Road #27 and Langstaff Road, specifically on the east side of the proposed extension of Milani Boulevard, City of Vaughan. The surrounding land uses are shown on Attachment #2.

**Site History**

The subject lands constitute a combination of employment blocks which are subject to two separate Plan of Subdivision applications. The northerly portion of the subject lands is identified as Block 1 in Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc. – staff report to be considered by the Committee of the Whole on February 22, 2011) and the southerly portion is identified as Part of Block 17 and Blocks 18 and 23 in Approved Plan of Subdivision File 19T-90018 (611428 Ontario Limited) as shown on Attachments #3 and #4.

a) **Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.)**

The Owner submitted Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.) to revise Approved Plan of Subdivision 19T-89063 (SRF Vaughan Property II Inc.) which was approved by Vaughan Council on August 27, 2001, together with Zoning By-law Amendment File Z.00.020 (698067 Ontario Limited) to rezone the lands to EM2(H) General Employment Area Zone with the Holding Symbol “(H)”. This original revised draft plan of subdivision proposed an amended road network and additional employment blocks. The application was considered by Vaughan Council at the Public Hearing on September 2, 2008.

Through the review process, the Ministry of Transportation (MTO) advised that the proposed Highway #427 would extend onto the subject lands, thereby eliminating a number of the proposed employment blocks. As a result of the reduced development potential, the proposed road connection from Milani Boulevard to Innovation Drive was changed from a public street to a private laneway connection as shown on Attachment #4. The current draft plan of subdivision (File 19T-08V03) includes the terminus of Milani Boulevard into a cul-de-sac and proposes a private laneway connection between Milani Boulevard and Innovation Drive identified as Street “A”, and 2 employment blocks identified as Blocks 1 and 2 on Attachment #4. The current proposal was considered by Vaughan Council at a Public Hearing on October 19, 2009, and the technical report is being considered at the Committee of the Whole meeting on February 22, 2011.

Through the review of the related Draft Plan of Subdivision Application (File 19T-08V03 – SRF Vaughan Property II Inc.) also being considered at this Committee of the Whole meeting (February 22, 2011), the Vaughan Engineering Department advised that a 23 m wide right-of-way be protected to



facilitate the proposed private laneway which would connect the extension of Milani Boulevard to Innovation Drive. The proposed conceptual site plan shown on Attachment #3 provides for a building that is located approximately 23 m from the northwest limit of the property. Accordingly, the implementing zoning by-law should include a requirement for a minimum 23 m wide building setback from this property line.

b) Approved Plan of Subdivision File 19T-90018 (611428 Ontario Limited) and related Zoning By-law Amendment File Z.23.90 (611428 Ontario Limited)

On August 27, 2001, Vaughan Council approved Plan of Subdivision and Zoning By-law Amendment Files 19T-90018 and Z.23.90 (611428 Ontario Limited) to facilitate the development of commercial, employment and open space blocks with the appropriate zoning as shown on Attachment #4. The approved subdivision plan, of which the Phase 2 subject lands are not yet registered, consists of an internal street access from Regional Road #27, known as Milani Boulevard. Only Part of Blocks 17, and Blocks 18 and 23 from this approved plan of subdivision are subject to this zoning by-law amendment application, together with Block 1 from the subdivision to the north (File 19T-08V03), as shown on Attachment #4. These blocks, all currently zoned EM2(H) General Employment Area Zone with the Holding Symbol "(H)", will be merged together to create a complete development block, shown as the "subject lands" on Attachment #3.

Conceptual Site Design

The conceptual site plan shown on Attachment #3, includes a 13,227 m<sup>2</sup> one-storey retail warehouse building with a 2,938.8 m<sup>2</sup> garden centre. Parking for the development is proposed on the northeast portion of the site, adjacent to and under the existing hydro lines. The development will be served by 650 parking spaces, of which 65 of these parking spaces will be used for the seasonal outdoor display area of materials. The property will be served by 1 access point on Milani Boulevard, 2 access points on the private laneway, and an access to the existing commercial developments (existing Wal-mart complex) located to the southeast of the subject lands.

Specific details as they relate to appropriate building and site design, access, internal traffic circulation, parking layout, landscaping, servicing and grading, and the implementation of sustainable site and building design features will be reviewed in greater detail through the required Site Development Application.

Official Plan

The property is designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of employment uses. OPA #450 also includes policies relating to the development of retail warehouses within the Employment Areas which state that retail warehousing shall generally be directed to locations characterized by high visibility and accessibility, and that the following criteria be assessed in determining the appropriateness of permitting a retail warehouse development:

- i) availability of access to the arterial road system by way of an existing or planned signalized intersection with an internal feeder or collector road;
- ii) the traffic impacts on adjacent uses;
- ii) the adequacy of proposed accesses and the impact of the proposed use on the operation of the regional and local road system;
- iv) the degree of compatibility with adjacent land uses including residential uses in proximity to the proposed use; and,
- v) the urban design impacts of the proposed use on neighbouring lands.

The proposed development is situated on a site with direct access to an internal feeder road (Milani Boulevard), which connects to a signalized intersection at Regional Road #27, opposite Medallion Boulevard. A private laneway (23 m right-of-way) is proposed to be constructed by the applicant and will connect Milani Boulevard to Innovation Drive, and outletting to Regional Road #27, opposite Nickel Gate, which is a signalized intersection. In addition, the applicant is proposing to design, construct and front-end finance the cost associated with the extension of Innovation Drive to Langstaff Road to complete the road network in this area. The proposed EM3 Zone and uses would be compatible with the employment uses to the south and east, and the existing commercial uses to the southeast (Wal-mart complex). The urban design issues related to the development will be reviewed in greater detail during the review of a required Site Development Application for the proposed retail warehouse development. The proposed retail warehouse development conforms to the provisions of the Official Plan.

The subject lands are designated “Commercial Mixed-Use” and “Infrastructure and Utilities” by the new City of Vaughan Official Plan 2010, which is pending approval from the Region of York and is not yet in effect.

### Zoning

The subject lands are zoned EM2(H) General Employment Area Zone with the Holding Symbol “(H)” by By-law 1-88, subject to Exceptions 9(1258) (northerly portion) and 9(1253) (southerly portion), which permits a wide range of employment uses including manufacturing and warehousing. The proposed amendment to By-law 1-88 to permit retail warehouse uses on the property is not permitted by the current EM2(H) General Employment Area Zone. The Applicant is proposing to rezone the subject lands to EM3 Retail Warehouse Employment Area Zone to permit the proposed retail warehouse uses. In addition to the retail warehouse uses permitted as-of-right in the EM3 Zone, the Owner is proposing that the following uses be permitted:

- a) Eating Establishment, Take-out;
- b) Accessory Outside Storage (3800m<sup>2</sup>) to the retail warehouse use as shown on Attachment #3;
- c) Car Brokerage use defined as follows:

“Car Brokerage – Means a use operating accessory to the main retail warehouse use where the leasing/rental of delivery trucks and vans shall be permitted, and the outdoor display or storage of said vehicles shall also be permitted.”

The above noted uses are often associated with retail warehouse developments and are considered to be accessory and appropriate. The outside storage of rental vehicles can be supported, subject to the vehicles parking in the outdoor storage area located between the rear of the building (west side) and the proposed vegetated screen fence to be provided adjacent to Milani Boulevard. It is noted that the building must be located in the west portion of the site as it cannot be located within the hydro corridor in the east portion of the site. Accordingly, the building faces the parking area that is located in the hydro corridor.

The following site-specific exceptions to the EM3 Retail Warehouse Employment Area Zone requirements are proposed to permit the conceptual development plan shown on Attachment #3:

Table 1: Proposed Exceptions to the EM3 Retail Warehouse Area Zone:

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements (Minimum Requirements of the EM3 Retail Warehouse Employment Area Zone)</b>	<b>Proposed Exceptions to By-law 1-88 (EM3 Zone)</b>
a.	Minimum Parking Requirement	6 spaces/100 m <sup>2</sup>	3.9 spaces/100 m <sup>2</sup>
b.	Loading and Unloading Between a Building and a Street	Not permitted	To permit loading and unloading between the proposed building and Milani Boulevard.
c.	Shared driveways and aisles with the lands to the south and east	Not permitted	To permit shared driveways and aisles with the lands to the south and east.
d.	Maximum Driveway Access Width (on Milani Boulevard)	13.5 m	16.5 m
e.	Maximum Outdoor Display of merchandise, goods or materials	Shall not exceed 0.25 times the gross floor area of the buildings or structures on the lot.	Shall not exceed 0.29 times the gross floor area (3800 m <sup>2</sup> ) of the buildings or structures on the lot.

The Development Planning Department has reviewed the above-noted amendments to the Zoning By-law based on the development concept submitted in support of the Zoning By-law Amendment Application (Attachment #3) and considers the changes to be appropriate for the development of the site and compatible with the surrounding land uses.

The Development Planning Department considers the proposed exception to permit a loading area to be located between the proposed one-storey home improvement use building and Milani Boulevard to be acceptable, provided that the applicant provide screening of the loading area along Milani Boulevard with a living wall and planting of conifers to the satisfaction of the Development Planning Department, as agreed to by the applicant. The screening design and materials will be fully reviewed and determined through the review of the required site development application.

The reduction of parking spaces can be accommodated on the property as confirmed in the Parking Study submitted in support of the development, and is discussed further in this report.

The Development Planning Department recognizes the need for a larger driveway access as shown on Attachment #3 to accommodate truck movement from Milani Boulevard, and can support the proposed maximum 16.5 m driveway width. The Development Planning Department has no objections to the shared driveways and aisles with the proposed development to the south and the existing Walmart and commercial development to the east, which will allow for a cohesive and integrated development complex. On this basis, the Development Planning Department has no objections to the above-noted site-specific exceptions to By-law 1-88.

Through the review of the related Draft Plan of Subdivision Application (File 19T-08V03 – SRF Vaughan Property II Inc.) also being considered at this Committee of the Whole Meeting (February 22, 2011), the Vaughan Engineering Department has advised that a 23 m wide right-of-way should be protected to facilitate the proposed private laneway which would connect the extension of Milani Boulevard to Innovation Drive. The proposed conceptual site plan shown on Attachment #3 provides for a building that is located approximately 23 m from the northwest limit of the property. Accordingly, the implementing zoning by-law should include a requirement for a minimum 23 m wide building setback from this property line.

The subject lands are currently zoned with a Holding Symbol “(H)”, which can be removed from the subject lands, as the 2 portions of the respective subdivisions shown on Attachment #4 will be registered to facilitate the creation of blocks that will be combined to form full developable blocks, which is one condition for the removal of the “H” provision. The other condition requires the determination of the final alignment of the Highway #427 extension and cross-over, to the satisfaction of the Ministry of Transportation.

Pursuant to a meeting held on January 28, 2011 between MTO, Vaughan Development Planning Department and the Applicant, the MTO confirmed that the subject lands are no longer required for the Highway #427 extension and that the subject lands may now be released for future development, and the Holding Symbol “(H)” can be removed, as later confirmed in writing. In light of the above, the two conditions for the removal of the “H” Holding provision have been satisfied.

#### Access, Traffic and Parking

The proposed development concept consists of a total of 14,815.2 m<sup>2</sup> of gross floor area (GFA) (building and garden centre), which requires 889 parking spaces (6 spaces/100m<sup>2</sup> GFA). The Owner has requested a parking reduction based on a calculation of 3.9 spaces/100m<sup>2</sup>, resulting in a total requirement of 578 parking spaces. The applicant will be providing a total of 650 spaces, of which 65 spaces will be used for outdoor seasonal display, as shown on the conceptual site plan (Attachment #3). The reduction in parking is supported by a parking study prepared by Dillon Consulting, dated April 21, 2009, which was reviewed and approved by the Vaughan Engineering Department.

Access to the proposed development will be achieved from Milani Boulevard via a signalized intersection at Milani Boulevard and Regional Road 27. The Owner has proposed a private laneway connection between Block 1 and Innovation Drive, shown as Street “A” on Attachment #3. A Traffic Impact Study (Vaughan West Access Review and Network Opportunities) was submitted in support of the related Draft Plan of Subdivision (File: 19T-08V03 – SRF Vaughan Property II Inc.) on the subject lands, which was prepared by HDR/iTrans and dated November 9, 2010, and approved by the Vaughan Engineering Department.

#### Ministry of Transportation (MTO)

The MTO has advised that they have no objection to the proposed rezoning of the property and removal of the Holding Symbol “(H)” as they have determined the final alignment of the Highway #427 extension and cross-over do not affect the subject lands. The MTO has advised in writing that the subject lands may be released for development.

#### Future Site Development Application

The Owner will be required to submit a Site Development Application for Council's approval on the subject lands, to ensure an appropriate site layout and building design, site servicing and grading, stormwater management, parking and access, urban design, landscaping, streetscaping and sustainable design, are addressed.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

**Regional Implications**

The Region of York has advised that they have no objections to the proposal.

**Conclusion**

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.08.025 (Trinity Development Group Incorporated) in accordance with the policies of OPA #450, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to rezone the subject lands from EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone to facilitate a retail warehouse development on the subject lands, is appropriate and compatible with the existing uses in the surrounding area, subject to the comments and recommendations in this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Related Draft Plan of Subdivision Files 19T-08V03 and 19T-90018
5. Communication from Mr. Cam Milani, 611428 Ontario Limited, C2, dated February 22, 2011
6. Communication from Mr. Murray Evans, Evans Planning, C8, dated March 8, 2011

**Report prepared by:**

Mary Caputo, Planner 1, ext. 8215  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

/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 Iafrate  
seconded by Councillor DeFrancesca

That Council resolve into Closed Session for the purpose of discussing the following matters:

- i. Item 2, Report No. 15 of the Committee of the Whole (Closed Session) PROFESSIONAL SERVICES CONTRACT OPTIONS – INTEGRITY COMMISSIONER  
(personal matters about an identifiable individual)
- ii. Item 3, Report No. 15 of the Committee of the Whole (Closed Session) BLOCK 47 – SKANDATUT SITE LEGAL ADVICE SUBJECT TO SOLICITOR/CLIENT PRIVILEGE WARD 1  
(solicitor/client privilege)
- iii. Item 4, Report No. 15 of the Committee of the Whole (Closed Session) PROPERTY MATTER PATRICIA KEMP COMMUNITY CENTRE WARD 5  
(acquisition or disposition of land)
- iv. Item 5, Report No. 15 of the Committee of the Whole (Closed Session) RUFFOLO LITIGATION  
(litigation or potential litigation)

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- v. Item 6, Report No. 15 of the Committee of the Whole (Closed Session) PERSONNEL MATTER UPDATE ON RECRUITMENT FOR COMMISSIONER OF PLANNING  
(personal matters about an identifiable individual)
- vi. Item 9, Report No. 15 of the Committee of the Whole (Closed Session) LITIGATION MATTER – ROSSI v. CITY OF VAUGHAN ET AL  
(litigation or potential litigation)
- vii. Item 1, Report No. 18 of the Special Committee of the Whole (Closed Session) LITIGATION/LEGAL ADVICE, VAUGHAN ATS RIZMI HOLDINGS LTD. AND LACIA MILANI ONTARIO MUNICIPAL BOARD – 11333, 11641 DUFFERIN STREET 11490 BATHURST STREET, PART LOT 31, CONCESSION 2 WARD 1  
(litigation or potential litigation)

CARRIED

Council recessed at 1:33 p.m.

MOVED by Councillor Carella  
seconded by Councillor Racco

That Council reconvene at 3:50 p.m.

CARRIED

Council reconvened at 3:50 p.m. with the following members present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Gino Rosati  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**63. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 15**

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

ITEM - 2      PROFESSIONAL SERVICES CONTRACT OPTIONS – INTEGRITY  
COMMISSIONER

MOVED by Regional Councillor Di Biase  
seconded by Councillor DeFrancesca

THAT Item 2, Committee of the Whole (Closed Session) Report No. 15 be adopted and amended, as follows:

By approving the following recommendation of the Council (Closed) meeting of April 5, 2011:

## COUNCIL MEETING MINUTES – TUESDAY, APRIL 5, 2011

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1. That Suzanne Craig be reappointed as Vaughan's Integrity Commissioner for a term of two (2) years.

CARRIED

ITEM – 3      BLOCK 47 – SKANDATUT SITE  
LEGAL ADVICE SUBJECT TO SOLICITOR/CLIENT PRIVILEGE  
WARD 1

MOVED by Regional Councillor Schulte  
seconded by Councillor DeFrancesca

THAT Item 3, Committee of the Whole (Closed Session) Report No. 15 be adopted and amended, as follows:

By approving the following recommendation of the Council (Closed) meeting of April 5, 2011:

1. That the City enter into a Memorandum of Understanding with the landowner, the Ministry of Tourism and Culture and Huron-Wendat on terms set out in the report and in a form satisfactory to the City Solicitor; and

By receiving confidential Communication C3, from the Director of Legal Services, dated April 1, 2011.

CARRIED

ITEM – 4      PROPERTY MATTER  
PATRICIA KEMP COMMUNITY CENTRE  
WARD 4

MOVED by Councillor Racco  
seconded by Councillor Iafrate

THAT Item 4, of the Committee of the Whole (Closed Session) Report No. 15 considered at the Council (Closed) meeting of April 5, 2011, be adopted without amendment and the confidential recommendations made public.

By approving:

1. That the Filipino Canadian Association of Vaughan (FCAV) and the Glen Shields Soccer Club (GSSC) be advised that their current usage of the Patricia Kemp Community Centre (PKCC) be extended for an additional 6 months, to December 31, 2011; and
2. That staff be directed to modify the designation of the lands in Official Plan 2010 to Mixed Use Commercial.

CARRIED

ITEM – 5      RUFFOLO LITIGATION

MOVED by Regional Councillor Di Biase  
seconded by Councillor Carella

THAT Item 5, of the Committee of the Whole (Closed Session) Report No. 15 considered at

## COUNCIL MEETING MINUTES – TUESDAY, APRIL 5, 2011

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the Council (Closed) meeting of April 5, 2011, be adopted without amendment.

CARRIED UPON A RECORDED VOTE

YEAS

Regional Councillor Rosati  
Councillor Carella  
Mayor Bevilacqua  
Regional Councillor Di Biase  
Councillor Racco  
Councillor Shefman

NAYS

Councillor DeFrancesca  
Councillor Iafrate  
Regional Councillor Schulte

ITEM – 6            PERSONNEL MATTER  
                          UPDATE ON RECRUITMENT FOR COMMISSIONER OF PLANNING

MOVED by Councillor Racco  
seconded by Regional Councillor Di Biase

THAT Item 6, Committee of the Whole (Closed Session) Report No. 15 be adopted and amended, as follows:

By approving the following recommendation of the Council (Closed) meeting of April 5, 2011:

1. That a service contract be entered into with 2085433 Ontario Limited for the period April 6, 2011 to May 31, 2011, and a second contract for the period beginning July 1, 2011 to a point to be determined by staff in accordance with the City's needs;
2. That John Zipay, an employee of the company be appointed Acting Commissioner of Planning for the duration of the contracts until such time as the next Commissioner of Planning for the City of Vaughan commences employment; and
3. That the confidential Communication, C6 of the City Manager, dated April 5, 2011, be received.

CARRIED

ITEM – 9            LITIGATION MATTER – ROSSI v. CITY OF VAUGHAN ET AL

MOVED by Councillor Carella  
seconded by Councillor Shefman

THAT Item 9, Committee of the Whole (Closed Session) Report No. 15 considered at the Council (Closed) meeting of April 5, 2011, be adopted without amendment.

CARRIED

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

### **SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 18**

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



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ITEM - 1 LITIGATION/LEGAL ADVICE, VAUGHAN ATS RIZMI HOLDINGS LTD.  
AND LUCIA MILANI ONTARIO MUNICIPAL BOARD – 11333, 11641  
DUFFERIN STREET 11490 BATHURST STREET, PART LOT 31,  
CONCESSION 2

MOVED by Regional Councillor Di Biase  
seconded by Councillor Iafrate

THAT Item 1, Special Committee of the Whole (Closed Session) Report No. 18 be adopted  
and amended, as follows:

By approving the confidential recommendation of the Special Committee of the Whole  
(Closed Session) meeting of April 5, 2011, as set out in the confidential memorandum C7,  
from the City Clerk, dated April 5, 2011.

CARRIED

### 64. **BY-LAWS**

MOVED by Councillor Carella  
seconded by Councillor Iafrate

THAT the following by-laws be enacted:

- |                       |  |
|-----------------------|--|
| By-Law Number 40-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Manordale Crescent, Trudeau Drive and Orion Avenue – Argento<br>Developments Inc., 19T-03V08, Phases 1, 2 & 2A, Block 33W<br>(65M-3885/65M-4103/65M-4210) (Delegation By-law 196-2010)   |
| By-Law Number 41-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Luca Avenue, Lady Karen Crescent – Royal Garden Homes Ltd.,<br>19T-03V12, Phase 2A, 65M-4200) (Delegation By-law 196-2010)   |
| By-Law Number 42-2011 | A By-Law to dedicate certain lands as part of the public highway.<br>(Kipling Avenue – Luxor Homes Corp., Parts 1 and 6 on Reference<br>Plan 65R-30490) (Delegation By-law 196-2010)   |
| By-Law Number 43-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Monteith Crescent, Tayside Avenue, Fermar Drive, St. Joan of Arc<br>Avenue, Blackthorn Drive - Mackenzie Glen Developments Ltd.,<br>Blocks 491, 493, 495, 499 and 500, Plan 65M-3338, Mackenzie<br>Glen Phase 5 Subdivision, 19T-89016) (Delegation By-law 196-<br>2010) |
| By-Law Number 44-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Payson Avenue, Maria Di Vetta, 146 Crestwood Road, Parts 1<br>and 6 on Reference Plan 65R-32575) (Delegation By-law 196-<br>2010)  |
| By-Law Number 45-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Maison Parc Court, Alterra-Finer Space Limited, Parts 4 and 12 on<br>Reference Plan 65R-20892, Related File: DA.02.061) (Delegation<br>By-law 196-2010)  |
| By-Law Number 46-2011 | A By-law to dedicate certain lands as part of the public highway.<br>(Twin Hills Crescent, Keystar Developments Inc., 19T-00V07,<br>Phase 2A, 65M-4209) (Delegation By-law 196-2010)   |

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- By-Law Number 47-2011      A By-law to dedicate certain lands as part of the public highway. (Hunterwood Chase and Germana Place, Ventana Homes Inc., Block 20, 19T-03V11, Mackenzie Ridge Subdivision - 65M-4160) (Delegation By-law 196-2010)
- By-Law Number 48-2011      A By-law to impose a tariff of fees for the processing of Planning Applications and to repeal By-law Number 170-2009, being a prior by-law imposing a tariff of fees for Planning Applications. (Planning Application Fees – 2011 and 2012) (Item 5, Finance and Administration Committee, Report No. 6)
- By-Law Number 49-2011      A By-law to exempt parts of Plan 65M-4145 from the provisions of Part Lot Control. (PLC.11.002, Summit Woodbridge, located north of Major Mackenzie Drive and west of Weston Road, more specifically the south-west corner of Lindbergh Drive and Sedgewick Place, 30, 32, 34, 36, 38 and 40 Sedgewick Place (Block 186 on 65M-4145) and 44, 46, 48, 50, 52 and 54 Sedgewick Place (Block 187 on 65M-4145), in Part of Lot 22, Concession 6) (Delegation By-law 196-2010)
- By-Law Number 50-2011      A By-law to repeal By-law 49-2011. (PLC.11.002, Summit Woodbridge, located north of Major Mackenzie Drive and west of Weston Road, more specifically the south-west corner of Lindbergh Drive and Sedgewick Place, 30, 32, 34, 36, 38 and 40 Sedgewick Place (Block 186 on 65M-4145) and 44, 46, 48, 50, 52 and 54 Sedgewick Place (Block 187 on 65M-4145), in Part of Lot 22, Concession 6) (Delegation By-law 196-2010)
- By-Law Number 51-2011      A By-law to amend City of Vaughan By-Law 1-88. (Z.08.025, Z.08.069, Z.00.020, Part lots 9 & 10, Concession 9, Trinity Development Group Incorporated)

CARRIED

**65. CONFIRMING BY-LAW**

MOVED by Regional Councillor Di Biase  
seconded by Councillor Racco

THAT By-law Number 52-2011, being a by-law to confirm the proceedings of Council at its meeting on April 5, 2011, be enacted.

CARRIED

**66. ADJOURNMENT**

MOVED by Councillor Carella  
seconded by Councillor Iafrate

THAT the meeting adjourn at 3:56 p.m.

CARRIED

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk