



**CITY OF VAUGHAN
COUNCIL MINUTES
SEPTEMBER 9, 2002**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, SEPTEMBER 9, 2002

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:13 p.m.

The following members were present:

Mayor Michael Di Biase, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Gino Rosati
Councillor Bernie Di Vona (1:30 p.m.-2:30 p.m.)
Councillor Mario Ferri
Councillor Linda D. Jackson
Councillor Susan Kadis
Councillor Mario G. Racco

281. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Frustaglio
seconded by Councillor Ferri

THAT the agenda be confirmed.

CARRIED

282. DISCLOSURE OF INTEREST

Mayor Di Biase declared an interest with respect to Item 4, Committee of the Whole Report No. 58, THORNHILL ATHLETIC AND SWIMMING CLUB – CSO STATUS, as his daughter is a coach for the club.

283. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Ferri
seconded by Councillor Jackson

THAT the Minutes of the meeting of August 26, 2002 and August 29, 2002 be adopted as presented.

CARRIED

**284. REFUSAL OF LICENSE
EDMONDO PETRUZZIELLO**

Deputations with respect to this matter were permitted pursuant to Section 7.01 of Licensing By-law No. 2-2001.

Mr. Bruce Olmsted, Barrister, appeared before Council on behalf of the applicant with respect to the above-noted matter.

MOVED by Regional Councillor Frustaglio
seconded by Councillor Racco

THAT the recommendation contained in the following report of the City Clerk, dated September 9, 2002, be approved; and

THAT the confidential memorandum from the Solicitor/Litigation, dated September 6, 2002, be received.

CARRIED

Recommendation

The City Clerk in consultation with the Manager of Special Projects, Licensing and Permits recommends that the application by Edmondo Petruzziello be refused for a business license to operate an Adult Entertainment parlour in the City of Vaughan.

Purpose

To consider the refusal of an application for a business license for an Adult Entertainment parlour.

Background - Analysis and Options

On June 11, 2002, the Licensing Section of the Clerks Department received an application from Mr. Edmondo Petruzziello for a business license to operate an Adult Entertainment parlour at 544 Rivermede Road in Vaughan (Whiskey A Go Go). Upon receipt the application was circulated to various departments within the City, York Region Health Dept. and York Regional Police. York Regional Police forwarded a letter to the Licensing Section of the Clerks Department indicating they did not support the issuance of a license based on the applicants' history of criminal convictions. Based on this information the licensing officer informed the applicant that his application for a business license to operate an Adult Entertainment parlour was refused.

Section 7.01 of By-Law 2-2001 (Licensing By-Law) provides that the applicant may appeal to Council where the licensing officer refuses to grant a license. Attached is a copy of a letter from the applicants solicitor requesting an appeal of the licensing officers refusal to grant a license.

Section 6.0, Sub-section 7 of By-Law 2-2001 (Licensing By-Law) provides Council with the following options after a hearing has been given to an applicant:

- a) grant the application in whole or in part and direct that the license be issued, subject to compliance with this By-law,
- b) grant the application subject to such conditions as the Council or the Committee as the case may be, in accordance with this By-law considers just and equitable in attaining the purposes of this By-law and direct that the license be issued subject to such conditions and to compliance with this By-law,
- c) refuse in whole or in part to grant the application upon grounds contained in this By-law or other by law; or
- d) adjourn the application in accordance with this By-law, or make such other disposition as may be permitted under this By-law and as is in accordance with law.

Conclusion

Based on the information from the York Regional Police, it is recommended that the applicant be refused a license to operate an Adult Entertainment parlour in the City of Vaughan at 544 Rivermede Road.

Attachments

Letter

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits

(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.)

285. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Working Session) Report No. 57

Item 2

Committee of the Whole Report No. 58

Items 2, 4, 10 and 32

MOVED by Councillor Jackson
seconded by Councillor Ferri

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 57, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 40 of the Committee of the Whole Report No. 58, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 6 of the Committee of the Whole (Closed Session) Report No. 59 BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 60 BE APPROVED and the recommendations therein be adopted.

CARRIED

286. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 58

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

At this point in the meeting Mayor Di Biase relinquished the Chair and Regional Councillor Frustaglio assumed the Chair.

ITEM - 4 THORNHILL ATHLETIC AND SWIMMING CLUB – CSO STATUS

MOVED by Regional Councillor Rosati
seconded by Councillor Ferri

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That this matter be deferred pending a review of the CSO Policy;

That the memorandum from the Commissioner of Community Services, dated September 6, 2002, be received; and

That the following written submissions, be received:

- a) Mr. George Jacobson, Vaughan Aquatic Club, 32 Miranda Court, Thornhill, L4J 7W5, dated September 9, 2002; and
- b) Mr. Dennis V. Stynes, acting for TASC, dated September 9, 2002.

CARRIED

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

Mayor Di Biase resumed the Chair at this point.

ITEM - 32 ZONING BY-LAW AMENDMENT FILE Z.01.024
DRAFT PLAN OF SUBDIVISION FILE 19T-01V04
HUMBERPLEX DEVELOPMENTS INC.
REPORT #P.2001.35

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Rosati

THAT Item 32, Committee of the Whole Report No. 58 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated September 6, 2002:

- “1. That the zoning by-law for Lots 1 to 9, inclusive, on Draft Plan of Subdivision 19T-01V04, require a minimum rear yard setback of 9.0 metres;
- 2. That Draft Conditions #18 and #45 contained in Attachment #1 to the Committee of the Whole Report of September 3, 2002, be deleted and replaced in accordance with the memo from the Commissioner of Planning to the Mayor and Members of Council dated September 6, 2002.”

By receiving the memorandum from the Commissioner of Planning, and the Commissioner of Engineering and Public Works, dated September 9, 2002; and

By receiving the following written submissions:

- a) Mr. Tony DeCicco, Humberplex Developments Inc., 2146 Kipling Avenue, Toronto, M9W 4K9, dated September 9, 2002; and
- b) Mr. Ross Parker, TransCanada Pipelines Limited, dated September 6, 2002.

MOVED by Councillor Ferri
seconded by Councillor Jackson

THAT this matter be deferred to the Council meeting of September 23, 2002 to allow the applicant an opportunity to meet with the affected parties, particularly representatives from TransCanada Pipelines and the Kleinburg and Area Ratepayers Association, to address the outstanding issues.

FAILED TO CARRY UPON A RECORDED VOTE

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By receiving the written submission of Mr. Ken Balicki, applicant, dated September 4, 2002, advising of his withdrawal of the fence height exemption request and of his intention to comply with the requirements of the fence by-law;

By receiving the report of the City Clerk, dated September 3, 2002; and

By receiving the following written submissions:

- a) Mr. and Mrs. Sam and Laura Catalano, 102 Village Green Drive, Woodbridge, L4L 9G9, dated September 3, 2002; and
- b) Councillor Bernie Di Vona, dated September 4, 2002.

CARRIED

ITEM - 10 AWARD OF TENDER T02-083 INTERSECTION SIGNALIZATION – VARIOUS LOCATIONS (2002)

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Rosati

THAT Item 10, Committee of the Whole Report No. 58 be adopted and amended, as follows:

By approving that Tender T02-083 include the supply and installation of traffic signals at the intersection of "Chrislea Road/Jevlan Drive";

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 6, 2002; and

By directing that staff request that York Region review the warrants for the installation of traffic signals at the intersections of Islington Avenue/Kiloran Avenue, Weston Road/Greenpark Boulevard, and Keele Street/Knightswood Avenue.

CARRIED

287. BY-LAW NUMBER 280-2002

MOVED by Councillor Racco
seconded by Regional Councillor Frustaglio

THAT by-law Number 280-2002, being a By-law to amend City of Vaughan By-law 1-88. (Z.01.035, Runnymede Development Corp. Ltd., northeast corner of Dufferin Street and Clark Avenue West)(Council, April 29, 2002, Item 22, Committee of the Whole, Report No. 30), be deferred to the Council meeting of September 23, 2002; and

THAT the memorandum from the Commissioner of Planning, dated September 6, 2002, be received.

CARRIED

288. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Ferri
seconded by Councillor Kadis

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

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- By-Law Number 269-2002 A By-law to assume Municipal Services in Riverview Heights Subdivision, 19T-89047, Registered Plan 65M-3157, 65M-3158 and 65M-3159. (Ivy Green Homes Inc., and Queens Gardens Holdings Inc., Subdivision Agreement dated July 28, 1997)(Item 13, Committee of the Whole, Report No. 58)
- By-Law Number 270-2002 A By-law to assume Municipal Services in Riverview Heights Subdivision – Phase 2, 19T-89047, Registered Plan 65M-3261. (Ivy Green Homes Inc., and Queens Gardens Holdings Inc., Subdivision Agreement dated July 6, 1998)(Item 14, Committee of the Whole, Report No. 58)
- By-Law Number 271-2002 A By-Law to dedicate certain lands as part of the public highway known as Lipa Drive. (Woodbridge Estates Inc., 19T-87101)(Delegation By-law 333-98)
- By-Law Number 272-2002 A By-law to dedicate certain lands as part of the public highway known as Vellore Woods Boulevard. (Majorwest Development Corp. Phase 1, Plan 65M-3560)(Delegation By-law 333-98)
- By-Law Number 273-2002 A By-law to dedicate certain lands as part of the public highway known as Great Gulf Drive and Ronrose Drive. (First Gulf Holdings Inc., Registered Plan 65M-3570)(Delegation By-law 333-98)
- By-Law Number 274-2002 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Proposed Allway Stop Control – Napa Valley Avenue and Silver Oaks Boulevard)(Council, August 26, 2002, Item 20, Committee of the Whole, Report No. 54)
- By-Law Number 275-2002 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 Control – Velmar Drive/Blackburn Blvd.)(Council, August 26, 2002, Item 3, Committee of the Whole, Report No. 54)
- By-Law Number 276-2002 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (National Estates – Stop Signs – Balding Blvd./Sandy's Drive (north and south intersection) and Balding Blvd. and Knudson Lane)(Council, August 26, 2002, Item 4, Committee of the Whole, Report No. 54)
- By-Law Number 277-2002 A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (No U-Turn prohibition – Atkinson Avenue east of Bathurst Street)(Council, August 26, 2002, Item 5, Committee of the Whole, Report No. 54)
- By-Law Number 278-2002 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Proposed Allway Stop Control – La Rocca Avenue and Fossil Hill Drive)(Council, August 26, 2002, Item 21, Committee of the Whole, Report No. 54)
- By-Law Number 279-2002 A By-law to amend City of Vaughan By-law 1-88. (Z.02.042, 1307180 Ontario Ltd., south of Major Mackenzie drive and west of Weston Road – Lifting (H) Zone)(Council, April 26, 1999, Item 31, Committee of the Whole Report No. 31)

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- By-Law Number 281-2002 A By-law to amend City of Vaughan By-law 1-88. (Z.02.021, 1096888 Ontario Inc., southwest corner of Highway #7 and Woodstream Boulevard – Administrative Correction)(Council, June 24, 2002, Item 40, Committee of the Whole, Report No. 50)
- By-Law Number 282-2002 A By-law to amend City of Vaughan By-law 1-88. (Z.97.086, Realty Growth Inc., northwest corner of Rutherford Road and Islington Avenue – Administrative Correction)(Council, July 6, 1998, Item 46, Committee of the Whole, Report No. 53)
- By-Law Number 283-2002 A By-law to amend Parks By-law 134-95, as amended. (Hefhill Park – Use of Public Property)(Item 3, Committee of the Whole (Closed Session) Report No. 59)

CARRIED

289. CONFIRMING BY-LAW

MOVED by Regional Councillor Rosati
seconded by Councillor Racco

THAT By-law Number 285-2002, being a by-law to confirm the proceedings of Council at its meeting on September 9, 2002, be read a First, Second and Third time and enacted.

CARRIED

290. ADJOURNMENT

MOVED by Councillor Jackson
seconded by Councillor Ferri

THAT the meeting adjourn at 2:30 p.m.

CARRIED

Michael Di Biase, Mayor

J. D. Leach, City Clerk