

CITY OF VAUGHAN
REPORT NO. 1 OF THE
COMMITTEE OF THE WHOLE

*For consideration by the Council
of the City of Vaughan
on January 12, 2004*

The Committee of the Whole met at 1:09 p.m., on January 5, 2004.

Present: Regional Councillor Linda D. Jackson, Chair
 Mayor Michael Di Biase
 Regional Councillor Mario F. Ferri
 Councillor Bernie Di Vona
 Councillor Peter Meffe
 Councillor Sandra Yeung Racco

The following items were dealt with:

**1 SPADINA-YORK SUBWAY EXTENSION COMMITTEE
 APPOINTMENT OF VAUGHAN REPRESENTATIVES**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Mayor Di Biase, dated January 5, 2004, be approved; and**
- 2) That the deputation of Mr. Paul De Buono, Vaughan Watch, P.O. Box 5126, Suite 105, Vaughan, L6A 1R6, and written submission dated January 5, 2004, be received.**

Recommendation

Mayor Michael Di Biase recommends that:

1. Regional and Local Councillor Mario Ferri and Councillor Sandra Yeung Racco be appointed to the Spadina-York Subway Extension Committee as City of Vaughan representatives;
2. The City's current representatives on the Spadina-York Subway Extension Committee (Mayor Di Biase and Regional and Local Councillor Frustaglio) continue in this capacity;
3. This report be forwarded to the Regional Municipality of York; the City of Toronto, the City of Barrie, the Region of York and York University with the request for their continued representation and participation on the Spadina-York Subway Extension Committee.

2

**AWARD OF TENDER T03-136
MACKENZIE GLEN DISTRICT PARK IMPLEMENTATION**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated January 5, 2004:

Recommendation

The Commissioner of Community Services, in consultation the Director of Purchasing, and the Director of Reserves and Investments recommends:

1. That T03-136, MacKenzie Glen District Park Implementation, be awarded to Gateman Milloy Incorporated for the amount of \$ 2,218,213.86 (excluding G.S.T.); and,
2. That a contingency allowance of 10% be approved, within which the Commissioner of Community Services is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

3

**AWARD OF TENDER T03-214
SUPPLY AND DELIVERY OF TWO (2) MULTI-PURPOSE SIDEWALK TRACTORS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated January 5, 2004:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Purchasing Services and the Director of Reserves and Investments recommends:

1. That Tender T03-214, for the supply and delivery of two (2) current year multipurpose sidewalk tractors complete with sanders, angle plows and dump body be awarded to Champion Road Machinery Sales for a total price of \$174,340.00; and,
2. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary document.

4

**AWARD OF RFP03-279
APPLEWOOD CRESCENT EXTENSION
(ROAD) PRE-ENG/ DESIGN /CONSTRUCTION SERVICES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated January 5, 2004:

Recommendation

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

That RFP03-279 for the Applewood Crescent Extension be brought forward to Council.

5 DEVELOPMENT CHARGES – TORONTO DISTRICT HIGH SCHOOL

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, dated January 5, 2004:

Recommendation

The Commissioner of Finance and Corporate Services in consultation with the Director of Reserves & Investments and the Director of Legal Services recommends:

That a By-law be enacted to authorize the execution of an agreement under Section 27(1) of the Development charges Act to be entered into between the Toronto District Christian High School and the Corporation of the City of Vaughan deferring the payment of the City of Vaughan Development Charges for the school addition to a date later than the date of issuance of a building permit.

6 DEVELOPMENT CHARGES BACKGROUND STUDY – ADDITIONAL FUNDING

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, dated January 5, 2004:

Recommendation

The Commissioner of Finance & Corporate Services in consultation with the Director of Reserves & Investments recommends:

1. That the inclusion of the matter on a public committee or Council agenda for the additional funding request identified as Development Charges Background Study Additional Funding is deemed sufficient notice pursuant to Section 2(1)(c) of By-law 394-2002;
2. That an additional \$80,000 be added to the budget for the Development Charges Background Study; and
3. That the source of funding be from City Wide Development Charges – Management Studies (\$72,000) and Taxation (\$8,000).

7 POLICE COMMUNITY LIAISON COMMITTEE

The Committee of the Whole recommends:

- 1) That this matter be referred to the Safe City Committee for their input and that a report be brought back to a future Committee of the Whole meeting; and
- 2) That the report of the City Clerk, dated January 5, 2004, be received.

Recommendation

The City Clerk requests direction with respect to the continuation of the Police Community Liaison Committee for the 2003-2006 term.

8

**FOLLOW UP INFORMATION PAPER
PROPERTY STANDARD COMPLAINTS – JANE / HWY 7 AREA**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated January 5, 2004:

Recommendation

The Commissioner of Legal and Administrative Services and the Senior Manager of By-law Enforcement recommend:

That this item be received for information purposes.

9

LITTERING AND DUMPING BY-LAW

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and the Senior Manager of By-law Enforcement, dated January 5, 2004, be approved; and
- 2) That the following deputations be received:
 - a) Mr. Gaetano D'Orio, 22 Curtis Court, Vaughan, L6A 1R4; and
 - b) Mr. Paul De Buono, Vaughan Watch, P.O. Box 5126, Suite 105, Vaughan, L6A 1R6.

Recommendation

The Commissioner of Legal and Administrative Services and the Senior Manager, By-law Enforcement, recommend:

That Council approve the new Littering and Dumping By-law.

10

FILL BY-LAW AMENDMENTS - OCCUPIED RESIDENTIAL LOTS OR PROPERTIES

The Committee of the Whole recommends:

- 1) That Clause 1, contained in the following report of the Commissioner of Legal and Administrative Services, dated January 5, 2004, be approved; and
- 2) That public notice be provided, for a period of two-weeks, on a City-wide basis.

Recommendation

The Commissioner of Legal and Administrative Services, in consultation with the Director of Building Standards, recommends:

1. That a By-law be enacted by Council to amend By-law Number 189-96, as amended (the "Fill By-law"), to remove the application of the By-law or any of its requirements to any land, lot or property with an occupied residence, in a form substantially similar to the draft by-law attached to this report (Attachment 1); and

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2. That direction be provided by Council on the manner and extent of notice to be provided to the public of Council's intention to consider these amendments to the Fill By-law.

11 CITY OF VAUGHAN TAXI DRIVER SENSITIVITY TRAINING AGREEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated January 5, 2004:

Recommendation

The City Clerk in consultation with the Manager of Special Projects, Licensing & Permits, Insurance-Risk Management recommends:

That a by-law be enacted to authorize the Mayor and City Clerk to sign an agreement allowing for the City of Mississauga to provide sensitivity training for City of Vaughan Taxi Drivers.

**12 ZONING BY-LAW AMENDMENT FILE Z.03.049
SITE DEVELOPMENT FILE DA.03.067
MARIO TEDESCO
REPORT #P.2003.50**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated January 5, 2004:

Recommendation

The Commissioner of Planning recommends:

1. That Zoning Amendment Application Z.03.049 (Mario Tedesco) BE APPROVED, and that the implementing by-law:
 - a) to rezone the subject lands to EM1 Prestige Employment Area Zone and permit one eating establishment use within the dwelling in excess of 185 m²;
 - b) provide the following exceptions on the property:
 - a minimum of 24 parking spaces, rather than 83
 - minimum lot frontage shall be 30m, rather than 36m
 - minimum lot area shall be 2201 sq.m, rather than 3000 sq.m
 - minimum rear yard setback shall be 2.85m and interior side yard shall be 1.5m, rather than 12m and 6m respectively
 - no loading space shall be required
 - restrict use on site to eating establishment only
 - any other exceptions required to implement the approved site plan
2. That Site Development Application DA.03.067 (Mario Tedesco), as prepared by Daniel Lois Cusimano Architect Incorporated May 25, 2003, 2003, BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan and building elevations be approved by the Director of Urban Design;

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- ii) the final site servicing and grading plans, stormwater management report and Environmental Report be approved by the Engineering Department;
 - iii) the final landscape plan and cost estimate be approved by the Urban Design Department;
 - iv) the requirements of Vaughan Hydro and Vaughan Fire Department shall be satisfied;
 - v) a noise and parking study be submitted and approved by the City Engineering Department and implemented in the site plan;
 - vi) the final plans, access points and driveways shall be approved by the Region of York Transportation and Works Department and City of Vaughan;
 - vii) that the Phase One Environmental Assessment report be approved and determine the suitability of the land for commercial uses.
 - viii) the implementing zoning by-law shall be in full force and effect.
 - ix) The final plans shall be approved by the Toronto and Region Conservation Authority and a permit in accordance to Ontario regulation 158 shall be obtained prior to any development occurring.
3. The site plan agreement contain the following provisions:
- i) all garbage shall be stored indoors; and
 - ii) The owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit, in accordance with the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

13

**SITE DEVELOPMENT FILE DA.03.062
DONATO DIBENEDETTO**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated January 5, 2004, be approved;**
- 2) **That the agreement between the applicant and the City of Vaughan clearly identify the responsibility for snow removal, garbage pick-up, maintenance, access, etc.; and**
- 3) **That the deputation of Ms. Rosemarie Humphries, Humphries Planning Group, on behalf of the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT Site Development Application DA.03.062 (Donato DiBenedetto) BE APPROVED, subject to the following conditions:

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- a) That prior to the execution of the site plan agreement:
 - i) the final site plan and building elevations shall be approved by the Urban Design Department;
 - ii) the final site servicing and grading plan shall be to the satisfaction of the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of Hydro Vaughan Distribution Inc.; and,
 - iv) the final landscape plan and detailed landscape cost estimate shall be approved by the Urban Design Department.
- b) NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed site plan development application DA.03.062 is allocated water capacity from Pressure District No. 5 of the York Water Supply System for a total of 3 residential units following the execution of a site plan agreement to the satisfaction of the City.

14 **SITE DEVELOPMENT FILE DA.02.030
ROYBRIDGE HOLDINGS LIMITED**

The Committee of the Whole recommends that this matter be referred to the Council meeting of January 12, 2004, to allow further discussion between the Local Councillor, staff and the applicant.

Recommendation

The Commissioner of Planning recommends:

That the building elevations for Site Development Application DA.02.030 (Roybridge Holdings Limited) BE APPROVED.

15 **SITE DEVELOPMENT FILE DA.03.064
GOTTARDO CONSTRUCTION LIMITED**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Committee of the Whole meeting of January 19, 2004 to allow an opportunity for staff and the Ward 4 Sub-Committee to meet with the applicant to address the concerns raised;
- 2) That the following deputations be received:
 - a) Mr. Nino Rico, Nino Rico Inc. Architect, 201 Spinnaker Way, Unit 10, Concord, L4K 4C1, on behalf of the applicant; and
 - b) Mr. Mario Racco, 21 Checker Court, Thornhill, L4J 5X4; and
- 3) That the colour rendering of the site plan submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

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THAT the building elevations for Site Development Application DA.03.064 (Gottardo Construction Limited) BE APPROVED.

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ZONING BY-LAW AMENDMENT FILE Z.02.088

HELGA GRAAF

REPORT #P.2003.6

(Referred from the Council meeting of December 15, 2003)

The Committee of the Whole recommends:

- 1) **Whereas the subject lands are adjacent to significant terrestrial resource,**

Whereas keeping the Kleinburg area as an open space and rural setting is a major initiative of the City,

Whereas funding for reforestation and planting is an important initiative, and

Whereas conditions pertaining to this is consistent with conditions imposed under subdivision provisions of the Planning Act,

That the City accept a voluntary contribution of 5% cash-in-lieu of parkland in addition to the statutory requirement;
- 2) **That staff provide appropriate setback and landscape requirements to address visibility from Hwy. 27 to maintain open space and rural appearance;**
- 3) **That architectural requirements be reviewed by the City, and that KARA be consulted; and**
- 4) **That the report of the Director of Community Planning, dated September 15, 2003, be received.**

Council, at its meeting of December 15, 2003, adopted the following:

- 1) That the deputation of Mr. Gerry Borean, and the written submission of Mr. Robert P. De Angelis, Condeland Engineering Ltd., 87 Irondale Drive, Suite 200, North York, M9L 2S6, dated October 8, 2003, be received; and
- 2) That this matter be referred to the Committee of the Whole meeting of January 5, 2004.

Council, at its meeting of September 22, 2003 adopted the following:

That this matter be referred to the Council meeting of December 15, 2003, as requested in the written submission of Mr. Robert P. De Angelis, Condeland Engineering Ltd., dated September 19, 2003.

Report of the Director of Community Planning dated September 15, 2003

Recommendation

The Director of Community Planning recommends:

1. THAT Zoning By-law Amendment Application Z.02.088 (Helga Graaf) BE REFUSED.

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The Committee of the Whole passed the following resolution:

That a closed session of Committee of the Whole be convened for the purpose of discussing the following matters:

- i) the security of the property of the City or local board;
- ii) personal matters about an identifiable individual including municipal or local board employees;
- iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
- iv) labour relations or employee negotiations;
- v) litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
- vi) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- vii) a matter in respect of which Council, boards, Committee or other body has authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament.

The meeting adjourned at 3:20 p.m.

Respectfully submitted,

Regional Councillor Linda D. Jackson, Chair