



**CITY OF VAUGHAN
COUNCIL MINUTES
NOVEMBER 26, 2001**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, NOVEMBER 26, 2001

MINUTES

1:00 P.M.

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

The following members were present:

Mayor L. Jackson, Chair
Regional Councillor M. Di Biase
Councillor B. Di Vona
Councillor M. Ferri
Councillor S. Kadis
Councillor G. Rosati

301. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Di Biase
seconded by Councillor Di Vona

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Di Biase
seconded by Councillor Kadis

That the following items be added to the agenda:

- 1) ONTARIO MUNICIPAL BOARD HEARING
FRANKIE AND JOSEY AMELLO
VARIANCE APPLICATION A1/51/01
8237 KIPLING AVENUE
STATUS UPDATE

Confidential memorandum from the Solicitor/Litigation with respect to the above. *(Mayor and Members of Council only.)*

- 2) REQUEST FOR DEPUTATION WITH RESPECT TO
OFFICIAL PLAN AMENDMENT APPLICATION FILE OP.00.028
ZONING BY-LAW AMENDMENT APPLICATION FILE Z.99.057
REPORT #P.99.87
CYPRESS POINT HOLDINGS & NIVLOG INVESTMENTS LTD.

Correspondence from Lindsay Dale-Harris, Bousfield, Dale-Harris, Cutler & Smith Inc., dated November 23, 2001, requesting that Roslyn Houser, Goodmans, be permitted to speak at Council.

Voting upon the amendment was split as follows:

Upon the question of Addendum No. 2, request for deputation, of the amendment:

FAILED TO CARRY UNANIMOUSLY

Upon the question of Addendum No. 1 of the amendment:

CARRIED UNANIMOUSLY

Upon the question of the main motion, as amended:

CARRIED AS AMENDED

MOVED by Councillor Kadis
seconded by Regional Councillor Di Biase

That Item 24, Report No. 73, OFFICIAL PLAN AMENDMENT APPLICATION FILE OP.00.028, ZONING BY-LAW AMENDMENT APPLICATION FILE Z.99.057, REPORT #P.99.87, CYPRESS POINT HOLDINGS & NIVLOG INVESTMENTS LTD., be brought forward for consideration.

CARRIED

302. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 73

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

ITEM - 24 OFFICIAL PLAN AMENDMENT APPLICATION FILE OP.00.028
 ZONING BY-LAW AMENDMENT APPLICATION FILE Z.99.057
 REPORT #P.99.87
 CYPRESS POINT HOLDINGS & NIVLOG INVESTMENTS LTD.

MOVED by Councillor Kadis
seconded by Councillor Di Vona

THAT Item 24, Committee of the Whole Report No. 73 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, dated November 19, 2001.

CARRIED

303. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

304. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Ferri
seconded by Councillor Di Vona

THAT the Minutes of the meeting of November 12, 2001, and Special Council meeting of November 19, 2001 be adopted as presented.

CARRIED

305. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 73

Items 12, 13, 14

(Note: Item 24, Report No. 73 was previously brought forward and dealt with.)

Committee of the Whole (Closed Session) Report No. 74

Items 4, 9, 10

MOVED by Regional Councillor Di Biase
seconded by Councillor Kadis

THAT Items 1 to 34 of the Committee of the Whole Report No. 73, with the exception of the items identified for separate discussion BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 10 of the Committee of the Whole (Closed Session) Report No. 74, with the exception of the items identified for separate discussion BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 75, BE APPROVED and the recommendations therein be adopted.

CARRIED

306. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 73

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

ITEM - 12 AWARD OF TENDER T01-114
WOODBIDGE AVENUE BRIDGE REHABILITATION

ITEM - 13 AWARD OF TENDER T01-155
BOWES ROAD LOCAL IMPROVEMENT
RECONSTRUCTION FROM HIGHWAY 7 TO KEELE STREET

ITEM - 14 AWARD OF TENDER T01-177
STREET LIGHTING – VARIOUS LOCATIONS

MOVED by Councillor Di Vona
seconded by Regional Councillor Di Biase

THAT Item 12, Committee of the Whole Report No. 73 be adopted and amended, as follows:

By approving the following recommendation contained in the additional report of the Commissioner of Development Services and Public Works, dated November 26, 2001:

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- “1) That Tender T01-114 for the rehabilitation of the Woodbridge Avenue Bridge in the amount of \$1,067,696.53, plus G.S.T. be awarded to Soncin Construction Corporation;
- 2) That a contingency allowance in the amount of \$110,000 be approved, within which the Executive Director of City Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
- 3) That Totten Sims Hubicki be retained to provide construction supervision and contract administration services for an estimated fee of \$90,000, plus G.S.T.;
- 4) That the funding for this project be increased from \$970,000 to \$1,430,000 to be funded from Long Term Debt; and
- 5) That the Mayor and Clerk be authorized to sign the necessary documents, subject to receipt of all necessary approvals.”; and

THAT Item 13, Committee of the Whole Report No. 73 be adopted and amended, as follows:

By referring this matter to the Council meeting of December 18, 2001 in accordance with the memorandum from the Executive Director of City Engineering and Public Works, dated November 21, 2001; and

THAT Item 14, Committee of the Whole Report No. 73 be adopted and amended, as follows:

By approving the following recommendation contained in the additional report of the Commissioner of Development Services and Public Works, dated November 26, 2001:

- “1) That Tender T01-177 for the installation of street lighting at various locations be awarded to Fellmore Electrical Contractors Ltd. in the amount of \$403,132.03 plus G.S.T.;
- 2) That a contingency allowance in the amount of \$50,000 be approved, within which the Executive Director of City Engineering and Public Works or his designate is authorized to approve amendments to the Contract; and
- 3) That the Mayor and Clerk be authorized to sign the necessary documents.”

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 74

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

ITEM - 4 ONTARIO MUNICIPAL BOARD HEARING
 ALLAN AND CINDY KATCHKY
 155 RENAISSANCE COURT, THORNHILL
 COMMITTEE OF ADJUSTMENT
 MINOR VARIANCE APPLICATION NO. A232/01

MOVED by Regional Councillor Di Biase
seconded by Councillor Ferri

THAT Item 4, Committee of the Whole (Closed Session) Report No. 74 be adopted and amended, as follows:

By directing:

That staff attend the Ontario Municipal Board Hearing and submit conditions, if the Board grants the variance requested; and

By receiving the confidential memorandum from the Solicitor/Litigation, dated November 23, 2001.

CARRIED

ITEM - 9 MICROCELL TOWER/BLOCK 12

MOVED by Regional Councillor Di Biase
seconded by Councillor Di Vona

THAT Item 9, Committee of the Whole (Closed Session) Report No. 74 be adopted and amended, as follows:

By approving the following resolution contained in the memorandum of the Commissioner of Planning, dated November 23, 2001:

“WHEREAS early in 2001, a telecommunications tower was constructed by Microcell Connexions on lands municipally known as 10090 Bathurst Street in Vaughan;

WHEREAS as a result of complaints by Richmond Hill residents Microcell Connexions has committed to dismantle and relocate this telecommunication tower to a location on the lands municipally known as 10244 Bathurst Street, prior to the end of 2001;

WHEREAS the proposed new telecommunications tower location falls within lands designated as Community of Carrville (Urban Village 2) within OPA No. 600 and Urban Area within the Regional Official Plan;

WHEREAS the City of Vaughan has recently received the Block 12 Block Plan application whereby the landowners intend to develop the subject lands as a residential community;

WHEREAS the proposed new telecommunication tower location falls within an area that would be developed with residential lots and streets;

WHEREAS Vaughan Council is of the opinion that the present location of the existing telecommunication tower is the most suitable location;

WHEREAS Vaughan Council is of the opinion that in order to minimize the number of telecommunication towers in any specific area, telecommunication companies be required to share the use of towers;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF VAUGHAN HEREBY RESOLVES THAT:

1. The City of Vaughan supports the present location of the telecommunications tower on the lands municipally known as 10090 Bathurst Street.
2. The City of Vaughan requests that Industry Canada support and issue a license to Microcell Connexions for the telecommunications tower at its existing location (10090 Bathurst Street) continuing after December 31,

2001.

3. And that the City of Vaughan requests that Industry Canada not support and not issue a license for the proposed new location of the telecommunications tower on the lands municipally known as 10244 Bathurst Street as that location will conflict with the proposed residential community.
4. And that Industry Canada require that telecommunication companies share use of towers and facilities.”

CARRIED

ITEM - 10 SIGN BY-LAW

MOVED by Councillor Di Vona
seconded by Councillor Kadis

THAT Item 10, Committee of the Whole (Closed Session) Report No. 74 be adopted and amended, as follows:

By directing:

That a moratorium be placed on the enforcement of the provisions of Section 4(h) of By-law 203-92 pending consideration of the comprehensive sign by-law review directed by Council; and

By receiving the confidential memorandum from the Deputy City Manager and City Solicitor, dated November 23, 2001.

CARRIED

ADDENDUM

**307. ONTARIO MUNICIPAL BOARD HEARING
FRANKIE AND JOSEY AMELLO
VARIANCE APPLICATION A1/51/01
8237 KIPLING AVENUE
STATUS UPDATE**

MOVED by Regional Councillor Di Biase
seconded by Councillor Di Vona

That staff attends the OMB Hearing and submit conditions to the Ontario Municipal Board if it grants the variance; and

That the confidential memorandum from the Solicitor/Litigation, dated November 23, 2001, be received.

CARRIED

308. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Di Biase
seconded by Councillor Ferri

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That the memorandum from the Commissioner of Planning, dated November 23, 2001, regarding By-law 489-2001 and 490-2001, be received; and

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

- By-Law Number 467-2001 A By-law to authorize the Mayor and Clerk to execute Agreements on behalf of the City of Vaughan between the Corporation of the City of Vaughan and Teranet Enterprises Inc. (GIS Correlation)(Item 16, Committee of the Whole, Report No. 73)
- By-Law Number 468-2001 A By-law to define an area to be examined for future designation of the whole or any part or parts of the area as a Heritage Conservation District under subsection 40 (1) of the Ontario Heritage Act, R.S.O., 1990, c.O.18. (Kleinburg-Nashville Heritage Conservation District Study)(Item 25, Committee of the Whole, Report No. 73)
- By-Law Number 469-2001 A By-Law to assume Municipal Services in Robinson Creek Estates, 19T-95095, Registered Plan 65M-3120. (Subdivision agreement – Rologia Developments Inc., dated September 16, 1996)(Item 9, Committee of the Whole, Report No. 73)
- By-Law Number 471-2001 A By-law to assume Municipal Services in Sylvadene Court, Registered Plan 65R-5625 – Lots 26 and 27. (Subdivision agreement – O & B Mori and J & M Marques, dated October 28, 1996)(Item 11, Committee of the Whole, Report No. 73)
- By-Law Number 472-2001 A By-law to amend City of Vaughan By-law 1-88. (Z.01.033 – CNR – northeast of Pine Valley Drive and Hanlan Road, at the rear of 390 Hanlan Road)(Council, August 27, 2001, Item 24, Committee of the Whole, Report No. 54)
- By-Law Number 473-2001 A By-law to exempt parts of Plan 65M-3446 from the provisions of Part Lot Control. (PLC.01.062 – Fieldgate Trails Limited – southwest of Major Mackenzie Drive and Highway #400)(Delegation By-law 333-98)
- By-Law Number 474-2001 A By-law to repeal By-law 473-2001. (PLC.01.062 – Fieldgate Trails Limited – southwest of Major Mackenzie Drive and Highway #400)(Delegation By-law 333-98)
- By-Law Number 475-2001 A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board. (Jofian Holdings Limited – OMB File Z000035 – Z.98.036)(OMB Order No. 1509)
- By-Law Number 476-2001 A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board. (Canadian Pacific Railway Corp., - OMB File Z010060 - Z.00.045)(OMB Order No. 1797)
- By-Law Number 477-2001 A By-law to exempt parts of Plans 65M-3266 and 65M-3362 from the provisions of Part Lot Control. (PLC.01.064 – Queensdale Homes Inc. – north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)
- By-Law Number 478-2001 A By-law to repeal By-law 477-2001. (PLC.01.064 – Queensdale Homes Inc. – north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)

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- By-Law Number 479-2001 A By-law to exempt part of Plan 65M-3521 from the provisions of Part Lot Control. (PLC.01.066 – Langstaff Gospel Hall in Trust - north of Langstaff Road, on the east side of Pleasant Ridge Avenue)(Delegation By-law 333-98)
- By-Law Number 480-2001 A By-law to repeal By-law 479-2001. (PLC.01.066 – Langstaff Gospel Hall in Trust - north of Langstaff Road, on the east side of Pleasant Ridge Avenue) (Delegation By-law 333-98)
- By-Law Number 481-2001 A By-law to exempt part of Plans 65M-3266 and 65M-3362 from the provisions of Part Lot Control. (PLC.01.065 – Venturon Development (Jane) Corporation/Venturon Development (Maple) Corporation - north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)
- By-Law Number 482-2001 A By-law to repeal By-law 481-2001. (PLC.01.065 – Venturon Development (Jane) Corporation/Venturon Development (Maple) Corporation - north of Major Mackenzie Drive and west of Jane Street)(Delegation By-law 333-98)
- By-Law Number 483-2001 A By-law to exempt part of Plans 65M-3510, 65M-3511, 65M-3325, 65M-3326, and 65M-3365 from the provisions of Part Lot Control. (PLC.01.063 – Ruland Properties Inc. - west of Dufferin Street and south of Rutherford Road)(Delegation By-law 333-98)
- By-Law Number 484-2001 A By-law to repeal By-law 483-2001. (PLC.01.063 – Ruland Properties Inc. - west of Dufferin Street and south of Rutherford Road)(Delegation By-law 333-98)
- By-Law Number 485-2001 A By-law to exempt parts of Plan 65M-3392 from the provisions of Part Lot Control. (PLC.01.059 – Baif Developments Limited - southwest of Bathurst Street and New Westminster Drive)(Delegation By-law 333-98)
- By-Law Number 486-2001 A By-law to repeal By-law 485-2001. (PLC.01.059 – Baif Developments Limited - southwest of Bathurst Street and New Westminster Drive)(Delegation By-law 333-98)
- By-Law Number 487-2001 A By-law to amend City of Vaughan By-law 1-88. (Z.00.088 – Heatherwood Properties Limited - south side of Rutherford Road between Dufferin Street and Bathurst Street)(Council, September 10, 2001, Item 29, Committee of the Whole, Report No. 58)
- By-Law Number 488-2001 A By-law to authorize the execution of a tax arrears extension agreement pursuant to section 8 of the Municipal Tax Sales Act. (Gregory Riccio)(Item 7, Committee of the Whole, Report No. 73)
- By-Law Number 489-2001 A By-law to amend City of Vaughan By-law 1-88, as amended. (Z.01.027 – Tableland Woodlots Communities of Vellore and Carrville Urban Villages 1 and 2 - Urban Villages 1 and 2 (Communities of Vellore and Carrville))(Council, August 27, 2001, Item 25, Committee of the Whole, Report No. 54)
- By-Law Number 490-2001 A By-law to amend City of Vaughan By-law 1-88, as amended. (Z.01.027 – Tableland Woodlots Communities of Vellore and Carrville Urban Villages 1 and 2 - Urban Village 2 (Block 10 in the Community of Carrville))(Council, August 27, 2001, Item 25,

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By-Law Number 491-2001 Committee of the Whole, Report No. 54)
A By-law to amend By-law 350-94 (Garbage By-law).(Item 3,
Committee of the Whole, Report No. 73)

CARRIED

309. CONFIRMING BY-LAW

MOVED by Regional Councillor Di Biase
seconded by Councillor Ferri

THAT By-law Number 492-2001, being a by-law to confirm the proceedings of Council at its meeting on November 26, 2001, be read a First, Second and Third time and enacted.

CARRIED

310. ADJOURNMENT

MOVED by Councillor Ferri
seconded by Regional Councillor Di Biase

THAT the meeting adjourn at 1:45 p.m.

CARRIED

L. D. Jackson, Mayor

J. D. Leach, City Clerk