



CITY OF VAUGHAN
COUNCIL MINUTES
JUNE 7, 2011

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, JUNE 7, 2011

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:11 p.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

112. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Di Biase
seconded by Councillor DeFrancesca

THAT the agenda be confirmed.

AMENDMENT

MOVED by Councillor Racco
seconded by Councillor Iafrate

That the following Addendums be added to the agenda:

- 1) ADMINISTRATIVE CORRECTION TO ZONING BY-LAW 1-88, EXCEPTION 9(134)
GIRONA FINANCIAL GROUP
FILE: Z.09.035
WARD 3
(Addendum By-Law No. 94-2011)

Report of the Director of Development Planning, dated June 7, 2011.

- 2) BY-LAW NO. 94.2011

A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 198-2010.

- 3) PERSONNEL MATTER-UPDATE ON RECRUITMENT FOR COMMISSIONER OF ENGINEERING AND PUBLIC WORKS

Confidential report to be provided at the meeting.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

113. DISCLOSURE OF INTEREST

Regional Councillor Di Biase declared an interest with respect to Item 26, Committee of the Whole Report No. 30, YORK REGION OFFICIAL PLAN FILE #9.6.34, as his children have had a long standing interest in a parcel of land in the area within Block 27.

114. CEREMONIAL PRESENTATIONS - PRESENTATION RECOGNIZING THE ACHIEVEMENTS OF STAFF AT THE 2011 PUBLIC WORKS CHALLENGE

Mayor Bevilacqua, on behalf of Members of Council, acknowledged the accomplishments of the City of Vaughan's Public Works Department winning the Miller Cup for the fourth year in a row and placing first at the annual York Area Municipalities Public Works Week Challenge Event.

115. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Carella
seconded by Regional Councillor Di Biase

THAT the minutes of the meeting of May 24, 2011 be adopted as presented.

CARRIED

116. COMMUNICATIONS

MOVED by Councillor Racco
seconded by Regional Councillor Schulte

THAT Communications C1 to C13 inclusive be received and referred to their respective items on the agenda.

CARRIED

117. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 30

Items 4, 11, 19, 23, 24 and 26

Addendums

Items 1, 2 and 3

MOVED by Councillor Iafrate
seconded by Regional Councillor Di Biase

THAT Items 1 to 28 of the Committee of the Whole Report No. 30, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

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THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 31, BE APPROVED and the recommendations therein be adopted.

CARRIED

Addendum

- 118. ADMINISTRATIVE CORRECTION TO ZONING BY-LAW 1-88, EXCEPTION 9(1344)**
GIRONA FINANCIAL GROUP
FILE: Z.09.035
WARD 3
(Addendum 1)

MOVED by Regional Councillor Di Biase
seconded by Councillor DeFrancesca

That the recommendation contained in the following report of the Director of Development Planning, dated June 7, 2011, be approved.

CARRIED

Report of the Director of Development Planning, dated June 7, 2011

Recommendation

The Director of Development Planning recommends:

The Director of Development Planning recommends:

1. THAT an amending Zoning By-law be enacted to amend By-law 1-88, specifically Exception 9(1344) to:
 - a) substitute Schedule "E-1472" and Key Map 5D with a new schedule (Attachment #4) and key map (Attachment #6) that correctly delineates the boundary of the subject lands, and the boundary between the C4 Neighbourhood Commercial Zone and the RT1 Residential Townhouse Zone in the north-easterly portion of the property;
 - b) replace the reference to "Lot 36" on Schedule "E-1472" (Attachment #3) with "Lot 34" in the manner shown on Attachment #4; and,
 - c) add an exception for a 1.6m interior side yard setback for a building abutting a walkway block.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

N/A

Purpose

The purpose of this Zoning By-law is to substitute Schedule "E-1472" and Key Map 5D with a new schedule and key map (Attachments #4 and #6) correctly delineating the property and zoning boundaries for the subject lands; change the reference on Schedule "E-1472" from "Lot 36" to "Lot 34" as shown on Attachment #4; and, add an additional exception to Exception 9(1344) that was inadvertently omitted in the original by-law to permit a 1.6 m interior side yard setback abutting the walkway block. The proposed amendments constitute an administrative correction to the City's Zoning By-law 1-88.

Background - Analysis and Options

By-law 198-2010 (site-specific Exception 9(1344)) was enacted by Vaughan Council on July 13, 2010, to amend Zoning By-law 1-88 to rezone the subject lands (Attachments #1 and #2) located on the north side of Rutherford Road, west of Highway 400 from C4 Neighbourhood Commercial Zone to C4 Zone and RT1 Residential Townhouse Zone in the manner shown on Attachments #3 and #5. Inadvertently, Schedule "E-1472" (Attachment #3) and Key Map 5D (Attachment #5) incorrectly delineated the property and zoning boundaries at the north-east portion of the site. The correct property and zoning boundaries are shown on Attachments #4 and #6. The number of street townhouse units proposed in the RT1 zone was also reduced from 36 to 34, however, the references to the end unit (Lot 36) was not changed to "Lot 34" on the original Schedule "E-1472". In addition, when Site Development File DA.09.075 was approved by Council on June 29, 2010, the approved site plan provided for a 1.6m interior side yard setback to the walkway block located between Blocks 1 and 2 (see Attachment #4), which was inadvertently not captured in the text of Exception 9(1344).

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

N/A

Conclusion

The proposed amendments constitute an administrative correction to the City's Zoning By-law 1-88. Should Council concur, an implementing Zoning By-law has been prepared and can be enacted at the June 7, 2011, Council meeting.

Attachments

1. Context Location Map
2. Location Map
3. Original Zoning Schedule "E-1472"
4. Correct Zoning Schedule "E-1472"
5. Original Key Map 5D
6. Correct Key Map 5D

Report prepared by:

Margaret Holyday, Planner, ext. 8216
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planner, 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.)

119. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 30

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

ITEM - 4 AWARD OF TENDER T11-101
INTERSECTION IMPROVEMENTS – EDGELEY BOULEVARD AND
HIGHWAY 7
WARD 4

MOVED by Councillor Racco
seconded by Councillor Shefman

THAT Item 4, Committee of the Whole Report No. 30 be adopted and amended, as follows:

By approving the following in accordance with Communication C2 from the Commissioner of Engineering and Public Works, dated May 31, 2011:

1. That Tender T11-101, Intersection Improvements – Edgeley Boulevard and Highway 7 be awarded to D&A Road Services Inc. in the amount of \$144,404.50, plus applicable taxes;
2. That a contingency allowance in the amount of \$15,000.00, 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 \$2,000.00, plus applicable taxes be approved to ensure compliance with all applicable standards;
4. That a Utility Relocation amount of \$50,000.00, plus applicable taxes be approved; and
5. That the Mayor and City Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 11 MINISTRY OF TRANSPORTATION (ONTARIO)
GTA WEST CORRIDOR PLANNING AND ENVIRONMENTAL
ASSESSMENT STUDY
DRAFT TRANSPORTATION DEVELOPMENT STRATEGY REPORT
WARD 1

MOVED by Regional Councillor Schulte
seconded by Regional Councillor Di Biase

That Item 11, Committee of the Whole Report No. 30 be adopted without amendment.

FAILED TO CARRY

MOVED by Councillor Shefman
seconded by Regional Councillor Schulte

That consideration of this matter be deferred to the Committee of the Whole meeting of June 14, 2011, to permit further consultation.

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Iafrate
Mayor Bevilacqua
Councillor Shefman
Regional Councillor Schulte
Councillor DeFrancesca
Councillor Racco
Councillor Carella

NAYS

Regional Councillor Di Biase
Regional Councillor Rosati

ITEM - 19 GENERAL LICENSING BY-LAW REVIEW

MOVED by Councillor Shefman
seconded by Councillor Racco

THAT Item 19, Committee of the Whole Report No. 30, which was considered by the Council of the City of Vaughan on June 7, 2011, was dealt with by approving:

That consideration of this matter be deferred to provide an opportunity for further consultation and that a report be brought back at the conclusion of that process; and

That the following communications be received:

- C4 Commissioner of Legal and Administrative Services and City Solicitor, dated June 6, 2011;
- C5 Mr. Frank Zoghi, York Regional Collision Center, 71 Villarboit Crescent, Unit 2, Concord, L4K 4C7, dated June 2, 2011;
- C7 Mr. Harvey Dennis, Ontario Auto Body Association, 26 Hallow Crescent, Toronto, M9W 2V9, dated June 6, 2011;
- C9 Ms. Maria Imperiale, Imperial Legal Services Inc., 7835 Highway 50, Suite 2A, Woodbridge, L4L 1A5, dated June 2, 2011;
- C10 Mr. Frank Zoghi, York Regional Collision Center, dated June 6, 2011;
- C11 Mr. Joe Buntic, Desjardins General Insurance Group, dated June 6, 2011;
- C12 Mr. Rick Pfeiffer, The Economical Insurance Group, 77 City Centre Drive, Suite 400, Mississauga, L5B 1M5, dated June 6, 2011; and
- C13 Information package entitled, "Towing Rate Study 2011", dated June 7, 2011.

CARRIED

ITEM - 23 OFFICIAL PLAN AMENDMENT FILE OP.03.007
1321362 ONTARIO INC., 11336 HIGHWAY 27 LIMITED PARTNERSHIP,
AND KLEINVIT ESTATES INC.
WARD 1

MOVED by Councillor Iafrate
seconded by Councillor DeFrancesca

THAT Item 23, Committee of the Whole Report No. 30 be adopted and amended, as follows:

By approving the recommendation contained in the following report of the Acting Commissioner of Planning and Director of Development Planning, dated May 31, 2011;

By approving the following in accordance with Communication C8 from the Director of Development Planning, the Director of Development/Transportation Engineering and the Director of Parks Development, dated June 6, 2011:

1. THAT the following provisions be added to Recommendation 2 of the Committee of the Whole report (Item 23) from the Acting Commissioner of Planning and the Director of Development Planning dated May 31, 2011:
 - “d) the provision of a low maintenance acoustical earth berm of 20-24 m in width be located within the minimum 24 m wide community edge buffer along Highway 27, and be well landscaped with large caliper coniferous and deciduous tree planting and other naturalized landscaping at a 3:1 slope and height of 3.9 m in accordance with City standards;
 - e) the implementing Official Plan Amendment include policies and mapping to permit either single detached residential or open space park uses on the lots identified by the Parks Development Department on Attachment #6 (hatched area approximately 1.8 ac). If the linear park identified in the southern subdivision (1422174 Ontario Ltd. (Lea Vivot), 19T-08V06) is not conveyed to the City within two (2) years of the first Draft Plan of Subdivision Approval on the lands subject to this Official Plan Amendment (the 3 subdivisions to the north), this area (hatched) will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from the southern subdivision (19T- 08V06) within 2 years of the first Draft Plan Approval of the 3 subdivisions to the north, these lands (hatched) shall be developed for low-density residential uses.”
2. THAT when the respective Zoning By-law Amendment (Files Z.03.008, Z.08.035, Z.08.036) and Draft Plan of Subdivision (19T-03V02, 19T-08V04, 19T-08V05) applications are brought forward for Council's consideration in Fall 2011, that appropriate zoning requirements including the provision of a Holding “H” provision and draft plan of subdivision conditions including a no pre-sales agreement be proposed for incorporation into the respective implementing zoning by-law amendments and subdivision agreements for the 3 subject properties; and

By receiving Communication C6 from Mr. Sid Preece, Hedgerow Estates Homeowners' Association, 25 Hedgerow Court, Kleinburg, L0J 1C0, dated June 6, 2011.

CARRIED

ITEM - 24 TELECOMMUNICATION FACILITY SITING PROTOCOL
CITY OF VAUGHAN - FILE 15.88
WARDS 1-5

MOVED by Councillor Racco
seconded by Regional Councillor Schulte

THAT Item 24, Committee of the Whole Report No. 30 be adopted and amended, as follows:

By amending the Terms of Reference:

by deleting bullet 1 under the heading “Membership” and replacing it with the following:

- up to 5 members of the general public be appointed to sit on the Task Force with a preference given to 1 member of the public from each of the wards and that Members of Council be invited to nominate a person for that purpose; and

By directing that the Task Force provide a findings report to Council within 5 months of its establishment.

CARRIED

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ITEM - 26 YORK REGION OFFICIAL PLAN
FILE #9.6.34

MOVED by Councillor Carella
seconded by Councillor Iafrate

THAT Item 26, Committee of the Whole Report No. 30 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.

MOVED by Councillor Iafrate
seconded by Councillor DeFrancesca

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

- i) PERSONNEL MATTER-UPDATE ON RECRUITMENT FOR COMMISSIONER OF ENGINEERING AND PUBLIC WORKS (Addendum Item 3) (personal matters about an identifiable individual)

CARRIED

Council recessed at 2:21 p.m.

MOVED by Councillor Iafrate
seconded by Councillor DeFrancesca

That Council reconvene at 2:40 p.m.

CARRIED

Council reconvened at 2:40 p.m. with the following members present:

Hon. Maurizio Bevilacqua, Mayor
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

Addendum

- 120. PERSONNEL MATTER-UPDATE ON RECRUITMENT FOR COMMISSIONER OF ENGINEERING AND PUBLIC WORKS**
(Addendum 3)

MOVED by Regional Councillor Di Biase
seconded by Councillor Iafrate

That the following recommendation of the Council (Closed Session) meeting of June 7, 2011, be approved:

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That the following recommendation contained in the confidential report of the Selection Panel, dated June 7, 2011, be approved:

The Selection Panel recommends that Paul Jankowski be approved for hiring into the position of Commissioner of Engineering and Public Works.

CARRIED

121. **BY-LAWS**

MOVED by Councillor Shefman
seconded by Councillor DeFrancesca

THAT the following by-laws be enacted:

- | | |
|-----------------------|--|
| By-Law Number 86-2011 | A By-law to temporarily close Peelar Road, approximately 200 metres west of Maplecrete Road from July 1, 2011 to October 14, 2011. (Council, May 24, 2011, Item 5, Committee of the Whole, Report No. 25) |
| By-Law Number 87-2011 | A By-law to amend the Consolidated Traffic By-law 1-96, as amended, to govern and control traffic in the City of Vaughan. (No Parking - Pinewood Drive and Powell Road) (Council, May 24, 2011, Item 32, Committee of the Whole, Report No. 25) |
| By-Law Number 88-2011 | A By-Law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Allway Stop - Via Romano Boulevard and Queen Filomena Avenue) (Council, May 24, 2011, Item 7, Committee of the Whole, Report No. 25) |
| By-Law Number 89-2011 | A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Longbridge Road and Shasta Drive) (Council, May 3, 2011, Item 17, Committee of the Whole, Report No. 19) |
| By-Law Number 90-2011 | A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Ilan Ramon Boulevard and Valley Vista Drive) (Council, May 24, 2011, Item 8, Committee of the Whole, Report No. 25) |
| By-Law Number 91-2011 | A By-law to provide for the indemnity and defence of members of council and employees of the Corporation against loss or liability incurred while acting on behalf of the Municipality. (Indemnification By-law) (Council, March 22, 2011, Item 22, Committee of the Whole, Report No. 14) |
| By-Law Number 92-2011 | A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 33-2011. (Z.11.003 (Z.09.016), Nine-Ten West Limited, located on the north side of Rutherford Road and east of Thomas Cook Avenue, municipally known as 1076 Rutherford Road, Part of Lot 16, Concession 2) (Council, May 24, 2011, Item 17, Committee of the Whole, Report No. 25) |

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By-Law Number 93-2011 A By-law to authorize the temporary closing of certain highways in the City of Vaughan. (Huntington Road from Rutherford Road to Major Mackenzie Drive) (Item 25, Committee of the Whole, Report No. 30)

By-Law Number 94-2011 A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 198-2010.
(Addendum 1, Minute No. 118, Council June 7, 2011)

CARRIED

122. CONFIRMING BY-LAW

MOVED by Councillor Racco
seconded by Councillor Carella

THAT By-law Number 95-2011, being a by-law to confirm the proceedings of Council at its meeting on June 7, 2011, be enacted.

CARRIED

123. ADJOURNMENT

MOVED by Councillor Iafrate
seconded by Councillor Racco

THAT the meeting adjourn at 2:41p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk