

**CITY OF VAUGHAN
COUNCIL MINUTES
APRIL 23, 2007**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, APRIL 23, 2007

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:15 p.m.

The following members were present:

Mayor Linda D. Jackson, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Mario F. Ferri
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

Also present: Youth Councillor Steven Xu

62. PRESENTATION – TD CANADA TRUST

Mr. Vince Aguanno, Mr. Tim Brown, and Mr. Anthony Morra, TD Canada Trust, presented Council with a sponsorship cheque in the amount of \$25,000.

63. PRESENTATION – “EAT SMART! AWARDS”

Mayor Jackson, and Ms. Donna Poon, Senior Public Health Inspector and Chair of the Eat Smart Committee, presented the following winning restaurants in attendance with an Award in recognition of their high standards in the areas of food safety, nutrition and smoke-free dining:

Choice of the Orient
Ciao Bella Ristorante
Cynthia's Chinese Restaurant
Longo Brothers Fruit Markets (2810 Major Mackenzie Drive)
Made in Japan Teriyaki Experience (3330 Steeles Avenue West)
Pasta Varone
Steeles Garden Restaurant

The following restaurants were also recognized however were not present to accept the Award:

Basilico Ristorante
Cora's Breakfast and Lunch
Granita Ristorante
Koryo Korean Barbeque
Piacere Ristorante
Ristorante Brettone

64. DELEGATION – STUDENTS FROM CALABRIA, ITALY

Mayor and Members of Council welcomed a delegation of students from the University of Calabria, Cosenza, Italy.

65. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT the agenda be confirmed.

CARRIED

66. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

67. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT the minutes of the meeting of April 2, 2007 be adopted as presented.

CARRIED

68. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 18

Items 6, 8, 14, and 21

Committee of the Whole (Closed Session) Report No. 19

Items 2 and 5

Budget Report No. 4

Items 3 and 4

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

THAT Items 1 to 24 of the Committee of the Whole Report No. 18, 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. 19, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Committee of the Whole (Public Hearing) Report No. 20, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 9 of the Budget Committee Report No. 4, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

69. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 18

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

ITEM - 6 ACCESS VAUGHAN SUMMARY OF YEAR 2006 & PROPOSED PHASE II INITIATIVES

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Item 6, Committee of the Whole Report No. 18 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Economic/Technology Development and Communications, dated April 20, 2007, advising that a report outlining an update and phasing of implementing Access Vaughan's Implementation Plan will be provided to the Committee of the Whole (Working Session) meeting of May 8, 2007.

CARRIED

ITEM - 8 ASSUMPTION – WEST MAPLE CREEK LANDS 19T-98V16 / 65M-3505

MOVED by Councillor Meffe
seconded by Councillor Shefman

THAT Item 8, Committee of the Whole Report No. 18 be adopted and amended, as follows:

By approving that staff contact the School Board (Maple High School) to determine the Board's opinion regarding the 2 metre opening and any related issues, and provide a report on the matter; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated April 20, 2007.

CARRIED

ITEM - 14 ZONING BY-LAW AMENDMENT FILE Z.03.054
CANADIAN NATIONAL RAILWAY COMPANY
(Referred from the Council meeting of September 25, 2006)

MOVED by Councillor Yeung Racco

seconded by Regional Councillor Ferri
That this matter be referred to a future Committee of the Whole meeting once Canadian National Railway Company has made a decision on plans for the subject lands.

CARRIED

ITEM - 21 NEW BUSINESS – INTERCHANGE CANADA DAY EVENT PROPOSAL

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 21, Committee of the Whole Report No. 18 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Economic/Technology Development and Communications, dated April 23, 2007.

NOT VOTED UPON

MOVED by Regional Councillor Frustaglio
seconded by Councillor Shefman

THAT Item 21, Committee of the Whole Report No. 18 be adopted and amended, as follows:

By approving that this matter be referred to staff for a report identifying options on a venue for the Canada Day event and information on the particulars of the event; and

By receiving the memorandum from the Commissioner of Economic/Technology Development and Communications, dated April 23, 2007.

AMENDMENT

MOVED by Councillor Shefman
seconded by Councillor Carella

By approving that the report provide a process for Council approval of locations to hold Winterfest, Canada Day, and Concerts in the Park.

CARRIED

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

By approving that this matter be referred to staff for a report identifying options on a venue for the Canada Day event and information on the particulars of the event;

By approving that the report provide a process for Council approval of locations to hold Winterfest, Canada Day, and Concerts in the Park; and

By receiving the memorandum from the Commissioner of Economic/Technology Development and Communications, dated April 23, 2007.

CARRIED

BUDGET COMMITTEE REPORT NO. 4

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

ITEM - 3 COUNCIL BUDGET

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT Item 3, Budget Committee Report No. 4 be adopted and amended, as follows:

By approving that the preferred option for calculating the Council budget be 50 cents per resident and that for the purposes of this calculation the population be factored as per the "Preferred Option" submitted by Councillor Meffe.

CARRIED

ITEM - 4 KLEINBURG ECONOMIC DEVELOPMENT STRATEGY

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

THAT Item 4, Budget Committee Report No. 4 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Economic/Technology Development and Communications, dated April 20, 2007.

CARRIED

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

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

- i) a proposed or pending acquisition or disposition of land by the municipality or local board; and
- ii) litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board.

CARRIED

Council recessed at 2:26 p.m.

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

THAT Council reconvene at 3:58 p.m.

CARRIED

Council reconvened at 3:58 p.m. with the following members present:

Mayor Linda D. Jackson
Regional Councillor Joyce Frustaglio
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 19

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

ITEM - 2 **DONGARA PELLET FACTORY INC.**
 PROPERTY MATTER

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

THAT Item 2, Committee of the Whole (Closed Session) Report No. 19 be adopted and amended, as follows:

By approving the following:

1. To authorize the acquisition of a parcel of land located at Highway 407 and Regional Road 27, being Part of the west half of Lot 2, Concession 8, designated as Parts 1, 2, 3 and 4 on Plan 65R-29309, consisting of 14.43 acres from Ontario Realty Corporation at a cost of \$2,300,000.00.
2. To declare a parcel of 14.43 acres legally described as Part 1, portion of Part 2, Part 3 and 4 Plan 65R-29309 surplus to the City's needs and to be disposed of by lease to Dongara Pellet Factory Inc.
3. That staff be authorized to include in the Lease with Dongara provisions which address the City's use of the facility as it relates to benefits accruing to the City.
4. That notice of disposal is deemed to be the listing of the property on the Council Agenda.
5. That pursuant to the City of Vaughan's Disposal of Property By-law, the Dongara proposal fulfills corporate goals for the provision of community, recreational and economic objectives of the Municipality, thereby allowing a direct disposition to Dongara Pellet Factory Inc.
6. To authorize the execution of a Lease Agreement between the City and Dongara Pellet Factory Inc. for Part 1, portion of Part 2, Part 3 and 4 on Plan 65R-29309 for the purpose of constructing a Waste Recycling and Processing Facility that manufactures fuel pellets for a period of 20 years commencing on the acquisition closing date at a rent of \$5,000.00 per annum.
7. To provide that the Mayor and Clerk be authorized to sign any and all necessary documentation required to facilitate the acquisition and lease;

By receiving the confidential report of the Director of Legal Services and Manager of Real

Estate, dated April 16, 2007; and

By receiving the additional confidential report from the Manager of Real Estate, dated April 23, 2007.

CARRIED

ITEM - 5 LITIGATION MATTER

MOVED by Councillor Yeung Racco
seconded by Councillor Di Vona

THAT Item 5, Committee of the Whole (Closed Session) Report No. 19 be adopted and amended, as follows:

By approving the confidential recommendation of the Committee of the Whole (Closed Session) meeting of April 23, 2007.

CARRIED

70. ADDENDUM BY-LAW 122-2007

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

That the following addendum be added to the agenda:

1) By-Law Number 122-2007

A By-law to authorize the acquisition and lease of land for a Pellet Factory and to authorize the Mayor and Clerk to execute all the necessary documents between The Corporation of the City of Vaughan and Ontario Realty Corporation and Dongara Pellet Factory. (Item 2, Committee of the Whole (Closed Session) Report No. 19)

CARRIED UNANIMOUSLY

71. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Frustaglio
seconded by Councillor Meffe

That the memoranda from the Commissioner of Planning, dated April 11, 2007, regarding By-law 118-2007, and dated April 19, 2007, regarding By-law 115-2007, be received.

CARRIED

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

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

COUNCIL MEETING MINUTES – APRIL 23, 2007

- By-Law Number 108-2007 A By-law to authorize the City of Vaughan to forward a Restructuring Proposal for the annexation of lands in the City of Brampton to the City of Vaughan to the Minister of Municipal Affairs and Housing for the Province of Ontario. (Council, April 2, 2007, Item 25, Committee of the Whole, Report No. 15)
- By-Law Number 109-2007 A By-law to assume Municipal Services in West Maple Creek Lands, 19T-98V16, Registered Plan 65M-3505. (Subdivision Agreement – West Maple Creek Lands Ltd., dated January 29, 2001) (Item 8, Committee of the Whole, Report No. 18)
- By-Law Number 110-2007 A By-Law to assume Municipal Services in Comdel Subdivision, Phase 2, 19T-97V26, Registered Plan 65M-3417. (Subdivision Agreement – Comdel Developments Inc., dated April 25, 2000) (Item 7, Committee of the Whole, Report No. 18)
- By-Law Number 111-2007 A By-law to dedicate certain lands as part of the public highway. (Nine-Ten West Limited – Peter Rupert Avenue) (Delegation By-law 333-98)
- By-Law Number 112-2007 A By-law to dedicate certain lands as part of the public highway. (Woodvalley Developments Limited – Ilan Ramon Boulevard) (Delegation By-law 333-98)
- By-Law Number 113-2007 A By-law to dedicate certain lands as part of the public highway. (East Maple Creek Lands Ltd., - Peter Rupert Avenue) (Delegation By-law 333-98)
- By-Law Number 114-2007 A By-law to dedicate certain lands as part of the public highway. (Royal Garden Homes Ltd., - Sir Benson Drive) (Delegation By-law 333-98)
- By-Law Number 115-2007 A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 235-2006. (Z.06.057 (Z.05.022 and DA.05.046), Maple Orchard Investments Inc.) (Lifting H. Symbol) (Council, June 26, 2006, Item 78, Committee of the Whole, Report No. 37)
- By-Law Number 116-2007 A By-law to adopt Amendment Number 665 to the Official Plan of the Vaughan Planning Area. (Z.05.059 and OP.05.027, Promenade Park Limited, located at the northwest corner of West Promenade and Promenade Circle, municipally known as 100 and 88 Promenade Circle, being Part of Block 7, Registered Plan 65M-2325, in Part of Lot 5, Concession 2) (Council, January 29, 2007, Item 33, Committee of the Whole, Report No. 1)
- By-Law Number 117-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.05.059 and OP.05.027, Promenade Park Limited, located at the northwest corner of West Promenade and Promenade Circle, known municipally as 88 and 100 Promenade Circle, being Block 7 on Registered Plan 65M-2325) (Council, January 29, 2007, Item 33, Committee of the Whole, Report No. 1)

- By-Law Number 118-2007 A By-law to amend City of Vaughan By-law 1-88. Z.06.070, N.H.D. Developments Limited, located northeast of Regional Road #7 and Highway #427, being Part of Blocks 3 and 4 on Plan 65M-3752, in Part of Lot 6, Concession 9) (Lifting H Symbol) (Council, July 10, 2000, Item 49, Committee of the Whole, Report No. 59) (Council, September 10, 2001 – By-law 385-2001)
- By-Law Number 119-2007 A By-law to authorize execution of an Memorandum of Understanding between the City of Vaughan, The Regional Municipality of York and United Parcel Service Canada Inc. (Item 3, Committee of the Whole (Closed Session), Report No. 19)
- By-Law Number 120-2007 A By-law to adopt Amendment Number 666 to the Official Plan of the Vaughan Planning Area. (Z.03.071(N), OP.03.023(N), 19T-05V05(N), York Major Holdings Inc., and York Circle Holdings Inc., located north of Major Mackenzie Drive, east of Keele Street and north of the future McNaughton Road, being in Part of Lots 22 to 24 inclusive, Concession 3) (Council, March 19, 2007, Item 15, Committee of the Whole, Report No. 12)
- By-Law Number 121-2007 A By-law to amend City of Vaughan By-law 1-88. (Z.03.071(N), OP.03.023(N), 19T-05V05(N), York Major Holdings Inc., and York Circle Holdings Inc., located north of Major Mackenzie Drive and east of Keele Street and north of the future McNaughton Road, in Part of Lots 22 to 24 inclusive, Concession 3, City of Vaughan, and comprise Blocks 1 to 22 inclusive in Plan of Subdivision 19T-05V05(N) and Other Lands Owned By Owner Abutting Block 21) (Council, March 19, 2007, Item 15, Committee of the Whole, Report No. 12)
- By-Law Number 122-2007 A By-law to authorize the acquisition and lease of land for a Pellet Factory and to authorize the Mayor and Clerk to execute all the necessary documents between The Corporation of the City of Vaughan and Ontario Realty Corporation and Dongara Pellet Factory. (Item 2, Committee of the Whole (Closed Session) Report No. 19)

CARRIED

72. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT By-law Number 123-2007, being a by-law to confirm the proceedings of Council at its meeting on April 23, 2007, be read a First, Second and Third time and enacted.

CARRIED

73. ADJOURNMENT

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

COUNCIL MEETING MINUTES – APRIL 23, 2007

THAT the meeting adjourn at 4:06 p.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk