

**CITY OF VAUGHAN
COUNCIL MINUTES
FEBRUARY 13, 2006**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, FEBRUARY 13, 2006

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:14 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

32. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

That the following addendums be added to the agenda:

- 1) PROCLAMATION REQUEST –
BLACK HISTORY MONTH

Report of the City Clerk with respect to the above.

- 2) JANE STREET AND HIGHWAY 7 – WATER MAIN, ROAD, AND SEWER REPAIRS

Report of the Commissioner of Engineering and Public Works with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

33. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

34. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT the minutes of the meetings of January 23, 2006, January 24, 2006, and January 30, 2006, be adopted as presented.

CARRIED

35. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Items

Committee of the Whole Report No. 5

Items 9, 11, 16, 18, 23, and 24

Committee of the Whole (Closed Session) Report No. 6

Items 2 and 5

Addendum Items

1 and 2

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

THAT Items 1 to 6 of the Committee of the Whole (Working Session) Report No. 4, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 28 of the Committee of the Whole Report No. 5, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Committee of the Whole (Closed Session) Report No. 6, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 7, BE APPROVED and the recommendations therein be adopted; and

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

CARRIED

36. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 5

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

ITEM - 9 INTERIM PROPERTY TAX LEVY FOR 2006

MOVED by Councillor Di Vona
seconded by Regional Councillor Frustaglio

THAT Item 9, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By approving that Clause 2 of the Committee of the Whole recommendation be replaced with the following:

That the March, April and May installments be payable as close as possible to the middle of the month; and

By receiving the memorandum from the Manager of Property Tax and Assessment, dated February 13, 2006.

CARRIED

ITEM - 11 SIGN VARIANCE APPLICATION
FILE NO: SV.05-24
OWNER: WOODBRIDGE GATES INC.
LOCATION: 7945 KIPLING AVENUE
LOT NO. 7, CONCESSION 7
(Referred from the Council meeting of January 23, 2006)

MOVED by Regional Councillor Frustaglio
seconded by Councillor Meffe

THAT Item 11, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By receiving the memorandum from the Senior Manager, Enforcement Services, dated February 8, 2006.

CARRIED

ITEM - 16 "PLACES TO GROW, BETTER CHOICES. BRIGHTER FUTURE. –
PROPOSED GROWTH PLAN FOR THE GREATER GOLDEN
HORSESHOE"
ONTARIO MINISTRY OF PUBLIC INFRASTRUCTURE RENEWAL –
NOVEMBER 2005

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 16, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By approving that Clause 3 of the recommendation of the Commissioner of Planning be replaced with the following:

That the City of Vaughan advise the Minister of Public Infrastructure Renewal that a financial plan linked to the implementation of the Growth Plan be prepared and further that the Plan commit the Province to long-term capital funding for infrastructure projects.; and

By receiving the memorandum from the Commissioner of Planning, dated February 10, 2006.

CARRIED

ITEM - 18 PHOTOGRAPHY PERMITS

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Jackson

THAT Item 18, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By approving the recommendation of Regional Councillor Jackson, dated February 6, 2006;
and

By receiving the memorandum from the City Clerk, dated February 10, 2006.

CARRIED

ITEM - 23 CITY OF VAUGHAN AND YORK REGIONAL POLICE
JOINT ENFORCEMENT 2005

MOVED by Councillor Di Vona
seconded by Regional Councillor Frustaglio

THAT Item 23, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By approving the replacement of the document attached to the report with the revised version entitled "City of Vaughan Enforcement Services/York Regional Police Joint Safety Initiatives (2005)" in accordance with the memorandum from Councillor Di Vona, dated February 10, 2006.

CARRIED

ITEM - 24 CASH-IN-LIEU OF PARKING BY-LAW

MOVED by Councillor Carella
seconded by Councillor Meffe

THAT Item 24, Committee of the Whole Report No. 5 be adopted and amended, as follows:

By approving the recommendation of Mayor Di Biase, dated February 6, 2006; and

By receiving the memorandum from the Commissioner of Planning, dated February 10, 2006.

CARRIED

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ITEM - 22 SITE DEVELOPMENT FILE DA.05.063
2748355 CANADA INC.

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 22, Committee of the Whole Report No. 5 be adopted and amended, as follows;

By receiving the coloured renderings submitted by the applicant.

CARRIED

MOVED by Regional Councillor Jackson
seconded by Councillor Shefman

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 1:29 p.m.

MOVED by Regional Councillor Frustaglio
seconded by Councillor Meffe

THAT Council reconvene at 3:07 p.m.

CARRIED

Council reconvened at 3:07 p.m. with all members present.

Addendum Items

**37. PROCLAMATION REQUEST –
BLACK HISTORY MONTH**
(Addendum No. 1)

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

- 1) That the recommendation contained in the following report of the City Clerk, dated February 13, 2006, be approved; and

- 2) That the written submission from Fitz Gordon, President, and Shernett Martin, Vice President, Vaughan African Canadian Association, 641 Napa Valley Avenue, Woodbridge, L4H 1R1, dated February 8, 2006, submitted by Councillor Shefman, be received.

CARRIED

Recommendation

The City Clerk recommends:

- 1) That February 2006 be proclaimed as “**Black History Month**”; 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 respond to the request received from the Co-Chairs of the Thornhill African Caribbean Canadian Association.

Background - Analysis and Options

The correspondence received from the Co-Chairs of the Thornhill African Caribbean Canadian Association, dated February 7, 2006, is attached (Attachment #1).

In 2005, the City of Vaughan declared February 2005 as Black History month following requests received from the President of the Vaughan African Canadian Association and the Community Relations Committee.

The proclamation request meets the requirements of the City’s Proclamation Policy: *“If the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter”*.

The Thornhill African Caribbean Canadian Association has requested the City publicize this proclamation to offer the community an opportunity to focus on the many achievements and the richly diverse culture of citizens of African and Caribbean descent. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

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

Staff is recommending February 2006 be proclaimed as “Black History Month” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Thornhill African Caribbean Canadian Association, dated February 7, 2006.

Report prepared by:

John D. Leach, City Clerk

(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.)

38. JANE STREET AND HIGHWAY 7 – WATER MAIN, ROAD, AND SEWER REPAIRS

(Addendum No. 2)

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 13, 2006, be approved:

CARRIED

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That Council ratify the decision of the Commissioner of Engineering and Public Works to retain the contractors and consultants necessary to stabilize the Jane Street and Highway 7 area impacted by the emergency situation associated with the major settlement of the roadway and underground services;
2. That the City Manager and the Commissioner of Engineering and Public Works be authorized to retain additional resources as required to continue the emergency repairs of the affected services; and
3. That staff provide regular updates to keep members of the Council and the public informed of the status and progress of the emergency repairs.

Economic Impact

The total economic impact on the City cannot be accurately determined at this point. However, the repairs to the sewers, water mains and roads, will be well in excess of \$100,000.

Purpose

To advise Council of the emergency situation at the intersection of Jane Street and Highway 7; to advise of the status of the repairs to the sewers, water mains and roads; to ratify decisions made by the Commissioner of Engineering and Public Works regarding the retention of contractors to commence repairs and stabilize the area; and to confirm that the City Manager and the Commissioner of Engineering and Public Works, has Council authority to contract with various companies to ensure that there is no delay in completing these extensive emergency repairs.

Background - Analysis and Options

Site Conditions

On Tuesday, February 6, 2006, the Public Works Department received notice from the Region of York of a potential water main break at the intersection of Jane Street and Highway 7. Staff from the City and the Region of York were dispatched to the site to investigate as both agencies have water mains at this location. Once on site, it was apparent that there was an area of settlement in the northwest corner of the intersection. Through a series of valve openings and closing, it was determined that the

water main break was on the City's water main. Accordingly, the City's repair contractor was called to the site to start repairs to the water main. The depth of the water main at this site is in excess of 20 feet.

In addition to the water main that crosses Jane Street, there is also a convergence of two sanitary sewers, one coming from the west, the other coming from the north, that meet at the north-west corner of the intersection before crossing under Highway 7 and going south. The area of sinkage seemed to be centered around the manhole where the two sanitary sewers converge. As the hours went by, the area of settlement and depth of sinkage continued to grow. As this area of sinkage was extending into Highway 7, York Region Police closed off the entire Jane Street/Highway 7 intersection. Due to the growing area of influence, it appeared that there may also be some problem with the sanitary sewer system.

The sewer is approximately 30' deep as it crosses Highway 7. As such, it was essential that anyone repairing this sewer would need to be familiar with deep excavations involving large diameter pipes, as well as have the necessary equipment and labour necessary to handle this work. By Wednesday afternoon City staff had obtained the services of Clearway Construction Inc., a qualified second contractor, to handle the necessary sewer work.

By Thursday afternoon, temporary water had been supplied to the affected businesses in the plaza (the only impacted water customers), and work on exposing the broken sections of water main was ongoing, including the removal of the cast in place concrete valve chamber.

The sewer contractor dug down to the top of the sewer pipe in the middle of Highway 7. It was determined by the City's survey crew that the pipe appeared to be on grade at that location. It was also determined that the top of the steel liner placed over the sewer pipe was intact at that location.

On Friday morning, an on-site meeting was held with the Region, their soils consultants, City staff and City retained consultants. As a result of that meeting, changes to the traffic detours were made, and everyone was made fully aware of the extent of work that the City needed to do in order to determine the cause of the problem, and determine a course of action to repair the infrastructure.

In an attempt to better manage the numerous repairs and personnel ongoing at the job site, and maintain a position of "Owner" under the Health & Safety Act, City staff requested Clearway Construction Ltd. to take over as the prime contractor, once the section of damaged water main had been removed.

By Friday afternoon, traffic to the plaza had been opened using the southbound lanes of Jane Street to handle both north and southbound traffic to and from the plaza. A second sewer excavation was underway near the northwest curb line, where the largest settlement (over 1 metre), had taken place, in an attempt to determine the full extent of any undermining, and also to determine the condition of the sewer pipe and manhole structure.

Once the condition of the sewer pipe is known, repairs to the damaged sections of pipe and the manhole structure will take place immediately. The water main repair is more time consuming. Once the damaged sections of water main have been removed, new sections will have to be manufactured to the same specifications. It may take a few weeks to get these sections manufactured before installation can take place.

Over the past weekend, work continued to expose the damaged watermain and sanitary sewer. Soils investigations have identified significant groundwater problems in the area. City staff are examining alternative means to reinstate the affected services.

Currently, there is no access to Highway 7 due to the by-pass pumping of sanitary sewage required to fully excavate the sewer at the lowest point.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and complies with Vaughan Vision

Conclusion

The works needed to effect repairs to the infrastructure at the intersection of Jane Street and Highway 7, are considered emergent in nature, and are complex. Public Works Department staff are on site overseeing the operation, and are assisting the various contractors and consultants in expediting the necessary works.

In order to formalize the hiring of the various contractors and consultants required to ensure the repairs are completed as expediently as possible, Council authorization is being requested to authorize the Commissioner of Engineering and Public Works, or his designate, to contract with the necessary companies and consultants to perform this work, notwithstanding the fact that the repairs will be in excess of the \$100,000 threshold limit for seeking public bids.

Attachments

N/A

Report prepared by:

Brian T. Anthony, CRS-S, C. Tech

39. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 6

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

ITEM - 2 CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE)
 LOCAL 905, VAUGHAN UNIT -
 PART TIME CLERICAL AND TECHNICAL COLLECTIVE AGREEMENT

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Ferri

THAT Item 2, Committee of the Whole (Closed Session) Report No. 6 be adopted and amended, as follows:

By approving the confidential recommendation of the Committee of the Whole (Closed Session) of February 13, 2006; and

By receiving the confidential report of the City Manager and the Commissioner of Legal & Administrative Services, dated February 13, 2006.

CARRIED

ITEM - 5 TENDER AWARD FOR THE CITY LANDS
AT RUTHERFORD ROAD AND MELVILLE AVENUE

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

THAT Item 5, Committee of the Whole (Closed Session) Report No. 6 be adopted and amended, as follows:

By approving the following:

That the Offer submitted by 1688643 Ontario Ltd. for Part of Lot 16 Concession 4 designated as Part 1 on Reference Plan 65R-28544 City of Vaughan, comprising about 2.48 ha (6.128 ac) in Tender T06-001 be accepted;

That a By-law be enacted to authorize the transaction and the execution of any necessary documents; and

That upon acceptance of the Offer, the bid amount for all tenders be released to the public; and

By receiving the confidential report of the Director of Legal Services and the Manager of Real Estate, dated February 13, 2006.

CARRIED

40. ADDENDUM BY-LAW 53-2006

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

That the following addendum be added to the agenda:

BY-LAW 53-2006
(Council, February 13, 2006, Item 5, Report No. 6)

A By-law to authorize the sale of land and to authorize the Mayor and Clerk to execute an Agreement of Purchase and Sale between the Corporation of the City of Vaughan and 1688643 Ontario Ltd.

FAILED TO CARRY UPON A UNANIMOUS VOTE

41. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Jackson
seconded by Regional Councillor Ferri

That the memoranda from the Commissioner of Community Services, dated February 1, 2006, regarding By-Law 49-2006, and from the Commissioner of Engineering and Public Works, dated February 13, 2006, regarding By-Laws 50-2006 and 51-2006, be received.

CARRIED

MOVED by Councillor Carella
seconded by Councillor Di Vona

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

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- By-Law Number 35-2006 A By-law to amend By-law 374-90, a by-law to designate the Isaac Baker Homestead, 1350 Langstaff Road, Part Lot 11, Concession 2, Concord, in the Town of Vaughan, Regional Municipality of York, as being of architectural and historical value under Section 29 of the Ontario Heritage Act, R.S.O.1980. (Item 3, Committee of the Whole, Report No. 5)
- By-Law Number 36-2006 A By-law to provide for the issuance of the 2006 interim property tax billing. (Item 9, Committee of the Whole, Report No. 5)
- By-Law Number 37-2006 A By-Law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Sonoma Boulevard/Castillian Drive, Montebello Avenue/Amelynn Crescent/Century Grove Boulevard) (Item 19, Committee of the Whole, Report No. 5)
- By-Law Number 38-2006 A By-law to assume Municipal Services in Weston Woods, Phase 1, Maria Antonia Road, 19T-97V30, Registered Plan 65M-3460. (1307180 Ontario Inc., subdivision agreement dated October 12, 2000) (Item 4, Committee of the Whole, Report No. 5)
- By-Law Number 39-2006 A By-law to assume Municipal Services in Weston Woods, Phase 2, 19T-97V30, Registered Plan 65M-3592. (1307180 Ontario Inc., subdivision agreement dated July 17, 2002) (Item 5, Committee of the Whole, Report No. 5)
- By-Law Number 40-2006 A By-law to dedicate certain lands as public highway forming part of Huntington Road. (Part of Lot 23, Concession 10, designated as VA46666 registered in the Land Registry Office for the Land Titles Division of York Region -No. 65) (Delegation By-law 333-98)
- By-Law Number 41-2006 A By-law to dedicate certain lands as public highway forming part of Kipling Avenue. (Part of Lot 7, Concession 8, as in Instrument No. VA80780, registered in the Land Registry Office for the Land Titles Division of York Region -No. 65) (Delegation By-law 333-98)
- By-Law Number 42-2006 A By-law to dedicate certain land as part of the public highway known as Huntington Road. (Part of Lot 19, Concession 9, designated as Part 7 on Reference Plan 65R-28669) (Delegation By-law 333-98)
- By-Law Number 43-2006 A By-law to dedicate certain lands as part of the public highway. (Part of Block 501, Plan 65M-3338, designated as Part 1 on Reference Plan 65R-28503) (Delegation By-law 333-98)
- By-Law Number 44-2006 A By-law to dedicate certain lands as part of the public highway known as Cunningham Drive. (Block 183, Plan 65M-3879, registered in the Land Registry Office for the Land Titles Division of York Region (No. 65) (Delegation By-law 333-98)
- By-Law Number 45-2006 A By-law to dedicate certain land as part of the public highway being Ortona Court. Part of Lots 7 and 8, Concession 3, and Part of Lot 22, Registrar's Compiled Plan 10309 designated as Block 40 on Registered Plan 65M-2330) (Delegation By-law 333-98)

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- By-Law Number 46-2006 A By-law to dedicate certain land as part of the public highway being King – Vaughan Road. (Part of Lot 1, Concession 7, designated as Part 2 on Reference Plan 65R-2838) (Delegation By-law 333-98)
- By-Law Number 47-2006 A By-law to dedicate certain land as part of the public highway being Kirby Road. (Part of Lot 31, Concession 6, designated as Part 2 on Reference Plan 65R-28676) (Delegation By-law 333-98)
- By-Law Number 48-2006 A By-law to amend City of Vaughan By-law 1-88. (File No. Z.02.068 and Z.05.038 (DA.05.010) - located on the north side of Woodbridge Avenue, between Fairground Lane and Clarence Street, being part of Lots A, B and C, Registered Plan 1200 (154 to 166 Woodbridge Avenue) in Lot 7, Concession 7) (Council, January 23, 2006, Item 28, Committee of the Whole, Report No. 1)
- By-Law Number 49-2006 A By-law to authorize execution of an Agreement between the City of Vaughan and the Canadian Food Inspection Agency. (Partnership Agreement with the Canadian Food Inspection Agency regarding Contract No. T0685/3000250672 – Asian Long Horned Beetle infestation and tree removal for the year April 1, 2005 to March 31, 2006) (Council, May 24, 2005, Item 8, Committee of the Whole, Report No. 34)
- By-Law Number 50-2006 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Airdrie Drive and Alderson Avenue) (Council, October 15, 2002, Item 15, Committee of the Whole, Report No. 67) (Referred from the Council meeting of January 23, 2006)
- By-Law Number 51-2006 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Misty Meadow Drive and Twinberry Crescent/Irish Moss Court) (Council, October 15, 2002, Item 15, Committee of the Whole, Report No. 67) (Referred from the Council meeting of January 23, 2006)
- By-Law Number 52-2006 A By-law to amend By-law Number 396-2002, as amended, to provide for fees and charges by amending Schedules “A”, “B”, “C”, “E”, “F”, “G”, “H”, “I”, “J”, “K” and “L” and to amend By-law Number 447-2000, as amended. (Minute No. 23, Special Council, January 24, 2006)

CARRIED

42. **CONFIRMING BY-LAW**

MOVED by Councillor Meffe
seconded by Regional Councillor Frustaglio

THAT By-law Number 53-2006, being a by-law to confirm the proceedings of Council at its meeting on February 13, 2006, be read a First, Second and Third time and enacted.

CARRIED

43. ADJOURNMENT

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT the meeting adjourn at 3:24 p.m.

CARRIED

Michael Di Biase, Mayor

Sybil Fernandes Deputy City Clerk