



**CITY OF VAUGHAN
COUNCIL MINUTES
APRIL 26, 2004**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, APRIL 26, 2004

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:22 p.m.

The following members were present:

Mayor Michael Di Biase, Chair
Regional Councillor Mario F. Ferri
Regional Councillor Joyce Frustaglio
Regional Councillor Linda D. Jackson
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Susan Kadis
Councillor Peter Meffe
Councillor Sandra Yeung Racco

134. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Jackson
seconded by Councillor Carella

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

That the following addendums be added to the agenda:

1. **PROCLAMATION REQUEST
EMERGENCY PREPAREDNESS WEEK MAY 2 TO 8, 2004**
Report of the Fire Chief with respect to the above.
2. **PROPERTY TAXATION OF THE 407 AND FUTURE EXPRESS TOLL ROADS (ETR)**
Report of the Commissioner of Finance & Corporate Services with respect to the above.
3. **RESCHEDULING OF COUNCIL MEETING**
Verbal report with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

135. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to Item 49, Committee of the Whole Report No. 37, DEPUTATION – MR. PAUL DE BUONO, VAUGHAN WATCH, WITH RESPECT TO FREEDOM OF INFORMATION REQUESTS, Freedom of Information request for a KPMG report contained in Mr. De Buono's written submission dated April 16, 2004, and with Item 5, Committee of the Whole (Closed Session) Report No. 38, SMALL CLAIMS COURT ACTION, FILE NO. 42946/00, NATARELLI, VITTORIA ET AL V. CITY OF VAUGHAN.

136. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT the minutes of the meeting of March 29, 2004, Special Council meeting of March 30, 2004, Special Council meeting of April 5, 2004, Special Council (1) and Special Council (2) meetings of April 19, 2004 be adopted as presented.

CARRIED

137. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Special Committee of the Whole Report No. 34

Item 1

Committee of the Whole Report No. 37

Items 6, 23, 28, 31, 49, 50, and 51

Committee of the Whole (Closed Session) Report No. 38

Items 3, 5, and 6

Budget Committee Report

2

Addendum Items

1, 2, and 3

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Jackson

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 35, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 57 of the Committee of the Whole Report No. 37, 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. 38, 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 (Public Hearing) Report No. 39, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Operational & Strategic Planning Committee Report No. 3, BE APPROVED and the recommendations therein be adopted;

THAT Item 1 of the Special Committee of the Whole (Closed Session) Report No. 40, BE APPROVED and the recommendations therein be adopted; and

THAT Budget Committee Item No. 1, BE APPROVED and the recommendations therein be adopted (Refer to Minute No. 138).

CARRIED

Budget Committee Item

**138. COUNCIL MEETINGS BROADCASTING ON INTERNET
FUNDING REQUEST**

(Budget Committee Item No. 1)

Refer to Minute 138 for Council approval of this item.

(Item 5, Budget Committee Report No. 6, April 16, 2004)

Recommendation

The Budget Committee recommends:

1) That in an effort to promote further "Vaughan Vision 2007" in respect of:

- Service Delivery Excellence
- Community and Public Relations
- Technology and Innovations

staff is directed to contact Rogers Cable T.V. and to enter into negotiations for the delivery by Rogers of cable T.V. coverage of Committee of the Whole, Council, and Committee of the Whole Public Hearing, such delivery to be provided at no charge to Rogers subscribers or the City of Vaughan, as Rogers enjoys a monopoly position in the delivery of cable T.V. services within the City of Vaughan, and further, in the alternative staff will request a donation from Rogers Cable to cover the full costs of implementing the original recommendation;

2) That staff be directed to succeed in any such negotiations; and

3) That the report of the Commissioner of Economic/Technology Development & Communications, dated April 16, 2004, be received.

Report of the Commissioner of Economic/Technology Development & Communications

The Commissioner of Economic/Technology Development and Communications, in consultation with the Director of Information Technology Services, and the Director of Budgeting and Long Term Planning, recommends:

a) That \$100,000 be considered in the 2004 Capital Budget deliberations in order to implement the necessary solution for the broadcasting of all Committee of the Whole and Council meetings (open sessions) on the City's website.

Purpose

At the March 29th, 2004 Committee of the Whole meeting, Council identified the desire to enable the public to observe Council proceedings through the internet. The purpose of this item is to request consideration of necessary funding in the 2004 Capital Budget for the implementation of an internet audio/video broadcasting solution.

Background - Analysis and Options

City Council is committed to an open, publicly accessible governance process. Innovative methods are continually sought in order to increase public accessibility to the governance process and to enable Council to converse with the public more effectively.

Today's technology solutions enable cost-effective broadcasting of live audio/video content over the internet. Implementation of such solutions in public meeting areas will effectively enhance the public involvement in the governance process.

Based, on preliminary research of the internet audio/video broadcasting solutions, the related cost is \$100,000.

Relationship to Vaughan Vision 2007

This report is consistent with the following strategic priorities previously set by Council:

- 1.0 Service Delivery Excellence
- 6.0 Communications and Public Relations
- 7.0 Technology and Innovation

Conclusion

Cost-effective solutions can be implemented to broadcast open sessions of Council proceedings on the City's website. The estimated related cost is \$100,000. This funding is being requested for consideration as part of the 2004 Capital Budget deliberations.

Attachments

None

Report prepared by:

Dimitri Yampolsky, Director of Information Technology (IT) Services – 8352

139. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 37

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

ITEM – 31 SITE DEVELOPMENT FILE DA.04.007
SNOWBROOK INVESTORS INC.

MOVED by Councillor Meffe
seconded by Councillor Di Vona

That this matter be referred to the Committee of the Whole meeting of May 3, 2004, to allow a meeting with the applicant and the Ward 1 Sub-Committee to resolve outstanding

concerns.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Carella
Mayor Di Biase
Councillor Di Vona
Regional Councillor Ferri
Regional Councillor Frustaglio
Regional Councillor Jackson
Councillor Kadis
Councillor Meffe
Councillor Yeung Racco

SPECIAL COMMITTEE OF THE WHOLE REPORT NO. 34

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

ITEM – 1 REGISTERED RATEPAYERS/COMMUNITY ASSOCIATION POLICY

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT Item 1, Special Committee of the Whole Report No. 34 be adopted without amendment.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 37

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

ITEM – 6 AWARD OF TENDER - T04-038
TRAFFIC CALMING - VARIOUS LOCATIONS (2004)

MOVED by Regional Councillor Jackson
seconded by Councillor Kadis

THAT Item 6, Committee of the Whole Report No. 37 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated April 20, 2004:

- “1. That Tender T04-038 for the installation of Traffic Calming – Various Locations (2004) in the amount of \$245,339.12 be awarded to Vaughan Paving Limited;
2. That a contingency allowance in the amount of \$25,000.00 be approved within which the Commissioner of Engineering and Public Works is authorized to approve amendments to the contract; and

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3. That the Mayor and Clerk be authorized to sign the necessary documents.”

CARRIED

ITEM – 23 ZONING BY-LAW AMENDMENT FILE Z.03.082
GIUSEPPE MASTRANDREA
REPORT #P.2004.3
(Referred from the Council meeting of March 29, 2004)

MOVED by Councillor Di Vona
seconded by Councillor Carella

THAT Item 23, Committee of the Whole Report No. 37 be adopted and amended, as follows:

By refusing Zoning By-law Amendment File Z.03.082;

By receiving the memorandum from the Manager of Development, dated April 21, 2004; and

By receiving the written submission of Mr. George Corsianos, Shiner Kent, dated April 23, 2004, submitted by Councillor Di Vona.

FAILED TO CARRY UPON A RECORDED VOTE

YEAS

Councillor Carella
Councillor Di Vona
Councillor Meffe

NAYS

Mayor Di Biase
Regional Councillor Ferri
Regional Councillor Frustaglio
Regional Councillor Jackson
Councillor Kadis
Councillor Yeung Racco

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Frustaglio

THAT Item 23, Committee of the Whole Report No. 37 be adopted and amended, as follows:

By approving that Attachment 2 be replaced with the revised attachment contained in the memorandum from the Manager of Development, dated April 21, 2004; and

By receiving the written submission of Mr. George Corsianos, Shiner Kent, dated April 23, 2004, submitted by Councillor Di Vona.

CARRIED

ITEM – 28 OFFICIAL PLAN AMENDMENT FILE OP.03.017
ZONING BY-LAW AMENDMENT FILE Z.03.037
1570683 ONTARIO LIMITED
REPORT #P.2003.61

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

COUNCIL MEETING MINUTES - APRIL 26, 2004

THAT Item 28, Committee of the Whole Report No. 37 be adopted and amended, as follows:

By approving that the phrase "for the community room" be deleted from Clause 1) of the Committee of the Whole recommendation;

By approving that a by-law be enacted to authorize the execution of an amending bonusing agreement; and

By receiving the memorandum from the Solicitor/Special Services, dated April 23, 2004.

CARRIED

ITEM – 49 DEPUTATION – MR. PAUL DE BUONO, VAUGHAN WATCH
WITH RESPECT TO FREEDOM OF INFORMATION REQUESTS

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 49, Committee of the Whole Report No. 37 be adopted without amendment.

CARRIED

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

ITEM – 50 DEPUTATION – MR. WINSTON SEAGAL
AVENTURA PROPERTIES INC.
REQUESTING THE DEFERRAL OF DEVELOPMENT CHARGES

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Item 50, Committee of the Whole Report No. 37 be adopted and amended, as follows:

By approving the following recommendation contained in the additional report of the Director of Reserves & Investments, dated April 26, 2004:

“That Council deny the request by Aventura Properties Inc. for a deferral of City of Vaughan Development Charges.”

NOT VOTED UPON

MOVED by Councillor Meffe
seconded by Councillor Yeung Racco

That this matter be deferred to allow the Local Councillor and staff to meet with the proponent to assess the potential for mutual benefits and that a report be provided on the outcome of the meeting; and

That the additional report of the Director of Reserves & Investments, dated April 26, 2004, be received.

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Carella
Regional Councillor Ferri
Regional Councillor Frustaglio
Regional Councillor Jackson
Councillor Kadis
Councillor Meffe
Councillor Yeung Racco

NAYS

Mayor Di Biase
Councillor Di Vona

ITEM – 51 NEW BUSINESS – POST BUDGET APPROVALS

MOVED by Councillor Carella
seconded by Councillor Meffe

THAT Item 51, Committee of the Whole Report No. 37 be adopted without amendment.

Voting upon Clauses 1, 2, and 4 of the recommendation:

CARRIED

Voting upon Clause 3 of the recommendation:

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 38

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

ITEM – 3 RECONSIDERATION ITEM
APPOINTMENTS TO STATUTORY AND
NON-STATUTORY ADVISORY COMMITTEE

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

That this matter be reconsidered.

CARRIED UPON A 2/3 MAJORITY VOTE

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Item 3, Committee of the Whole (Closed Session) Report No. 38 be adopted and amended, as follows:

By approving that the appointments to Heritage Vaughan be reconsidered and amended by appointing Mr. Daniel Frustaglio.

CARRIED

COUNCIL MEETING MINUTES - APRIL 26, 2004

ITEM – 5 SMALL CLAIMS COURT ACTION
 FILE NO. 42946/00
 NATARELLI, VITTORIA ET AL V. CITY OF VAUGHAN

MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

THAT Item 5, Committee of the Whole (Closed Session) Report No. 38 be adopted without amendment.

CARRIED

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

ITEM – 6 FIRST PRO COMMUNITY MEETING

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Jackson

THAT Item 6, Committee of the Whole (Closed Session) Report No. 38 be adopted without amendment.

CARRIED

Budget Committee Item

140. LEAF AND YARD WASTE COLLECTION FREQUENCY FOR 2004
(Budget Committee Item No. 2)

(Item 2, Clause 6, Budget Committee Report No. 6, March 31, 2004)

MOVED by Councillor Meffe
seconded by Councillor Carella

That this matter be referred to the Committee of the Whole meeting of May 3, 2004, to allow staff to renegotiate the contract to reflect Council's comments.

CARRIED

Recommendation

The Budget Committee recommends:

That yard waste pick-up service be provided during the months of April, May, October and November and that yard waste pick-up service not be provided during the months of June, July, August and September.

Purpose

To set a service level for leaf and yard waste collection that is sustainable, and encourages environmentally friendly alternatives to handle such materials.

Background - Analysis and Options

Prior to 2003, the City provided residents with 8 weeks of leaf and yard waste material collection in the Spring, and another 8 weeks of collection in the Fall of the year. In 2003, the City provided once per week collection of this material throughout the summer as well, for a total of 34 weeks of collection.

In York Region, Vaughan was the only municipality to provide such a level of service. The attached table outlines the collection frequency of the other area municipalities for 2004.

	Markham	Newmarket	Richmond Hill	Aurora	Vaughan 2002	Vaughan 2003	Vaughan 2004
April	2		2	1	2	4	4
May	2	2	3	2	4	4	4
June	3	2	2	1	2	5	
July	2	1	1	1		4	
Aug.	2	1	1	1		4	
Sept.	2	1	1	1		5	
Oct.	2	1	2	2	4	4	4
Nov.	3	2-3*	3	4	4	4	4
	18	10-11*	15	13	16	34	16

* Depending on the location in Newmarket, some areas receive one extra week of collection

In reviewing the numbers, the previous total of 16 weeks of collection was more in line with the service provided by other area municipalities, and took into account the reduced growth rates of grass during the hot dry periods that often take place during the summer. The previous level of service also encouraged homeowners to take responsibility for their leaf and yard waste materials through such environmentally sound means as grasscycling and backyard composting.

Grasscycling is the act of leaving the grass clippings on the lawn to decompose and provide natural fertilizer to the soil. It saves time, money, and the environment. One of the reasons that the grass on golf courses is so green is that the turf specialists do not bag or rake up the grass clippings. Instead, grass clippings are left on the ground to decompose and provide natural fertilizer to the soil.

The City employs the same approach on all of its properties and sports fields. By leaving the clippings on these fields and lawns, the City saves hundreds of dollars in fertilizer, and hundreds of hours of labour saved by not bagging or raking the grass clippings.

The same benefits apply to homeowners as well. Grass clippings are 90% water. Once cut, the clippings quickly dry out and start to break down into their organic compounds of nitrogen, phosphorous and potassium (1 bag of grass clippings is equal to approximately 100 grams of fertilizer). The moisture cools the landscape and reduces the need to water the lawn. This latter point is especially important during periods of watering restrictions or outdoor watering bans. Further information on grasscycling is available on the City's web site.

Backyard composting is also an excellent way of dealing with leaf and yard waste materials, as well as kitchen organics. In 2003, the City decided to subsidize the sale of backyard composters to encourage homeowners to deal with their leaf and yard waste materials on-site. The current price that these are offered to the residents for are \$15.00 plus taxes. In conjunction with the Region of York, the City's Public Works Department is planning to hold a composter truckload sale in June, and later in the Fall of this year. These "event sales" will offer composters at even further reduced prices. These events will be promoted through local papers and in the new waste collection schedule. By continuing to subsidize the sale of backyard composters, the City provides a low cost environmentally friendly way for residents to deal with their leaf and yard waste materials, as well as kitchen organics.

Residents who have excessive amounts of materials, or branches that are too large for backyard composting, can take these materials to the Region's facility in Newmarket for processing at no cost. From April 1 to November 30, the site is open Monday to Friday 8:00 a.m. to 5:00 p.m., with the hours

being extended on Tuesday evenings to 8:00 p.m.. From April 1 to November 30, the site is also open on Saturday from 8:00 a.m. to 5:30 p.m.. Further details regarding this site are available on the City's and the Region of York's web sites.

In addition to the environmental benefits, the City will save money through reduced collection costs. The additional costs to provide summer collection in 2003, were over \$550,000, and do not include the additional promotion and collection schedule production costs. By returning to the previous 16 week collection period (8 in the Spring + 8 in the Fall), these additional collection costs, which were originally included in the 2004 Draft Operating Budget funding envelope, can be reduced, but not eliminated completely. It is noted that the elimination of the summer yard waste collection was included in the list of initiatives identified to achieve the \$10 million reduction in the budget short fall (Attachment 1, Item 1 of the April 16, 2004 Budget Committee agenda).

In order to deal with the Asian Long-Horned Beetle (ALHB), a separate leaf and yard waste collection system had to be implemented to collect materials from within the Regulated area. The initial estimated cost to provide this additional service was approximately \$120,000 for the 8 week Spring collection. Based on revised housing information, this cost has been reduced to approximately \$82,500 for the Spring collection period. These additional costs to deal with the ALHB will also be incurred again during the Fall collection period. As such, a total of approximately \$165,000 will be required to provide the 16 weeks of collection to the residents within the Regulated area.

If Council agrees to return to the previous collection frequency of 16 weeks total for leaf and yard waste materials, and provide the necessary special collection services in the ALHB Regulated area, the total budget reduction shown in Attachment 1, Item 1 of the April 16, 2004, Budget Committee Agenda, would now be approximately \$410,000 instead of the \$575,000 shown. This revised amount takes into account the additional collection costs in the ALHB area which had not been identified as being required at the time the budget reduction initiatives were being prepared (\$575,000 initial budget reduction - \$165,000 for new ALHB collection = \$410,000 new budget reduction).

Relationship to Vaughan Vision 2007

This report recommends a change from the priorities previously set by Council and although the necessary resources have been included in the 2004 Draft Operating Budget, the budget has yet to be approved.

Conclusion

Providing a total of 16 weeks of collection for leaf and yard waste materials will result in the City providing a sustainable level of service that is in line with the other area municipalities in York Region. In addition, it will encourage residents to seek out and use environmentally sound methods of dealing with these materials, such as grasscycling and backyard composting.

Attachments

N/A

Report prepared by:

Brian T. Anthony, CRS-S, C. Tech.
Director of Public Works

Addendum Items

- 141. PROCLAMATION REQUEST
EMERGENCY PREPAREDNESS WEEK MAY 2 TO 8, 2004
(Addendum No. 1)**

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Ferri

That the recommendation contained in the following report of the Fire Chief, dated April 26, 2004, be approved:

CARRIED

Recommendation

The Fire Chief recommends:

- 1) That May 2 to 8, 2004 be proclaimed as "Emergency Preparedness Week," and
- 2) That the proclamation be posted on the City's website, published on the City Page, space permitting, and that staff issue a news release.

Purpose

To raise awareness of the importance of Emergency Management in Ontario and the need for citizens to prepare for the possibility of an emergency.

Background – Analysis and Options

Canada's emergency management system defines the roles and responsibilities in relation to emergency preparedness for individuals, families, municipalities, provincial and territorial governments, Government of Canada departments and agencies as well as private and volunteer organizations.

Although it would be preferable to reduce the frequency and severity of emergencies and disasters through preventative measures, emergency situations still happen. Helping Canadians better prepare is one way that we help reduce the effects of emergencies.

The Office of Critical Infrastructure Protection and Emergency Preparedness in Ottawa administers a number of financial assistance programs that help enhance the response and recovery capacity of Canadian communities thereby reducing the potential impact of emergencies.

Public awareness campaigns provide individuals with the information they need to become better prepared for almost any emergency situation.

Emergency Preparedness Week is an annual, national event that takes place during the first full week of May. The main objective is to increase awareness about individual preparedness. All the Emergency Preparedness Week activities reinforce the idea that we can reduce the risks and lessen the consequences of a disaster by being better prepared.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set by Council and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending the week of May 2 to 8, 2004 be proclaimed as "Emergency Preparedness Week" and that the proclamation be posted on the City's website and published in City Page, space permitting and a news release be issued.

Attachments

Proclamation

Report prepared by:

Jacqueline Cosgrove, Communications Specialist

(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.)

142. PROPERTY TAXATION OF THE 407 AND FUTURE EXPRESS TOLL ROADS (ETR)
(Addendum No. 2)

MOVED by Councillor Meffe
seconded by Regional Councillor Frustaglio

That the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, dated April 26, 2004, be approved:

CARRIED

Recommendation

The Commissioner of Finance & Corporate Services, in consultation with the Director of Finance and the Manager of Property Tax & Assessment recommends:

That the following resolution be adopted.

Whereas the 407 ETR is being operated on a for-profit basis through tolls paid by those using the highway;

And Whereas the 407 ETR operates in a number of municipalities;

And Whereas the Province plans to expand the use of toll roads in Ontario;

And Whereas municipal roads connected to the 407 ETR are subject to increased vehicular traffic placing additional demand on the local infrastructure;

And Whereas the land occupied by the 407 ETR is not available to generate property tax revenue to the local municipality;

And Whereas the Province of Ontario makes payments-in-lieu of taxes on lands owned or controlled by the Province where taxable tenants occupy the land;

And Whereas the current Assessment Act exempts from taxation, toll highways, and the current Municipal Tax Assistance Act excludes highways from a payment in lieu of property taxes (PIL);

And Whereas the Mayor of the City of Vaughan, Mayor Michael Di Biase raised this issue with the Minister of Finance on March 18, 2004, during the Province's Pre-Budget Discussions;

Now, therefore be it resolved that the Province of Ontario make the necessary legislative/regulatory changes regarding the 407 and all future express toll roads, to provide local municipalities with;

- The ability to charge property taxes, or
- The ability to charge payments in lieu of taxes (PIL's) at the commercial rate that would be payable if property taxes were applicable, or
- An equivalent portion of the revenues received from Express Toll Roads.

And that a copy of this resolution be forward to the Premier of Ontario, Dalton McGuinty, the Honourable Greg Sorbara, Minister of Finance, the Honourable Harinder Takhar, Minister of

Transportation, the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, local members of Provincial Parliament, the Association of Municipalities of Ontario (AMO), the Region of York and other municipalities that have 407 ETR lands.

Purpose

To provide Council with a resolution regarding the removal of the current exemption for the 407 and future toll roads from property taxation.

Background - Analysis and Options

On March 18, 2004, the Commissioner of Finance & Corporate Services provided a memo to Members of Council identifying solutions to local municipal finance issues, see Attachment 1. One of the solutions raised was the fact that the 407 is operated on a for-profit basis, but does not pay property taxes. The City of Vaughan raised this issue with the Minister of Finance in mid March. This resolution will formally confirm Council's position on this issue.

For-profit businesses operating in the Province of Ontario are required to pay their fair share of municipal property taxes. The Province of Ontario also makes Payments-In-Lieu of taxes (PIL's) on lands owned or controlled by the Province where profit oriented businesses occupy the land. In the interest of equity in property taxation, the 407 and all future ETR's should be treated in a similar manner as other for-profit businesses in Ontario and be subject to property taxes.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

This resolution recognizes that toll roads place a demand on local services and promotes equity and fairness among all for-profit businesses in the Province of Ontario.

Attachments

Attachment 1 – March 18, 2004 memo

(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.)

143. RESCHEDULING OF COUNCIL MEETING

(Addendum No. 3)

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

That the Council meeting of Monday, May 31, 2004, at 1:00 p.m., be rescheduled for Tuesday, May 25, 2004, at 2:00 p.m., and the meeting be concluded by 7:00 p.m.

CARRIED

**144. ADDENDUM NO. 4
FEES AND CHARGES PAID BY 407 ETR**

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

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That a report be provided to the Committee of the Whole meeting on May 3, 2004, on the total funds paid to the City of Vaughan in development charges, building permits fees, and any other fees, by the 407 ETR consortium when the highway was built.

CARRIED UNANIMOUSLY

The foregoing matter was brought to the attention of Council by Councillor Meffe

**145. BY-LAW NUMBER 118-2004
BY-LAW FIRST, SECOND AND THIRD READING**

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

THAT the following by-law be amended by including the following Clause:

“That this By-law does not come into effect until conveyance of the woodlot.”; and

That the following By-law be read a First, Second and Third time and enacted, as amended:

By-Law Number 118-2004	A By-law to amend City of Vaughan By-law 1-88, as amended. (Z.02.018, DA.01.078, York Major Holdings Inc., northwest of Major Mackenzie Drive and Dufferin Street, Part of Lots 21 to 25 inclusive, Concession 3) (Lifting (H) Holding Symbol) (Council, April 15, 2002, Item 26, Committee of the Whole, Report No. 28); and
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That the memorandum from the Commissioner of Planning, dated April 22, 2004, regarding By-law 118-2004, be received.

CARRIED UPON A RECORDED VOTE

YEAS

Mayor Di Biase
Regional Councillor Ferri
Regional Councillor Frustaglio
Regional Councillor Jackson
Councillor Kadis
Councillor Yeung Racco

NAYS

Councillor Carella
Councillor Meffe

146. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT the request that By-law 119-2004 be removed from the Council Agenda, contained in the memorandum from the Commissioner of Planning, dated April 26, 2004, be approved; and

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

By-Law Number 113-2004	A By-law to dedicate certain lands as part of the public highways known as Northview Boulevard. (Part of Lot 6, Concession 5, Parts 1 and 2 on Plan 65R-26784, Part of PIN – 03278-0251) (Delegation By-Law 333-98)
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COUNCIL MEETING MINUTES - APRIL 26, 2004

- By-Law Number 114-2004 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. (OMB File Z020039, Windleigh Millennium Incorporated, Z.01.020) (OMB File No. Z020039)
- By-Law Number 115-2004 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. (OMB File Z020038, Major West Development Corp., Z.01.050) (OMB File No. Z020038)
- By-Law Number 116-2004 A By-law to assume Municipal Services in Paradise Trail Estates, 19T-94045, Registered Plan, 65M-3162. (Item 14, Committee of the Whole, Report No. 37)
- By-Law Number 117-2004 A By-law to to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (La Rocca Avenue and Bologna Road) (Item 9, Committee of the Whole, Report No. 37)
- By-Law Number 120-2004 A By-law to amend City of Vaughan By-law 1-88. (Z.03.093, DA.04.009, Maree O'Tee Limited, north side of Steeles Avenue West, east of Regional Road #27, in Part of Lot 1, Concession 8) (Item 35, Committee of the Whole, Report No. 37)
- By-Law Number 121-2004 A By-law to amend City of Vaughan By-law 1-88. (Z.03.009, R1V Old Village Residential Zones) (Council, March 8, 2004, Item 17, Committee of the Whole, Report No. 25)
- By-Law Number 122-2004 A By-law to amend City of Vaughan By-law 1-88. (Z.03.101, Majulo Holdings Inc., east side of Edgeley Boulevard, south of Langstaff Road, Unit #4 of York Region Condominium Corporation #661, Block 36 of Plan 65M-2611 (445 Edgeley Boulevard), Part of Lot 9, Concession 5) (Council, March 29, 2004, Item 18, Committee of the Whole, Report No. 29)
- By-Law Number 123-2004 A By-law to exempt parts of Plans 65M-3715 from the provisions of Part Lot Control. (PLC.04.013, Jenrette Cons. Inc., east of Pine Valley Drive, north of Rutherford Road, Lots 271, 274, 279, 282, 285, 291, 294, 297, 300, 305 and 308, on 65M-3715) (Delegation By-Law 333-98)
- By-Law Number 124-2004 A By-law to repeal By-law 123-2004. ((PLC.04.013, Jenrette Cons. Inc., east of Pine Valley Drive, north of Rutherford Road, Lots 271, 274, 279, 282, 285, 291, 294, 297, 300, 305 and 308, on 65M-3715) (Delegation By-Law 333-98)
- By-Law Number 125-2004 A By-law to exempt parts of Plan 65M-3673 from the provisions of Part Lot Control. (PLC.04.004, Aspen Ridge Homrd (Aspen Hills) Limited, north of Autumn Hill Boulevard south side of Shemer Drive, west of Thornhill Woods Drive, Blocks 363 and 364, Registered Plan 65M-3673, Part of Lot 13, Concession 2) (Delegation By-Law 333-98)

COUNCIL MEETING MINUTES - APRIL 26, 2004

By-Law Number 126-2004 A By-law to repeal By-law 125-2004. (PLC.04.004, Aspen Ridge Homrd (Aspen Hills) Limited, north of Autumn Hill Boulevard south side of Shemer Drive, west of Thornhill Woods Drive, Blocks 363 and 364, Registered Plan 65M-3673, Part of Lot 13, Concession 2) (Delegation By-Law 333-98)

CARRIED

**147. ADDENDUM NO. 5
REQUEST FOR REPORT PRIOR TO LIFTING (H) HOLDING SYMBOL**

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

That prior to bringing forward a By-law lifting the (H) holding symbol to Council for enactment, a report be provided to Committee of the Whole, advising that the By-law will be placed on the Council agenda and providing details regarding the lift.

CARRIED UNANIMOUSLY

148. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT By-law Number 127-2004, being a by-law to confirm the proceedings of Council at its meeting on April 26, 2004, be read a First, Second and Third time and enacted.

CARRIED

149. ADJOURNMENT

MOVED by Councillor Carella
seconded by Councillor Kadis

THAT the meeting adjourn at 4:40 p.m.

CARRIED

Michael Di Biase, Mayor

J. D. Leach, City Clerk