

**CITY OF VAUGHAN
COUNCIL MINUTES
SEPTEMBER 26, 2005**

Table of Contents

<u>Minute No.</u>		<u>Page No.</u>
194.	PRESENTATION	211
195.	CONFIRMATION OF AGENDA	211
196.	DISCLOSURE OF INTEREST	212
197.	ADOPTION OR CORRECTION OF MINUTES.....	212
198.	TAX ADJUSTMENTS PURSUANT TO SECTIONS 354, 356, 357, 358 AND 359 OF THE MUNICIPAL ACT, 2001.....	212
199.	DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION	213
200.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION	214
201.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION	217
202.	LEGAL MATTER (Addendum No. 1).....	218
203.	BY-LAWS FIRST, SECOND AND THIRD READINGS.....	219
204.	CONFIRMING BY-LAW	220
205.	ADJOURNMENT.....	220

CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, SEPTEMBER 26, 2005

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:10 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 Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

194. PRESENTATION

Regional Councillor Ferri, Chair, Communities in Bloom, presented Mayor Di Biase with a certificate and plaque which was awarded to the City of Vaughan in Saskatoon for its victory as the winner in the International Communities in Bloom Challenge.

195. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

That the following addendum be added to the agenda:

1) **LEGAL MATTER**

Verbal report of the City Manager with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

196. DISCLOSURE OF INTEREST

Mayor DiBiase declared an interest with respect to Item 2, Committee of the Whole Report No. 50, AWARD OF DESIGN/BUILD OF ARTIFICIAL TURF SOCCER FIELD AND ASSOCIATED PARK FACILITIES – PROPOSAL T05-055, as he is an honorary past president of the Woodbridge Soccer Club.

197. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT the minutes of the meeting September 12, 2005 be adopted as presented.

CARRIED

198. TAX ADJUSTMENTS PURSUANT TO SECTIONS 354, 356, 357, 358 AND 359 OF THE MUNICIPAL ACT, 2001

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

That the recommendation contained in the following report of the Director of Finance, dated September 26, 2005, be approved:

CARRIED

Recommendation

The Director of Finance recommends that the tax adjustments as outlined on the attached reports be adopted.

Economic Impact

The total cancellation, reduction or refund of taxes, as recommended is \$709,084.34. The City portion of this amount is approximately 20% or \$141,815. Please note the estimated tax adjustments relating to commercial and industrial properties are prior to any recalculations resulting from the capping legislation.

Purpose

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

Background - Analysis and Options

Section 356 – Division Into Parcels:

Twenty-nine (29) applications have been prepared 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.

Sections 354, 357 and 358 – Cancellation, Reduction or Write Off:

Fifty-seven (57) applications for cancellation, reduction or write off of taxes for the current and prior tax years, pursuant to the *Municipal Act, 2001*, have been prepared for Council's consideration. There are various reasons for tax adjustments, such as properties becoming exempt, buildings that have been demolished or razed by fire, uncollectible taxes, and properties that have been overcharged by a gross or manifest clerical error.

Notice to Property Owners:

As required by the Act, notification of this meeting has been sent to all applicants and persons in respect of whom 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 proceed with the property tax adjustments.

Attachments

Attachment 1 – Tax Appeal Report (1 Page)
Attachment 2 – Severance Reports (41 Pages)

(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.)

199. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 50

Items 2, 3, 16, 20, 21, 26, and 28

Committee of the Whole (Closed Session) Report No. 51

Item 4

Operational and Strategic Planning Committee Report No. 4

Item 1

Addendum Item

1

MOVED by Councillor Carella
seconded by Regional Councillor Jackson

THAT Items 1 to 28 of the Committee of the Whole Report No. 50, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Closed Session) Report No. 51, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 52, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 2 of the Operational and Strategic Planning Committee Report No. 4, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

200. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

OPERATIONAL AND STRATEGIC PLANNING COMMITTEE REPORT NO. 4

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

ITEM – 1 COMMITTEE NAME CHANGE AND REVISED TERMS OF REFERENCE AND 2005/2006 STRATEGIC PLANNING COMMITTEE TIMELINE

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That this matter be referred to the Council meeting of October 17, 2005 for public input.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 50

(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 to Regional Councillor Ferri.

ITEM - 2 AWARD OF DESIGN / BUILD OF ARTIFICIAL TURF SOCCER FIELD AND ASSOCIATED PARK FACILITIES - PROPOSAL T05-055

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

THAT Item 2, Committee of the Whole Report No. 50 be adopted without amendment.

CARRIED

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

At this point, Mayor Di Biase re-assumed the Chair.

ITEM – 3 AWARD OF TENDER T05-181
THE SUPPLY AND PLANTING OF TREES

MOVED by Councillor Di Vona
seconded by Regional Councillor Jackson

THAT Item 3, Committee of the Whole Report No. 50 be adopted and amended, as follows:

By approving the following resolution:

WHEREAS the tendered price of the replacement trees (\$361.00 per tree) exceeds the funds allocated from the CFIA (\$150.00 per tree).

NOW THEREFORE BE IT RESOLVED:

THAT the Canadian Food Inspection Agency (CFIA) be requested to increase compensation to municipalities for replanting of trees destroyed due to the infestation of the Asian Long-Horned Beetle to full funding rather than \$150.00 per tree.

AND THAT the Minister of Agriculture and Agri-Food Canada also be notified of this resolution; and

By receiving the memorandum from the Commissioner of Community Services, dated September 26, 2005.

CARRIED

ITEM – 16 REQUEST FOR INSTALLATION OF TRAFFIC SIGNALS
LANGSTAFF ROAD AND BALDING BOULEVARD

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

THAT this matter be discussed in Closed Session.

CARRIED

ITEM – 20 CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND
(COMRIF) INTAKE TWO APPLICATION APPROVAL
GREENING VAUGHAN (PHASE 2) – GREEN BIN ORGANICS
COLLECTION

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 20, Committee of the Whole Report No. 50 be adopted without amendment.

CARRIED

ITEM - 21 PROPOSED CITY OF TORONTO LEGISLATION

MOVED by Councillor Carella
seconded by Councillor Di Vona

COUNCIL MEETING MINUTES – SEPTEMBER 26, 2005

THAT Item 21, Committee of the Whole Report No. 50 be adopted without amendment.

CARRIED

ITEM - 26 DEPUTATION – MS. SANDRA NADALINI GUNN,
 WITH RESPECT TO A FENCING ISSUE INVOLVING THE FIRE
 DEPARTMENT'S PROPERTY

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT this matter be discussed in Closed Session.

CARRIED

ITEM - 28 NEW BUSINESS – CUPE REQUEST
 FOR PROCLAMATION OF COMMUNITY DAY

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Ferri

THAT Item 28, Committee of the Whole Report No. 50 be adopted and amended, as follows:

By approving that October 5, 2005, be proclaimed Communities Day; and

By receiving the memorandum from the City Clerk, dated September 19, 2005.

CARRIED

MOVED by Regional Councillor Jackson
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;
- 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 2:20 p.m.

MOVED by Regional Councillor Jackson
seconded by Councillor Shefman

THAT Council reconvene at 4:56 p.m.

CARRIED

Council reconvened at 4:56 p.m. with all members present.

201. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 50

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

ITEM – 26 DEPUTATION – MS. SANDRA NADALINI GUNN,
WITH RESPECT TO A FENCING ISSUE INVOLVING THE FIRE
DEPARTMENT'S PROPERTY

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 26, Committee of the Whole Report No. 50 be adopted and amended, as follows:

By approving the confidential recommendation of the Committee of the Whole (Closed Session) of September 26, 2005; and

By receiving the confidential memorandum from the Director of Legal Services, dated September 23, 2005.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 51

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

ITEM – 4 COMMUNITY ENVIRONMENTAL CENTRES

MOVED by Regional Councillor Ferri
seconded by Councillor Shefman

THAT Item 4, Committee of the Whole (Closed Session) Report No. 51 be adopted and amended, as follows:

By approving the following:

That a by-law be enacted to authorize the sale of an easement to Powerstream Inc. on the western boundary of the City lands immediately abutting the Greenwood Transformer Station in accordance with the Disposal of Property By-law;

By approving the confidential recommendation of the Committee of the Whole (Closed Session) of September 26, 2005; and

By receiving the confidential memorandum from the Commissioner of Engineering and Public Works, dated September 26, 2005.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 50

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

ITEM - 16 **REQUEST FOR INSTALLATION OF TRAFFIC SIGNALS
LANGSTAFF ROAD AND BALDING BOULEVARD**

MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

That this matter be referred to the Committee of the Whole meeting of October 11, 2005, and that staff provide a report identifying sources of funding, and establishing criteria for installing traffic signals throughout the City where Regional warrants are not met; and

That the confidential memorandum from the Commissioner of Engineering and Public Works, and the Commissioner of Finance and Corporate Services, dated September 23, 2005, be received.

AMENDMENT

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

That the report also identify a source of funding for the installation of traffic signals at the Keele Street and Knightswood Avenue intersection.

CARRIED

Upon the question of the main motion, as amended, being:

That this matter be referred to the Committee of the Whole meeting of October 11, 2005, and that staff provide a report identifying sources of funding, and establishing criteria for installing traffic signals throughout the City where Regional warrants are not met;

That the report also identify a source of funding for the installation of traffic signals at the Keele Street and Knightswood Avenue intersection; and

That the confidential memorandum from the Commissioner of Engineering and Public Works, and the Commissioner of Finance and Corporate Services, dated September 23, 2005, be received.

CARRIED

Addendum Item

202. LEGAL MATTER
(Addendum No. 1)

MOVED by Regional Councillor Jackson
seconded by Councillor Yeung Racco

That the confidential recommendation of the Committee of the Whole (Closed Session) of September 26, 2005, be approved.

CARRIED

203. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Ferri
seconded by Councillor Shefman

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

- By-Law Number 260-2005 A By-law to authorize the Mayor and Clerk to execute a development agreement and any other necessary agreements thereto between The Corporation of the City of Vaughan and Canadian Pacific Railway with respect to the construction and conveyance and reconveyance of an alternate road link east of Huntington Road. (Council, September 12, 2005, Item 8, Committee of the Whole, Report No. 46)
- By-Law Number 261-2005 A By-law to assume Municipal Services in Law Development Group Woodbridge Limited, 19T-87070, Registered Plan 65M-3052. (Item 5, Committee of the Whole, Report No. 50)
- By-Law Number 262-2005 A By-Law to adopt Amendment Number 628 to the Official Plan of the Vaughan Planning Area. (OP.05.003, Z.05.009, Pine Seven Office Park Inc., north side of Regional Road #7, west of Pine Valley Drive, being part of the former Sylvan Brook Avenue road allowance, within Registered Plan 5624, and more particularly described as Part 5 on Reference Plan 65R-24266, in Part of Lot 6, Concession 7) (Council, June 27, 2005, Item 42, Committee of the Whole, Report No. 40)
- By-Law Number 263-2005 A By-law to amend City of Vaughan By-law 1-88. (Z.05.026, Shawn Mark in Trust, east side of Jane Street, north of Brandon Gate on the north side of Pine Hollow Crescent, in Part Lot 24, Concession 4) (Council, September 12, 2005, Item 30, Committee of the Whole, Report No. 46)
- By-Law Number 264-2005 A By-law to amend City of Vaughan By-law 1-88. (Z.05.027, Rocco Busiello, north side of Major Mackenzie Drive, west of Weston Road known municipally as 4040 Major Mackenzie Drive, in Lot 21, Concession 6) (Council, September 12, 2005, Item 29, Committee of the Whole, Report No. 46)
- By-Law Number 265-2005 A By-law to exempt parts of Plan 65M-3751 and parts of Plan 65M-3757 from the provisions of Part Lot Control. (PLC.05.015, Maple Grove Estates Inc., north of Highway 7 and east of Dufferin Street, being Blocks 163 and 165 on Registered Plan 65M-3751 and Blocks 369 and 371 on Registered Plan 65M-3757, in Lot 11, Concession 2) (Delegation By-Law 333-98)
- By-Law Number 266-2005 A By-law to repeal By-law 265-2005. (PLC.05.015, Maple Grove Estates Inc., north of Highway 7 and east of Dufferin Street, being Blocks 163 and 165 on Registered Plan 65M-3751 and Blocks 369 and 371 on Registered Plan 65M-3757, in Lot 11, Concession 2) (Delegation By-Law 333-98)

CARRIED

204. CONFIRMING BY-LAW

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT By-law Number 267-2005, being a by-law to confirm the proceedings of Council at its meeting on September 26, 2005, be read a First, Second and Third time and enacted.

CARRIED

205. ADJOURNMENT

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT the meeting adjourn at 5:01 p.m.

CARRIED

Michael Di Biase, Mayor

J. D. Leach, City Clerk