



**CITY OF VAUGHAN
COUNCIL MINUTES
MARCH 21, 2005**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, MARCH 21, 2005

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:20 p.m.

The following members were present:

Mayor Michael Di Biase, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Linda D. Jackson
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman

**71. PRESENTATION – PROCEEDS FROM RUN FOR VAUGHAN
DONATED TO THE VAUGHAN HEALTH CARE FACILITY STUDY TASK FORCE**

Mr. Naseem Mahdi, President, Ahmadiyya Muslim Community, Canada, presented the proceeds of the recent Run for Vaughan event in the amount of \$55,000, to be donated to the Vaughan Health Care Facility Study Task Force. Mr. Naseer Ahmad, Fund Raising Coordinator, Run for Vaughan, introduced Mr. Nadeem Mahmood, Mr. Abdul Malik, Mr. Mubarak Syed, and Mr. Bashir Nasir, Run for Vaughan officials who were also in attendance for the presentation.

**72. PRESENTATION – REGIONAL HONOURS AWARD
2005 AWARDS OF EXCELLENCE
CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA)**

Councillor Shefman presented the CSLA 2005 Award of Excellence to Mr. David Waverman, Stantec Consulting, in recognition of the historical research of the Thoreau MacDonald Property and identification of the location of "The Tangled Garden".

73. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

That the following addendums be added to the agenda:

1. E-MAIL DISCLAIMER

Report of the Commissioner of Legal and Administrative Services with respect to the above.

2. ANIMAL CONTROL – CONTRACT EXTENSION

Report of the Commissioner Legal and Administrative Services with respect to the above.

3. VAUGHAN PROFESSIONAL FIREFIGHTERS' ASSOCIATION NEGOTIATIONS

Confidential verbal report of Mayor Di Biase with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

74. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to Item 6, Committee of the Whole (Closed Session) Report No. 15, SMALL CLAIMS COURT ACTION, FILE NO. 42946/00, NATARELLI, VITTORIA ET AL V. CITY OF VAUGHAN.

75. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Jackson
seconded by Councillor Carella

THAT the minutes of the meeting of February 28, 2005 be adopted as presented.

CARRIED

76. TAX ADJUSTMENTS PURSUANT TO SECTION 356 OF THE MUNICIPAL ACT, 2001

Deputations with respect to this matter were permitted pursuant to Section 356 of the Municipal Act.

No one appeared either in support of or in opposition to this matter.

MOVED by Regional Councillor Jackson
seconded by Councillor Carella

That the recommendation contained in the following report of the Director of Finance, dated March 21, 2005, be approved, subject to the deletion of Application # 11 contained in Attachment 1; and

That the memorandum from the Director of Finance, dated March 21, 2005, be received.

CARRIED

Recommendation

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

That the tax adjustments as outlined on the attached reports be adopted.

Purpose

To obtain Council approval for the apportionment of property taxes as permitted under the *Municipal Act, 2001*.

Background - Analysis and Options

Section 356 – Division Into Parcels:

Seventeen applications have been received to sever property that was returned on the roll as one parcel. The Municipal Property Assessment Corporation (MPAC) provides the City with a report outlining the value of each separate piece, and the taxes levied on the single piece are apportioned to the various parts in accordance with the assessment.

An apportionment does not result in a reduction or increase of taxes; it simply shares the taxes levied, among the parcels. Should any property owner disagree with the recommendation approved by Council, they can appeal the decision to the Assessment Review Board (ARB) for a further hearing.

Notice to Property Owners:

As required by the Act, notification of this meeting has been sent to all applicants and persons in respect of who the applications were made at least 14 days prior to the meeting.

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

Council approval of the recommendations in this report will allow staff to notify the property owners of their proportionate share, and their right to appeal the decision to the ARB. If no appeals are filed with the ARB, staff will proceed with the property tax apportionments.

Attachments

Attachment 1 - Severance Reports

Report prepared by:

Grace L. Marsh, CMM I, CMTTC, ext. 8268
Manager, Property Tax & Assessment

(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.)

77. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Working Session) Report No. 13

Item 2

Committee of the Whole Report No. 14

Items 17, 25, 27, and 29

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Committee of the Whole (Closed Session) Report No. 15

Item 6

Committee of the Whole (Public Hearing) Report No.16

Item 1

Special Committee of the Whole (Closed Session) Report No. 17

Items 1, 2, and 3

Addendum Items

1, 2, and 3

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

THAT Items 1 to 5 of the Committee of the Whole (Working Session) Report No. 13, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 35 of the Committee of the Whole Report No. 14, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 9 of the Committee of the Whole (Closed Session) Report No. 15, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 2 of the Committee of the Whole (Public Hearing) Report No. 16, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

78. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 13

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

ITEM - 2 "GREENING VAUGHAN" – A COMPREHENSIVE WASTE MANAGEMENT PLAN

MOVED by Councillor Shefman
seconded by Regional Councillor Frustaglio

THAT Item 2, Committee of the Whole (Working Session) Report No. 13 be adopted without amendment.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 14

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

ITEM - 17 SITE DEVELOPMENT FILE DA.04.070
MIELE LIMITED

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

THAT Item 17, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By receiving the written submission from Mr. Paul De Buono, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, dated March 21, 2005.

CARRIED

ITEM – 25 20-MINUTE MAKEOVER

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

THAT Item 25, Committee of the Whole Report No. 14 be adopted without amendment.

CARRIED

ITEM – 27 MARIJUANA GROW HOMES

MOVED by Regional Councillor Jackson
seconded by Councillor Di Vona

THAT Item 27, Committee of the Whole Report No. 14 be adopted and amended, as follows:

By receiving the confidential memorandum from the Director of Legal Services, dated March 10, 2005.

CARRIED

ITEM – 29 ZONING BY-LAW AMENDMENT FILE Z.03.094
SITE DEVELOPMENT FILE DA.04.069
TONLU HOLDINGS LIMITED

MOVED by Councillor Meffe
seconded by Regional Councillor Frustaglio

THAT Item 29, Committee of the Whole Report No. 14 be adopted amended, as follows:

By approving the recommendation of the Commissioner of Planning, dated March 7, 2005;

By approving the following in accordance with the memorandum of the Commissioner of Planning, dated March 21, 2005:

- “1. That this supplementary report respecting Files Z.03.094 and DA.04.069 (Tonlu Holdings Limited) be received;

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2. That Unit 16 and 17 are deleted from the plan in order to facilitate an appropriate turn-about that does not encroach on the front yards of the proposed units;
3. That the applicant submits a photometric site plan to demonstrate that the proposed wall mounted lighting will provide sufficient roadway light to the satisfaction of the City; and
4. That Vaughan Council adopt a resolution requesting the Region of York to approve the proposed lay-by parking on Keele Street as it relates to this development.” and

By approving the following:

“That in an effort to make the core of our villages more livable and pedestrian friendly, and to encourage main street business and storefront opportunities, that the Region of York Transportation Committee and the Region of York Council be requested to support lay-bys as identified in this application.”

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 15

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

ITEM – 6 SMALL CLAIMS COURT ACTION
 FILE NO. 42946/00
 NATARELLI, VITTORIA ET AL V. CITY OF VAUGHAN

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Frustaglio

THAT Item 6, Committee of the Whole (Closed Session) Report No. 15 be adopted and amended, as follows:

By receiving the confidential written submission from Mr. Fausto Natarelli, dated March 15, 2005.

CARRIED

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

COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 16

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

ITEM – 1 ZONING BY-LAW AMENDMENT FILE Z.05.004
 HUMBERPLEX DEVELOPMENTS INC.
 PRELIMINARY REPORT

MOVED by Regional Councillor Jackson
seconded by Councillor Carella

THAT Item 1, Committee of the Whole (Public Hearing) Report No. 16 be adopted and amended, as follows:

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By receiving the written submission of Mr. Paul De Buono, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, dated March 14, 2005.

CARRIED

Addendum Items

79. EMAIL DISCLAIMER
(Addendum No. 1)

MOVED by Regional Councillor Jackson
seconded by Councillor Shefman

That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated March 21, 2005, be approved.

NOT VOTED UPON

MOVED by Councillor Carella
seconded by Councillor Shefman

That this matter be referred to the Council meeting of April 11, 2005, for a report incorporating the comments of Members of Council.

CARRIED

Recommendation

The Commissioner of Legal and Administrative Services, in consultation with the City Clerk and the Director of Information Technology Services, recommends:

That a Policy providing for a disclaimer to be inserted on all City of Vaughan staffs' outgoing e-mails be included in the City of Vaughan Policy Manual.

Purpose

To advise receivers of e-mails originating from staff at the City of Vaughan that the e-mail received by the addressee is private.

Background - Analysis and Options

At the Committee of the Whole (Closed Session) meeting of March 7, 2005 Councillor Jackson requested that staff look into the possibility of the insertion of a disclaimer on all outgoing e-mails from City of Vaughan staff.

ITS has advised that the disclaimer can be automatically inserted and it supports the insertion. ITS recommends that adding the disclaimer automatically to outgoing e-mails is a better way to proceed, rather than the employee inserting the disclaimer as the employee's signature is inserted.

The Commissioner of Legal and Administrative Services recommends the following wording for the disclaimer:

"This e-mail, including any attachment(s), is confidential and intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone

other than the recipient is strictly prohibited”.

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

It is appropriate to insert a disclaimer on outgoing e-mails to protect City of Vaughan staff from possible repercussions and to create a City of Vaughan Policy pertaining to the E-mail Disclaimer.

Attachments

None

Report prepared by:

Pam Law, Secretary/Office Coordinator

80. ANIMAL CONTROL – CONTRACT EXTENSION
(Addendum No. 2)

MOVED by Councillor Shefman
seconded by Councillor Di Vona

That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated March 21, 2005, be approved:

CARRIED

Recommendation

The Commissioner of Legal and Administrative Services recommends that:

1. The existing contract with Kennel Inn Inc. be extended for six (6) months, and;
2. The City Clerk sends a letter to Kennel Inn confirming the extension.

Purpose

This report is to provide information to Council regarding the animal control services contract with Kennel Inn Inc. and the temporary extension of that contract.

Background - Analysis and Options

On March 18, 2002 (Item 16, Report 18) Council approved a three-year contract with Kennel Inn Inc. to provide animal control services for the City of Vaughan.

Over the three year term of the contract there has been considerable debate around the quality of service and care provided by Kennel Inn. Other municipalities in York region also have expressed the same concerns.

On October 18, 2004, Council authorized the City of Vaughan to participate in an Expression of Interest circulated by Markham, Richmond Hill, Aurora, and King Township in order to determine if

there are any qualified and/or interested parties that could provide animal control services. This document was circulated in late December 2004 and closed on January 18, 2005.

Representatives from the five municipalities reviewed the responses. The five municipalities are now working on a Request for Proposal to be circulated to the respondents of the Expression of Interest. This document will outline the level of service that is expected in any future contract. This document should be circulated in a few weeks.

The current contract with Kennel Inn Inc. is due to expire on April 1, 2005. It was hoped that the Request for Proposal process would have been completed in a more expeditious manner. However, in order to continue to provide animal control services, this contract will need to be extended immediately. Other area municipalities have also renewed their contracts with Kennel Inn for either month to month, or on six-month terms. The Senior Manager, Enforcement Services has had discussions with Kennel Inn Inc. and they have agreed to continue to provide the same level of animal control services until such time as the Request for Proposal project is completed.

Relationship to Vaughan Vision 2007

This report is consistent with the Vaughan Vision by delivering service at the best level possible.

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

Conclusion

The current animal control services contract with Kennel Inn Inc. requires an immediate extension in order to continue to provide animal control services to the residents of Vaughan.

Attachments

None

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

81. VAUGHAN PROFESSIONAL FIREFIGHTERS' ASSOCIATION NEGOTIATIONS

(Addendum No. 3)

MOVED by Councillor Shefman
seconded by Councillor Carella

That this matter be discussed in Closed Session.

CARRIED

Refer to Minute No. 82 for further disposition regarding this matter.

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Council resolve into Committee of the Whole (Closed Session) for the purpose of discussing the following matters:

- i) the security of property of the City or local board;

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- 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.

CARRIED

Council recessed at 2:12 p.m.

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Council reconvene at 4:01 p.m.

CARRIED

Council reconvened at 4:01 p.m. with the following members present:

Mayor Michael Di Biase, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Linda D. Jackson
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman

Addendum Item

82. VAUGHAN PROFESSIONAL FIREFIGHTERS' ASSOCIATION NEGOTIATIONS
(Addendum No. 3)

MOVED by Councillor Carella
seconded by Councillor Meffe

That the confidential recommendation of the Committee of the Whole (Closed Session) of March 21, 2005, be approved.

CARRIED

Refer to Minute No. 81 for further disposition regarding this matter.

83. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 17

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

ITEM – 1 WASTE EXCELLENCE CORPORATION

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT Item 1, Special Committee of the Whole (Closed Session) Report No. 17 be adopted without amendment.

CARRIED

ITEM – 2 PERSONNEL MATTER

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT Item 2, Special Committee of the Whole (Closed Session) Report No. 17 be adopted without amendment.

CARRIED

ITEM – 3 PERSONNEL MATTER

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT Item 3, Special Committee of the Whole (Closed Session) Report No. 17 be adopted without amendment.

CARRIED

**84. REQUEST TO DISCUSS DISCLOSURE OF INTEREST RULES
AT A COMMITTEE OF THE WHOLE (WORKING SESSION)**

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

That the rules with respect to declaring a Disclosure of Interest be discussed at a Committee of the Whole (Working Session).

CARRIED

The foregoing matter was brought to the attention of Council by Regional Councillor Frustaglio.

85. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Jackson
seconded by Councillor Shefman

That the memorandum from the Commissioner of Planning, dated March 15, 2005, regarding By-Law 79-2005, be received; and

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

By-Law Number 70-2005 A By-law to authorize the Mayor and Clerk to execute an

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- Agreement on behalf of the City of Vaughan between The Corporation of the City of Vaughan and Dream Works Property Inc. (Council, January 24, 2005, Item 5, Committee of the Whole (Closed Session), Report No. 2)
- By-Law Number 71-2005 A By-law to authorize execution of an Encroachment Agreement and to repeal By-law Number 372-2002. (Item 4, Committee of the Whole (Closed Session), Report No. 15)
- By-Law Number 72-2005 A By-Law to amend By-law Number 147-99 as amended by By-law 149-99 and By-law 395-2002 related to charging fees for services provided by the Vaughan Fire and Rescue Service for response to Emergency and Non-Emergency incidents. (Council, February 21, 2005, Item 1, Budget Committee, Report No. 3)
- By-Law Number 73-2005 A By-law to to assume Municipal Services in Pondview Road, Registered Plan 65R-21694. (Item 5, Committee of the Whole, Report No. 14)
- By-Law Number 74-2005 A By-law to assume Municipal Services in Leo Greco Subdivision, 19T-98V18, Registered Plan 65M-3467. (Item 6, Committee of the Whole, Report No. 14)
- By-Law Number 75-2005 A By-law to assume Municipal Services in Columbus Trail, Phase 2, 19T-96V10, Registered Plan 65M-3346 and 65M-3347. (Item 7, Committee of the Whole, Report No. 14)
- By-Law Number 76-2005 A By-law to amend City of Vaughan By-law 1-88, as amended. (Z.01.016, Schedule "A3", Block 18) (Administrative Correction) (Council, April 2, 2001, Item 3, Committee of the Whole, Report No. 24)
- By-Law Number 77-2005 A By-law to exempt parts of Plans 65M-3757 from the provisions of Part Lot Control. (PLC.05.005, Aspen Ridge Homes (Maple Grove) Ltd., north of Regional Road 7, East of Dufferin Street being Lots 1 to 30 (inclusive), Lots 106 to 361 (inclusive), Block 362 and Blocks 376 to 380 (inclusive) on Registered Plan 65M-3757) (Delegation By-Law 333-98)
- By-Law Number 78-2005 A By-law to repeal By-law 77-2005. (PLC.05.005, Aspen Ridge Homes (Maple Grove) Ltd., north of Regional Road 7, East of Dufferin Street being Lots 1 to 30 (inclusive), Lots 106 to 361 (inclusive), Block 362 and Blocks 376 to 380 (inclusive) on Registered Plan 65M-3757) (Delegation By-Law 333-98)
- By-Law Number 79-2005 A By-law to impose a tariff of fees for the processing of Planning Applications and to repeal By-law Number 21-2005, being a prior by-law imposing a tariff of fees for Planning Applications. (Budget Report No. 2, Council, January 24, 2005, Minute No. 11)
- By-Law Number 80-2005 A By-law to dedicate certain land as part of the public highway being Woodland Acres Crescent. (Block 20, 65M-2133, Woodland Acres Crescent, PIN 03342-0246) (Delegation By-Law 333-98)

CARRIED

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86. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT By-law Number 81-2005, being a by-law to confirm the proceedings of Council at its meeting on March 21, 2005, be read a First, Second and Third time and enacted.

CARRIED

87. ADJOURNMENT

MOVED by Regional Councillor Jackson
seconded by Councillor Shefman

THAT the meeting adjourn at 4:09 p.m.

CARRIED

Michael Di Biase, Mayor

J. D. Leach, City Clerk