



CITY OF VAUGHAN
COUNCIL MINUTES
FEBRUARY, 21, 2012

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, FEBRUARY 21, 2012

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:09 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

27. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Di Biase
seconded by Regional Councillor Schulte

THAT the agenda be confirmed.

CARRIED

28. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

29. CEREMONIAL PRESENTATION – 2012 VAUGHAN HERITAGE PRESERVATION AWARDS – PRESENTATION BY MR. JOHN MIFSUD, CHAIR, HERITAGE VAUGHAN COMMITTEE

Mayor Bevilacqua, on behalf of Members of Council, presented the 2012 Vaughan Heritage Preservation Awards to the following:

Jim and Victoria Globocki for 9986 Keele Street;
Francis Dawson, Oliver Dawson and Lisa Johnston for the Stanley Bennett Barclay House;
and
Starbucks Canada, Cinzia Recine and Paul Fallone for the Arthur McNeil House.

30. CEREMONIAL PRESENTATION – MARTHA BELL FOR THE 2011 HERITAGE COMMUNITY VOLUNTEER AWARD

Mayor Bevilacqua, on behalf of Members of Council, presented the 2011 Heritage Community Recognition Award to Ms. Martha Bell for her efforts in Natural Heritage.

31. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

THAT the minutes of the meeting of January 31, 2012 and Special Council meeting of February 13, 2012 be adopted as presented.

CARRIED

32. COMMUNICATIONS

MOVED by Councillor Iafrate
seconded by Regional Councillor Schulte

THAT Communications C1 to C8 inclusive be received and referred to their respective items on the agenda.

CARRIED

33. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

Committee of the Whole Report No. 4

Items 1, 11, 13, 15

Finance and Administration Committee Report No. 2

Item 6

Committee of the Whole (Working Session) Report No. 7

Items 3 and 4

MOVED by Councillor Iafrate
seconded by Councillor Carella

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

THAT Items 1 to 26 of the Committee of the Whole Report No. 4, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Closed Session) Report No. 5, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Committee of the Whole (Public Hearing) Report No. 6, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 10 of the Finance and Administration Committee Report No. 2, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 5 of the Committee of the Whole (Working Session) Report No. 7, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

34. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 4

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

ITEM - 1 TELECOMMUNICATION FACILITY SITING PROTOCOL TASK FORCE
1) REVISION TO THE TERMS OF REFERENCE
2) REQUEST RE: RADIO FREQUENCY ELECTROMAGNETIC FIELDS
TESTING

MOVED by Councillor Carella
seconded by Regional Councillor Di Biase

THAT Item 1, Committee of the Whole Report No. 4 be adopted without amendment.

CARRIED UPON A RECORDED VOTE

YEAS

Mayor Bevilacqua
Regional Councillor Rosati
Regional Councillor Di Biase
Regional Councillor Schulte
Councillor Iafrate
Councillor Carella
Councillor DeFrancesca
Councillor Racco
Councillor Shefman

NAYS

ITEM – 11 ZONING BY-LAW AMENDMENT FILE Z.10.002
SITE DEVELOPMENT FILE DA.11.086
2109179 ONTARIO INC.
WARD 1

MOVED by Regional Councillor Rosati
seconded by Councillor DeFrancesca

THAT Item 11, Committee of the Whole Report No. 4 be adopted and amended, as follows:

By approving:

That consideration of this matter be deferred to the February 28, 2012 Committee of the Whole meeting; and

That Communication C1 from Ms. Rosemarie L. Humphries, dated February 7, 2012, be received.

CARRIED

ITEM - 13 DRAINAGE ISSUES ON ANTHONY LANE
WARD 5

MOVED by Councillor Shefman
seconded by Councillor Carella

THAT Item 13, Committee of the Whole Report No. 4 be adopted and amended, as follows:
By approving:

That the following recommendations contained in Communication C3, memorandum from the Commissioner of Engineering and Public Works and the Director of Engineering Services, dated February 17, 2012, be approved subject to the following amendments:

That Clause 1, bullet 2 be as follows:

“to participate and to cost share in the findings of this study; and

That Clause 3 be as follows:

“That staff report back on the status or completion of the negotiations and study cost by the last Committee of the Whole meeting in June 2012”;

so as to read:

1. That Council request the Minister of Infrastructure:
 - to work with the City to develop the Terms of Reference for a Request For Proposal for a joint hydrogeological study to assess causes of high groundwater elevation in the vicinity of the mutual property line between lands owned by the Ontario Infrastructure and Lands Corporation, the Ontario Hydro corridor, and homes on Anthony Lane;
 - to participate and to cost share in the findings of this study; and
 - to respond to the City's request by April 15, 2012;
2. That Council direct staff to follow-up with the Ministry of Infrastructure staff to attempt to negotiate the Terms of Reference and cost-sharing of such a hydrogeological study, and if successful, to solicit proposals for professional services to complete such a study;
3. That staff report back on the status or completion of the negotiations and study costs by the last Committee of the Whole meeting in June 2012; and
4. That recommendation #1 of the February 7, 2012 Committee of the Whole meeting be deferred at this time, and that the staff continue to maintain the municipal boulevard and sidewalk fronting 110 Anthony Lane, using current practices; and

That Communication C8 from the Commissioner of Legal and Administrative Services and City Solicitor, dated February 21, 2012, be received.

CARRIED

ITEM - 15 PIERRE BERTON ARTIFACTS AND MEMORABILIA TASK FORCE
RECOMMENDATIONS FROM THE JANUARY 20, 2012 MEETING

MOVED by Regional Councillor Di Biase
seconded by Councillor DeFrancesca

THAT Item 15, Committee of the Whole Report No. 4 be adopted and amended, as follows:

By approving:

That the following recommendations contained in Communication C4, from Regional Councillor Di Biase, Chair of the Pierre Berton Artifacts and Memorabilia Task Force, dated February 21, 2012, be approved subject to the following amendments:

That Clauses 2 and 3 be deferred for a report at a future date;

so as to read:

1. That recommendations 1, 3 and 4 contained in the report of the City Clerk, dated February 7, 2012, be approved;
2. That recommendation 2 contained in the report of the City Clerk, dated February 7, 2012, be deferred until the findings report is completed; and
3. That amendments to the Task Force's Terms of Reference to include under "Mandate/Objectives" the words "To promote the concept of the Discovery Centre throughout the community, the GTA, the Province and the Country", be deferred until the findings report is completed.

CARRIED

FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 2

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

ITEM - 6 AMENDMENT TO STANDARD BID/PROPOSAL FORM – BIDDER COMPLIANCE WITH CITY BY-LAWS

MOVED by Councillor Iafrate
seconded by Councillor Shefman

THAT Item 6, Finance and Administration Committee Report No. 2 be adopted and amended, as follows:

By approving:

That the following recommendations contained in Communication C7, from the Commissioner of Finance & City Treasurer and the Commissioner of Legal and Administrative Services and City Solicitor, dated February 21, 2012, be approved subject to the following amendments: That that word "unchanged" be deleted from Clause b) so it reads as follows:

- b) "neither the Bidder nor any of its subcontractors and suppliers has been convicted of such a matter where the contravention remains".

so as to read:

That the following be added to Policy No. 05.2.02 Tendering Policy Tender-Document VI

Bid/Proposal Form as clause 17, a Declaration requirement by bidder, and clause 18 respectively:

THAT:

- a) each of the Bidder and its subcontractor and suppliers is not currently the subject of legal proceedings by the City of Vaughan in respect of Vaughan's Property Standards By-Law or Zoning By-laws in relation to its business operations.
- b) neither the Bidder nor any of its subcontractors and suppliers has been convicted of such a matter where the contravention remains
- c) neither the Bidder nor any of its subcontractors or suppliers is involved in litigation, judicial or arbitral proceedings or any legal claim against or by the City with respect to any other contract or business transaction

THAT the Bidder agrees that if any statement contained in Clause # 17 is untrue or incorrect, the municipality shall be entitled at its sole discretion to reject this bid or, if such untruth or incorrectness comes to light after the bid is accepted, or after the contract has been entered into, to refuse to enter into any Contract, to treat the Contract as at an end and to pursue any other legal recourse the municipality deems appropriate; and

That the report of the Finance and Administration Committed, dated February 13, 2012, be received.

CARRIED

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 7

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

ITEM - 3 PRE-QUALIFICATION OF LANDSCAPE GENERAL CONTRACTORS

MOVED by Councillor Iafrate
seconded by Councillor Racco

THAT Item 3, Committee of the Whole (Working Session) Report No. 7 be adopted and amended, as follows:

By approving:

That Clause 2 contained in the report from the Commissioner of Community Services, dated February 13, 2012, be amended to include, "Kleinburg Tennis Court", so as to read:
That all outstanding new parks and Kleinburg Tennis Court approved in 2011 and prior years be given priority for the issuance of bids;

That the following recommendations contained in Communication C6, from the Commissioner of Finance & City Treasurer and the Commissioner of Legal and Administrative Services and City Solicitor, dated February 21, 2012, be approved:

1. THAT Clause 17, Document 1 of the City's approved standard Bid Document (Policy No: 05.2.02) be amended to the following:

EVALUATION OF PERFORMANCE

Upon completion of, or at any time during the Contract, the Owner may complete an evaluation of the Contractors' performance. A copy of this evaluation may be given to the Contractor. The evaluation shall be placed on file. This information may be made available to persons requesting Owner references for the Contract and also may be reviewed and may form part of the criteria when awarding future bids by the Owner; and

2. THAT the Terms of Reference for all pre-qualification requests for proposal (RFP) include the following clause:

The City reserves the right to remove a Contractor from the pre-qualification list if performance evaluations are not satisfactory, based on the City of Vaughan's sole discretion; and

That Communication C5 memorandum from the Commissioner of Finance & City Treasurer, dated February 21, 2012, be received.

CARRIED

ITEM - 4 FACILITY ALLOCATION POLICY AMENDMENTS

MOVED by Councillor Carella
seconded by Councillor Shefman

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That notwithstanding the amendments to the Facility Allocation Policy, the historic arrangement with respect to the use of bocce courts at Maxey Valley Park be "grandfathered".

FAILED TO CARRY UPON A RECORDED VOTE

YEAS

Councillor Carella

NAYS

Mayor Bevilacqua
Regional Councillor Rosati
Regional Councillor Di Biase
Regional Councillor Schulte
Councillor Iafrate
Councillor DeFrancesca
Councillor Racco
Councillor Shefman

MOVED by Councillor DeFrancesca
seconded by Regional Councillor Di Biase

THAT Item 4, Committee of the Whole (Working Session) Report No. 7 be adopted without amendment.

CARRIED

35. BY-LAWS

MOVED by Councillor Carella
seconded by Councillor Iafrate

THAT the following by-laws be enacted:

- | | |
|-----------------------|---|
| By-Law Number 15-2012 | A By-law to amend Appointment By-law 73-2007. (Delegation By-law 196-2010) |
| By-Law Number 16-2012 | A By-law to assume Municipal Services in Kleinburg Montessori School External Services (DA.02.001). (Council, January 31, 2012, Item 22, Committee of the Whole, Report No. 1) |
| By-Law Number 17-2012 | A By-Law to assume Municipal Services in Maple Springs (Mackenzie Glen) Subdivision, Phase 2, 19T-89016, Registered Plan 65M-3065 and 65M-3066. (Item 9, Committee of the Whole, Report No. 4) |
| By-Law Number 18-2012 | A By-law to dedicate certain lands as part of the public highway. (Valley Vista Drive, Grindelwald Developments Limited 19T-05V11, Mckenzie Ridge Subdivision (65M-4286) Block 11, Parts 4 and 6 on Reference Plan 65R-29603, PIN – 03341- 3763 (LT) (Delegation By-law 196-2010) |
| By-Law Number 19-2012 | A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Via Romano Boulevard and Sir Francesco Street/Lady Veronica Lane) (Council, January 31, 2012, Item 16, Committee of the Whole, Report No. 1) |

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- By-Law Number 20-2012 A By-law to exempt parts of Plan 65M-3808 from the provisions of Part Lot Control. (PLC. 12.001, Summitview Homes, located south of Rutherford Road and west of Bathurst Street being Blocks 144 to 149 inclusive and Lots 114 to 115 inclusive in Registered Plan 65M-3808, in Part of Lot 14, Concession 2) (Delegation By-law 196-2010)
- By-Law Number 21-2012 A By-law to repeal By-law 20-2012. (PLC. 12.001, Summitview Homes, located south of Rutherford Road and west of Bathurst Street being Blocks 144 to 149 inclusive and Lots 114 to 115 inclusive in Registered Plan 65M-3808, in Part of Lot 14, Concession 2) (Delegation By-law 196-2010)
- By-Law Number 22-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.11.023, Shael E. Beckenstein, located on the north side of Wigston Place, southeast of the intersection of Bathurst Street and Highway #407, being Part 1 on Reference Plan 65R-19017, in Part of Lot 34, Concession 1) (Council, December 13, 2011, Item 16, Committee of the Whole, Report No. 54)
- By-Law Number 23-2012 A By-law to adopt Amendment Number 721 to the Official Plan of the Vaughan Planning Area. (OPA 721 and OP.11.004, Z.11.014, Ravines of Islington holdings Ltd., located on the east side of Islington Avenue, south of Langstaff Road, being Lot 7 on Registered Plan M-1113, known municipally as 8469 Islington Avenue) (Council, November 29, 2011, Item 7, Committee of the Whole, Report No. 50)
- By-Law Number 24-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.11.014, OP.11.004, Ravines of Islington Holdings Inc., located on the east side of Islington Avenue, south of Langstaff Road, being Lot 7 on Registered Plan M-1113, known municipally as 8469 Islington Avenue) (Council, November 29, 2011, Item 7, Committee of the Whole, Report No. 50)
- By-Law Number 25-2012 A By-law to adopt Amendment Number 724 to the Official Plan of the Vaughan Planning Area. (OPA 724 and OP.09.008, Z.09.040 and DA.11.075, Arvit Investments Inc. (Mosaik Homes), located on the east side of Jane Street south of Norwood Avenue, being Block 133 on Plan 65M-3505, in Lot 19, Concession 4) (Council, January 31, 2012, Item 15, Committee of the Whole, Report No. 1)
- By-Law Number 26-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.09.040, OP.09.008 and DA.11.075, Arvit Investments Inc. (Mosaik Homes), located on the east side of Jane Street south of Norwood Avenue, being Block 133 on Registered Plan 65M-3505, in Lot 19, Concession 4) (Council, January 31, 2012, Item 15, Committee of the Whole, Report No. 1)
- By-Law Number 27-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.11.028, Z.01.003, Langstaff Gospel Hall and Albert & Margaret Clingen, located on the northwest corner of Langstaff Road and Pleasant Ridge Avenue, known municipally as 1300 Langstaff Road, being Part of Lots 2, 3, and 4 on Reference Plan 65R-24389 and 1350 Langstaff Road, being Part of Lots 1 and 2 on Reference Plan 65R-19465, in Part of Lot 11, Concession 2) (Council, January 31, 2012, Item 14, Committee of the Whole, Report No. 1)

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By-Law Number 28-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.11.012, Ozner Corporation South, located north of Major Mackenzie Drive, east of Weston Road, specifically on Zachary Place, in Planning Block 33 West, City of Vaughan. The subject lands consist of Blocks 138 to 142, on Registered Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11 on Registered Plan 65M-4283) (Item 12, Committee of the Whole, Report No. 4)

CARRIED

36. CONFIRMING BY-LAW

MOVED by Councillor Iafrate
seconded by Regional Councillor Schulte

THAT By-law Number 29-2012, being a by-law to confirm the proceedings of Council at its meeting on February 21, 2012, be enacted.

CARRIED

37. ADJOURNMENT

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT the meeting adjourn at 2:42 p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk