



**CITY OF VAUGHAN
COUNCIL MINUTES
JUNE 11, 2001**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, JUNE 11, 2001

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:15 p.m.

The following members were present:

Regional Councillor M. Di Biase, Chair
Councillor B. Di Vona
Councillor M. Ferri
Councillor S. Kadis
Councillor M. G. Racco
Councillor G. Rosati

159. CONFIRMATION OF AGENDA

MOVED by Councillor Di Vona
seconded by Councillor Ferri

THAT the agenda be confirmed.

AMENDMENT

MOVED by Councillor Racco
seconded by Councillor Kadis

THAT the following Addendums be added to the agenda:

1) **REVISE THE SCOPE OF CONTRACT T00-130
ASPHALT RESURFACING – VARIOUS LOCATIONS**

Report of the Commissioner of Development Services & Public Works with respect to the above.

2) **BELVEDERE ESTATES PHASE III, MODEL HOME AGREEMENT**

Report of the Commissioner of Development Services & Public Works with respect to the above.

3) **BY-LAW 225-2001**

A By-law to amend City of Vaughan By-Law Number 94-94, as amended with respect to wastewater rates. (Item 37, Committee of the Whole Report No. 46)

4) **BY-LAW 226-2001**

A By-law to authorize execution of Agreements with the Region of York for the Jane/Rutherford Sanitary Sub Trunk Sewer. (Council, February 8, 1999, Item 27, Committee of the Whole Report No. 12)

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

160. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to Item 1, Committee of the Whole (Closed Session) Report No.45, ONTARIO MUNICIPAL BOARD, REENA APPEAL OF ZONING BY-LAW 70-2001, (GROUP HOME BY-LAW) as he is a Board Member of a similar organization.

161. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Ferri
seconded by Councillor Di Vona

THAT the minutes of the meeting of May 30, 2001 and the minutes of Special Council meetings (1) and (2) of, June 4, 2001 be adopted as presented.

CARRIED

162. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Closed Session) Report No. 45

Item 1

Committee of the Whole Report No. 46

Items 2, 12, 13, 16, 22, 24, 25, 27, 36, 38, and 47

MOVED by Councillor Ferri
seconded by Councillor Di Vona

THAT Items 1 to 4 of the Committee of the Whole (Closed Session) Report No. 45, with the exception of the item identified for separate discussion BE APPROVED and the recommendation therein be adopted; and

THAT Items 1 to 48 of the Committee of the Whole Report No. 46, with the exception of the items identified for separate discussion BE APPROVED and the recommendations therein be adopted.

CARRIED

163. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 46

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

ITEM – 24 SITE DEVELOPMENT APPLICATION
ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO
FILE: DA.00.124

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MOVED by Councillor Racco
seconded by Councillor Rosati

THAT Item 24, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Planning, dated June 8, 2001; and

By receiving the written submission of Delta Urban Inc., 7501 Keele Street, Suite 505, Vaughan, L4K 1Y2, dated June 8, 2001.

AMENDMENT

MOVED by Councillor Di Vona
seconded by Councillor Ferri

THAT Item 24, Committee of the Whole Report No. 46 be further amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated June 8, 2001:

“That Council adopt the June 4, 2001 recommendation of the Committee of the Whole, save and except Recommendation 2(b) of the Commissioner of Planning, and that Recommendation 2(b) be deferred to the June 25, 2001 Council meeting for a further report.”

FAILED TO CARRY UPON A RECORDED VOTE

YEAS

Councillor Di Vona
Councillor Ferri
Councillor Rosati

NAYS

Regional Councillor Di Biase
Councillor Kadis
Councillor Racco

Upon the question of the main motion:

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

Regional Councillor Di Biase
Councillor Di Vona
Councillor Ferri
Councillor Kadis
Councillor Racco
Councillor Rosati

NAYS

ITEM – 27 SITE DEVELOPMENT APPLICATION
 THORNHILL VILLAGE PLAZA INC.
 FILE: DA.01.011

MOVED by Councillor Kadis
seconded by Councillor Racco

THAT Item 27, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning & Urban Design, dated June 4, 2001, subject to the following:

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- a) that the approval of the additions proposed at the south end of the existing plaza building be refused; and
- b) that the outdoor patio be deleted from the site plan as it was not part of the application and is not permitted.

CARRIED

ITEM – 36 STREET NAME APPROVAL
 VAUGHAN MILLS
 FILE: 19T-98V10

MOVED by Councillor Racco
seconded by Councillor Ferri

THAT Item 36, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning & Urban Design, dated June 4, 2001, subject to deleting “Bass Pro/Vaughan Mills Drive”, the proposed name for Street ‘A’, and substituting “Bass Pro Mills Drive” in lieu thereof; and

By receiving the written submission of Mr. Michael S. Goldberg, Armstrong Goldberg Hunter, 9251 Yonge Street, Suite 302, Richmond Hill, L4C 9T3, dated June 7, 2001.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 45

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

ITEM – 1 ONTARIO MUNICIPAL BOARD
 REENA APPEAL OF ZONING BY-LAW 70-2001
 (GROUP HOME BY-LAW)

MOVED by Councillor Racco
seconded by Councillor Kadis

THAT Item 1, Committee of the Whole (Closed Session) Report No. 45 be adopted and amended, as follows:

By approving options ii) and iii), contained in the confidential additional report of the Solicitor/Litigation, dated June 11, 2001.

CARRIED

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

COMMITTEE OF THE WHOLE REPORT NO. 46

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

COUNCIL MEETING MINUTES – JUNE 11 2001

ITEM – 2 EXEMPTION TO THE CITY OF VAUGHAN NOISE BY-LAW
270-81 AS AMENDED,
WEDDINGS AND SPECIAL EVENTS – FESTIVALS, PARADES,
FILMING

MOVED by Councillor Racco
seconded by Councillor Kadis

THAT Item 2, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By deleting Clause h) and substituting the following in accordance with the recommendation contained in the memorandum from the Director of Legal Services, dated June 8, 2001:

“h) That should York Regional Police determine that the noise level of a particular event is causing a disturbance, the exemption shall be automatically revoked at the time of such determination by the York Regional Police.”

CARRIED

ITEM – 12 AWARD OF TENDER T01-65
TRAFFIC CALMING
WILSHIRE/WESTMOUNT, YORK HILL BOULEVARD
AND CROSSROADS NEIGHBOURHOODS

MOVED by Councillor Kadis
seconded by Councillor Racco

THAT Item 12, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By referring this matter to the Council meeting of June 25, 2001 in accordance with the memorandum from the Director of Engineering, dated June 8, 2001.

CARRIED

ITEM – 13 AWARD OF TENDER T01-17
KIPLING AREA WATERMAIN REPLACEMENT

MOVED by Councillor Rosati
seconded by Councillor Ferri

THAT Item 13, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following recommendation contained in the additional report of the Commissioner of Development Services, dated June 11, 2001:

- “1) That Tender T01-17 for the Kipling Area Watermain Replacement be awarded to Direct Underground Inc., in the amount of \$1,346,516.89;
- 2) That a contingency allowance in the amount of \$140,000 be approved, within which the Director of Engineering is authorized to approve amendments to the contract; and
- 3) That the Mayor and Clerk be authorized to sign the necessary documents.”

CARRIED

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ITEM – 16 STREET NAME APPROVAL
PARKTRAIL INDUSTRIAL SUBDIVISION
FILE:19T-99V01

MOVED by Councillor Racco
seconded by Councillor Ferri

THAT Item 16, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning & Urban Design, dated June 4, 2001, subject to deleting “Vaughan Mills/Bass Pro Drive”, the proposed name for Street ‘D’, and substituting “Bass Pro Mills Drive” in lieu thereof; and

By receiving the written submission of Mr. Michael S. Goldberg, Armstrong Goldberg Hunter, 9251 Yonge Street, Suite 302, Richmond Hill, L4C 9T3, dated June 7, 2001.

CARRIED

ITEM – 22 AMENDMENT TO ZONING BY- LAW FILE Z.01.016
CITY OF VAUGHAN - DESIGN STANDARDS REVIEW

MOVED by Councillor Ferri
seconded by Councillor Rosati

THAT Item 22, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following recommendation contained in the memorandum from the Commissioner of Planning, dated June 8, 2001:

- “1. The recommendation of the Committee of the Whole of June 4, 2001, NOT BE ADOPTED by Council;
2. That File Z.01.016 (Design Standards Review) BE DEFERRED to a Committee of the Whole meeting to be held in September/October of 2001; and
3. That the consultant, Anne McIlroy of Brook McIlroy Inc., be further retained at an estimated cost of \$10,000.00 to continue to assist staff in regard to this study.”

CARRIED

ITEM – 25 SITE DEVELOPMENT APPLICATION
DUFFHILL PROPERTIES INC.
FILE: DA.01.013

MOVED by Councillor Ferri
seconded by Councillor Rosati

THAT Item 25, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By deleting Clause a) v) and substituting the following in accordance with the memorandum from the Director of Legal Services, dated June 8, 2001:

- “a) v) that the reconveyance of Block 23, Plan 65M-3398 to the applicant is hereby authorized and that a by-law be enacted to authorize the transfer.”

CARRIED

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ITEM - 38 REQUEST FOR A REPORT FOR WATER DISCHARGE
RATE AGREEMENT
(BUDGET SUB-COMMITTEE MEETING OF MAY 23, 2001)

MOVED by Councillor Di Vona
seconded by Councillor Rosati

THAT Item 38, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following resolution:

“WHEREAS the City of Vaughan bylaw provides for the regulation to prohibit, regulate and exempt to the drainage, discharge and sewage system users;

WHEREAS the City of Vaughan bylaw provides that the local municipality has the authority to exempt, on an application by application basis;

WHEREAS the bylaw provides that a Council may exempt from the sewer charge, “where a substantial proportion of the water metered from the waterworks system is not discharged directly or indirectly to a sanitary sewer”;

WHEREAS the City of Vaughan bylaw provides that the criteria to exempt is that “such proportion is determinable and of a continuing or permanent nature”;

WHEREAS an application has been submitted and that the criteria in the bylaw for the separate metering/line, where “substantial” and “identifiable” water has been identified;

THEREFORE, BE IT RESOLVED that the City of Vaughan Council considers that the application by Cilento Wines has been met and an exemption be granted for the water discharge being used solely for production;

AND THAT the necessary by-law be enacted.”

CARRIED

ITEM – 47 DEPUTATION – MS. LYN MACMILLAN
WITH RESPECT TO URBAN VILLAGE 2

MOVED by Councillor Ferri
seconded by Councillor Rosati

THAT Item 47, Committee of the Whole Report No. 46 be adopted and amended, as follows:

By approving the following recommendation contained in the memorandum from the Commissioner of Planning, dated June 11, 2001:

“THAT Official Plan Amendment 600, as adopted by Council on September 25, 2000, be amended to delete all references to ‘Patterson – Urban Village 2’, replacing them with ‘Carrville – Urban Village 2’; and

THAT the Region of York be requested to incorporate, by modification, such amendments into the final OPA 600 document approved by York Region Council.”

CARRIED

ADDENDUMS

**164. REVISE THE SCOPE OF CONTRACT T00-130
ASPHALT RESURFACING – VARIOUS LOCATIONS**

(Addendum No. 1)

MOVED by Councillor Di Vona
seconded by Councillor Rosati

THAT the recommendation contained in the following report of the Commissioner of Development Services & Public Works, dated June 11, 2001, be approved:

CARRIED

Recommendation

The Commissioner of Development Services & Public Works in consultation with the Director of Reserves and Investments and the Director of Purchasing recommends:

- 1) That the scope of Tender T00-130 for Asphalt Resurfacing – Various Locations be revised to include additional curb and gutter replacement as well as complete asphalt pavement removal and replacement;
- 2) That the 2000 Capital Budget amount of \$239,000 be increased to \$421,000, with the additional \$182,000 to be funded from Long Term Debt; and
- 3) That notwithstanding the Purchasing Policy and Procedures, the Director of Purchasing be authorized to extend the Contract with Osler Paving and Construction Ltd. and revise the existing purchase order by \$182,000 to complete the work.

Purpose

To revise the scope of work of Contract T00-130 , Asphalt Resurfacing – Various Locations, to reconstruct rather than resurface the roads.

Background - Analysis and Options

On July 10, 2000, Council endorsed the 2000 Road Resurfacing Program, consisting of Button Road, Andrew Park, North Humber Drive and Marilyn Place in Woodbridge. This area was originally developed in the early 1970's as a residential subdivision, with the roads and other services constructed by the developer. (See attachment No. 1). This project (2000 Capital Budget Project 1140.2.0) is funded from Long Term Debt.

The 2000 Road Resurfacing Program had been established through an analytical review of a compilation of streets selected on the basis of priority as indicated in the City's 1995 Road Needs Update or through requests for evaluation for improvement from Council and/or residents.

The project was tendered Tuesday, September 26, 2000 and awarded to Osler Paving in the amount of \$210,749.88 at the Council Meeting of October 10, 2000. Subsequently, work started in late fall, however, winter conditions forced the project to be stopped for the winter months. At that time, the contractor had replaced some curb and gutter and ground out the top layer of asphalt in preparation for resurfacing.

Prior to the contractor returning to the site this spring, staff carried out an inspection of the site. The investigation revealed a very poor base asphalt and subsequent geo-technical investigation revealed that the granular sub-base was inadequate. Therefore, resurfacing is no longer an appropriate solution. If the road was resurfaced as originally planned, it would break up prematurely due to the inadequate base and the City's investment would not provide an appropriate return. Also numerous complaints have been received regarding the condition of the curbs and gutters and the limited

replacement included in the original contract.

Recommended Revisions to Project Scope

Given the condition of the existing base asphalt and granular sub-base, staff has proposed a new approach to complete the project in order to achieve better long-term performance as follows:

- Place sub-drains at the curbs to aid drainage (none exist).
- Remove all existing base asphalt.
- Remove and replace additional curb and gutter sections.
- Add granular material to improve the road cross-fall.
- Shape-up and compact the surface.
- Pave the roads to full City standards in a manner which would accommodate the expected need for watermain replacement in the near future (approximately 5 years).

Financial Implications

The estimated total increase in the cost of the project, including taxes is \$182,000 and is calculated as follows:

Original Tender Amount	\$210,749.88
Monies paid to contractor to date (P.C. #1)	\$ 48,717.64
Funds remaining	\$162,032.24
Osler's cost estimate	\$327,057.27
Additional funds required	\$165,025.03
Additional contingency (10%)	\$ 16,503.00
Total additional funds (rounded)	\$182,000.00

The cost estimate provided by Osler Paving has been analyzed and found to be competitive.

Therefore, the original Council approved budget of \$239,000 should be increased to \$421,000, with the additional funding from Long Term Debt.

Conclusion

Staff recommend that notwithstanding the Purchasing Policy and Procedures, Council authorize the Director of Purchasing to extend the Contract with Osler Paving and Construction Ltd. and revise the existing purchase order by \$182,000 to accommodate the change in scope of work. Staff have carefully analyzed the Osler quotation for the additional work and have found it to be very competitive with current bid prices. Releasing Osler and retendering the project at this time would have negative financial and schedule ramifications for the City. Osler is ready to mobilize its forces for completion of this project immediately upon Council's approval.

Attachments

1. Location Map

Report Prepared By

John Zanchettin, C.E.T. – Sr. Engineering Assistant, ext. 8262
Dan Stevens, P. Eng., Manager of Eng./Const. Services, ext. 8257

JZ:MC

(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.)

165. BELVEDERE ESTATES PHASE III, MODEL HOME AGREEMENT

(Addendum No. 2)

MOVED by Councillor Rosati
seconded by Councillor Di Vona

THAT the recommendation contained in the following report of the Commissioner of Development Services, dated June 11, 2001, be approved:

CARRIED

Recommendation

The Commissioner of Development Services & Public Works recommends:

That notwithstanding the provisions of the delegation by-law, Bylaw 333-98, which limits the number of model home building permits covered by a Model Home Agreement to 10% of the development to which the agreement applies, the Model Home Agreement for Gold Park Woodbridge Developers Inc., File 19T-89064, be amended to increase the number of model home permits from 7 to 8.

Purpose

To increase the number of model home permits to allow for completion of development along Bush Drive in the Woodbridge Community.

Background - Analysis and Options

The Belvedere Estates Phase III Subdivision provides for the development of 66 residential units. The development is located west of Clarence Street and south of Rutherford Road. A model home agreement was executed in May, 2001 providing for the issuance of 7 model home permits. The proposed models are located along the east side of Bush Drive adjacent to completed and occupied homes.

There are 8 lots fronting on this section of Bush Drive. Construction of these 8 homes, grading and sodding of the lots would complete the area and reduce the mud and dirt tracking on Bush Drive. Construction of the balance of the subdivision would not require construction traffic to travel on Bush Drive.

The delegation By-law permits the approval by the Commissioner and execution of Model Home Agreements for a maximum of 10% of the total number of dwelling units to a maximum of 20 units in the development to which the agreement applies. In this case, the number of permits for model homes is limited to 7.

Conclusion

In order to complete a substantially completed and occupied residential area, an increase in the number of model home permits from 7 to 8 is reasonable and warranted.

Report prepared by

Bill Robinson, P. Eng., Director of Engineering

166. BY-LAW 227-2001

MOVED by Councillor Di Vona
seconded by Councillor Rosati

THAT the following By-law be added to the agenda, and be read a First, Second and Third time and enacted:

By-law Number 227-2001 A By-law to authorize the Mayor and Clerk to execute an Agreement on behalf of the City of Vaughan between The Corporation of the City of Vaughan and Vin-Bon Juice Co. (Item 38, Committee of the Whole Report No. 46)

CARRIED UNANIMOUSLY

167. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Racco
seconded by Councillor Kadis

THAT the memorandum from the Commissioner of Planning, dated June 7, 2001, regarding By-law 217-2001, be received; and

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

By-Law Number 217-2001 A By-law to amend City of Vaughan By-law 1-88. (First Vaughan Investment, Z.99.072 – east side of Highway #400, north of Regional Road #7- Administrative Correction)(Council, September 25, 2001, Item 21, Committee of the Whole, Report No. 71)

By-Law Number 218-2001 A By-law to amend City of Vaughan By-law 1-88. (Jofian Holdings Limited, Z.98.037 – south side of Major Mackenzie Drive, west of Islington Avenue)(Council, April 2, 2001, Item 12, Committee of the Whole, Report No. 22)

By-Law Number 219-2001 A By-Law to exempt part of Plan 65M-3225 from the provisions of Part Lot Control. (Neil and Diane Chmielak, PLC.01.034 - south of Teston Road and west of Keele Street)(Delegation By-law 333-98)

By-Law Number 220-2001 A By-Law to repeal By-law 219-2001. (Neil and Diane Chmielak, PLC.01.034 - south of Teston Road and west of Keele Street)(Delegation By-law 333-98)

By-Law Number 221-2001 A By-law to exempt parts of Plan 65M-3266 from the provisions of Part Lot Control. (National Homes (Maple) Inc., PLC.01.028 - north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)

By-Law Number 222-2001 A By-law to repeal By-law 221-2001. (National Homes (Maple) Inc., PLC.01.028 - north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)

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- By-Law Number 223-2001 A By-law to amend City of Vaughan By-law 1-88. (Martingrove Steeles Property Limited, Z.00.087 - north side of Highway No. 407, west of Martin Grove Road)(Council, April 2, 2001, Item 19, Committee of the Whole, Report No. 22)
- By-Law Number 224-2001 A By-law to amend By-law Number 97-2001 being a By-law to appoint members to the Youth Advisory Council. (Council, May 30, 2001, Item 8, Committee of the Whole, Report No. 43)
- By-Law Number 225-2001 A By-law to amend City of Vaughan By-Law Number 94-94, as amended with respect to wastewater rates. (Item 37, Committee of the Whole Report No. 46)
- By-Law Number 226-2001 A By-law to authorize execution of Agreements with the Region of York for the Jane/Rutherford Sanitary Sub Trunk Sewer. (Council, February 8, 1999, Item 27, Committee of the Whole Report No. 12)

CARRIED

168. CONFIRMING BY-LAW

MOVED by Councillor Rosati
seconded by Councillor Ferri

THAT By-law Number 228-2001, being a by-law to confirm the proceedings of Council at its meeting on June 11, 2001, be read a First, Second and Third time and enacted.

CARRIED

169. ADJOURNMENT

MOVED by Councillor Di Vona
seconded by Councillor Ferri

THAT the meeting adjourn at 2:20 p.m.

CARRIED

M. Di Biase, Acting Mayor

J. D. Leach, City Clerk