

**CITY OF VAUGHAN
COUNCIL MINUTES
MARCH 31, 2008**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, MARCH 31, 2008

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:06 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 (2:06 p.m.)
Councillor Sandra Yeung Racco

Also present: Youth Councillor Michael Radov

58. PRESENTATION – VAUGHAN PUBLIC LIBRARIES STRATEGIC PLAN 2008 – 2010

Mr. Michael McKenzie, Vice-Chair, Vaughan Public Library Board, and Ms. Margie Singleton, Ms Marilyn Guy, and Ms. Alex Gutelius, Vaughan Public Libraries, presented the Strategic Plan 2008 – 2011, *“Today for Tomorrow”*.

59. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to the following matters as they may relate to a personal litigation matter:

- i) Item 29, Committee of the Whole Report No. 16, AWARD OF REQUEST FOR PROPOSAL RFP08 – 100, ACCOUNTANT TO CONDUCT A MUNICIPAL ELECTION COMPLIANCE AUDIT;
- ii) Item 33, Committee of the Whole Report No. 16, DEPUTATION – MR. ERIC GILLESPIE, LL.B. WITH RESPECT TO REQUESTING A COMPLIANCE AUDIT UNDER THE MUNICIPAL ELECTIONS ACT; AND
- iii) Addendum 1, Council March 31, 2008, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, LINDA D. JACKSON.

Mayor Jackson declared an interest with respect to the following matters as the compliance audit relates to her election campaign finances:

- i) Item 29, Committee of the Whole Report No. 16, AWARD OF REQUEST FOR PROPOSAL RFP08 – 100, ACCOUNTANT TO CONDUCT A MUNICIPAL ELECTION COMPLIANCE AUDIT;

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- ii) Item 33, Committee of the Whole Report No. 16, DEPUTATION – MR. ERIC GILLESPIE, LL.B. WITH RESPECT TO REQUESTING A COMPLIANCE AUDIT UNDER THE MUNICIPAL ELECTIONS ACT; AND
- iii) Addendum 1, Council March 31, 2008, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, LINDA D. JACKSON.

At this point in the meeting Mayor Jackson relinquished the Chair to Regional Councillor Frustaglio.

60. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

That the following addendums be added to the agenda:

- 1) APPLICATION FOR A COMPLIANCE AUDIT
2006 MUNICIPAL ELECTION CAMPAIGN FINANCES
LINDA D. JACKSON

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

- 2) LEAF AND YARD WASTE COLLECTION – REVISED START DATE

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

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

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

At this point, Mayor Jackson resumed the Chair.

61. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT the minutes of the meeting of February 25, 2008 and Special Council meeting minutes of March 3, 2008, March 4, 2008 and March 18, 2008, be adopted as presented.

CARRIED

**62. ROAD NAME CHANGE – SOUTHERLY
PORTION OF JACOB FISHER AVENUE
TO TOWNSGATE DRIVE**

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

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Deputy City Clerk, dated March 31, 2008, be approved:

CARRIED

Recommendation

The Deputy City Clerk recommends:

- 1) That any deputations on the matter be received; and
- 2) That a By-law be enacted to change the name of the existing southernmost portion of Jacob Fisher Avenue to Townsgate Drive.

Purpose

To enact a by-law to change the name of the southernmost portion of Jacob Fisher Avenue to Townsgate Drive.

Background – Analysis and Options

At its meeting of February 11th, 2008, Council directed staff to commence procedures as required by the Municipal Act to advertise and schedule a Public Hearing to change the name of the southernmost portion of Jacob Fisher Avenue to Townsgate Drive (Attachment 1).

The notice (Attachment 2) was advertised for two (2) consecutive weeks (February 28th & March 6th, 2008) in the City Page of the following papers: Vaughan Perspectives and Vaughan Citizen. The appropriate agencies have been notified of the proposed by-law. No objections have been received.

Conclusion

In order to complete the road renaming process, Council's approval of this recommendation is required.

Attachments

1. Council Extract – Item #5, February 11, 2008 Council Meeting
2. Notice of Road Renaming

Report Prepared by:

Brenda Macdonald, Administrative Co-ordinator, Ext. 8286
Todd Coles, Manager of Development Services, Ext. 8332

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(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.)

63. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Working Session) Report No. 12

Items 2 and 3

Committee of the Whole Report No. 13

Items 11, 17, and 20

Committee of the Whole (Public Hearing) Report No. 14

Item 2

Committee of the Whole Report No. 16

Items 11, 13, 22, 23, 29, and 33

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

Item 2

Committee of the Whole (Public Hearing) Report No. 18

Item 1

Addendum Items

1 and 2

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

THAT Items 1 to 8 of the Environment Committee Report No. 2, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 12, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 21 of the Committee of the Whole Report No. 13, 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. 14, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 15, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 35 of the Committee of the Whole Report No. 16, 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. 17, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 and 2 of the Committee of the Whole (Public Hearing) Report No. 18, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

64. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 16

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

ITEM - 11 TEMPORARY ROAD CLOSURE
FOGAL ROAD BETWEEN HIGHWAY #50 AND HUNTINGTON ROAD

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT Item 11, Committee of the Whole Report No. 16 be adopted and amended, as follows:

By approving the recommendation of the Commissioner of Engineering and Public Works, dated March 25, 2008;

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated March 27, 2008; and

By receiving the written submission from Mr. Matthew D. Johnston, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated March 31, 2008.

CARRIED

ITEM - 13 SERVICING CAPACITY ALLOCATION STRATEGY – ANNUAL UPDATE

MOVED by Councillor Di Vona
seconded by Councillor Carella

That Mr. Domenic Rotundo, Gambin RDQ, LLP, be permitted to address Council in deputation.

FAILED TO CARRY UNANIMOUSLY

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

THAT Item 13, Committee of the Whole Report No. 16 be adopted and amended, as follows:

By approving the recommendation of the Commissioner of Engineering and Public Works and the Commissioner of Planning, dated March 25, 2008;

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By receiving the memorandum from the Commissioner of Engineering and Public Works, dated March 20, 2008; and

By receiving the written submission from Mr. Domenic Rotundo, Gambin RDQ, Barristers & Solicitors, BDC Building, 3901 Highway 7, Suite 400, Vaughan, L4L 8L5, dated March 26, 2008.

CARRIED

ITEM - 23 SITE DEVELOPMENT FILE DA.08.005
CONDOR PROPERTIES LTD.

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Item 23, Committee of the Whole Report No. 16 be adopted and amended, as follows:

By approving the revised building elevations submitted by the applicant for Site Development File DA.08.005 (Condor Properties Ltd.); and

By receiving the report of the Commissioner of Planning, dated March 25, 2008.

CARRIED

65. BY-LAWS 69-2008 AND 74-2008 FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

That the following be approved in accordance with the memorandum from the Commissioner of Planning, regarding By-Law Number 69-2008, dated March 31, 2008:

“THAT a by-law be enacted to remove the Holding Symbol “(H)” from the subject lands zoned RS1(H) Residential Semi-Detached Zone and RD3(H) Residential Detached Zone Three, as shown on Attachment #1.”; and

That the following by-law be read a First, Second and Third time and enacted:

By-Law Number 69-2008 A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 219-2005. (Z.08.015, Major Bob Farms Inc., located west of Bathurst Street and south of Teston Road, comprised of Blocks 56 to 62 inclusive, 36, 37, 46, 47 and 84 on Draft Plan of Subdivision File 19T-89124, in Lot 24, Concession 2, within Planning Block 12) (Removal of the Holding Symbol “(H)”) (May 25, 2004, Item 26, Committee of the Whole, Report No. 46)

CARRIED

MOVED by Councillor Carella
seconded by Councillor Meffe

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

By-Law Number 74-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.03.097 (19T-03V23), Country Wide Homes (Thornhill Estates) Inc., located on

the south side of Teston Road, west of Bathurst Street, within Planning Block 12, in Part of Lot 25, Concession 2) (Council, February 11, 2008, Item 23, Committee of the Whole, Report No. 5)

CARRIED

66. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 12

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

ITEM - 2 PIERRE BERTON DISCOVERY CENTRE
(Referred from the Committee of the Whole (Working Session) meeting of February 12, 2008)

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

THAT Item 2, Committee of the Whole (Working Session) Report No. 12 be adopted and amended, as follows:

By receiving the written submission from Mr. Joe Chimenti, dated February 26, 2008.

CARRIED

ITEM - 3 PROTOCOL FOR OFFICIAL BUSINESS INVITATIONS
AND MONITORING OFFICIAL BUSINESS INVITATIONS
(Referred from the Committee of the Whole (Working Session) meeting of February 12, 2008)

MOVED by Councillor Carella
seconded by Councillor Meffe

THAT Item 3, Committee of the Whole (Working Session) Report No. 12 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Deputy City Clerk, dated December 3, 2007.

MOVED by Regional Councillor Rosati
seconded by Councillor Yeung Racco

That this matter be referred to the Committee of the Whole meeting of April 7, 2008.

FAILED TO CARRY

Voting upon the main motion as amended:

CARRIED UPON A RECORDED VOTE

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YEAS

Councillor Carella
Councillor Di Vona
Regional Councillor Ferri
Regional Councillor Frustaglio
Councillor Meffe
Councillor Yeung Racco
Councillor Shefman

NAYS

Mayor Jackson
Regional Councillor Rosati

At this point in the meeting, Mayor Jackson relinquished the Chair to Regional Councillor Frustaglio.

COMMITTEE OF THE WHOLE REPORT NO. 16

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

ITEM - 29 AWARD OF REQUEST FOR PROPOSAL-RFP08-100
ACCOUNTANT TO CONDUCT A MUNICIPAL ELECTION
COMPLIANCE AUDIT

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 29, Committee of the Whole Report No. 16 be adopted and amended, as follows:

By approving the following recommendation contained in the additional report of the Commissioner of Legal and Administrative Services, dated March 31, 2008:

“The Commissioner of Legal and Administrative Services, in consultation with the Director of Purchasing Services, recommends that Mr. Ken Froese, CA of the firm of LEGC Canada Ltd. and Glen R. Davison, CA be appointed to conduct the Compliance Audit pursuant to Section 81(6) of the Municipal Elections Act with regard to the campaign finances for the 2006 municipal election of Linda D. Jackson at an estimated cost of \$26,250.00 inclusive of G.S.T.”

CARRIED

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

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

ITEM - 33 DEPUTATION – MR. ERIC GILLESPIE, LL.B. WITH RESPECT TO
REQUESTING A COMPLIANCE AUDIT UNDER THE MUNICIPAL
ELECTIONS ACT

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Ferri

THAT Item 33, Committee of the Whole Report No. 16 be adopted without amendment.

CARRIED

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

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

(Please refer to Item 33, Committee of the Whole Report No. 16)

Addendum

**67. APPLICATION FOR A COMPLIANCE AUDIT
2006 MUNICIPAL ELECTION CAMPAIGN FINANCES
LINDA D. JACKSON
(Addendum No. 1)**

MOVED by Regional Councillor Ferri
seconded by Councillor Shefman

That the request for a Compliance Audit of the 2006 Municipal Election Campaign Finances of Mayor Linda D. Jackson, as reported in the Financial Statement and Auditor's Report filed February 29, 2008, be granted;

That this audit process be combined with the earlier audit process ordered by the courts;

That the Affidavit from Mr. Quintino Mastroguiseppe and Mr. Gino Ruffolo, dated March 28, 2008, be received and included in the audit; and

That the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 31, 2008, be received.

CARRIED

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor recommends:

That Council consider the Application and make a decision to grant or reject the request for a Compliance Audit of the 2006 Municipal Election Campaign Finances of Mayor Linda D. Jackson, as reported in the Financial Statement and Auditor's Report filed February 29, 2008.

Economic Impact

If the Application is granted and a compliance audit ordered, the costs of the audit will be paid by the City.

If the Application is rejected, and the decision is appealed, there will be legal costs related to the appeal to Court.

Communications Plan

The Applicants and their Solicitor will be advised of Council's decision.

Purpose

To advise Council of the Application for a Compliance Audit of the 2006 Municipal Election Campaign Finances of Mayor Linda D. Jackson and seek Council's decision.

Background - Analysis and Options

On March 25, 2008, an Application was filed for a Compliance Audit of Mayor Linda D. Jackson's election campaign finances filed February 29, 2008 (Attachment 1). Pursuant to the *Municipal Elections Act, 1996* (the "Act"), subsection 81(3), Council has 30 days within which to consider the application and decide whether it should be granted or rejected.

THE JURISDICTION OF THE COUNCIL

The proceedings in question are governed by s.81 of the Act.

Under section 81(1), an elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of the Act relating to election campaign finances, may apply for a compliance audit of the candidate's election campaign finances.

Under section 81(2), the application must be made within 90 days after the candidate's last supplementary filing date, in this case February 29, 2008.

Under section 81(3), the Council is required, within 30 days after receiving an application properly made, to consider the application and decide whether it should be granted or rejected.

If the Council decides to grant the application, the Council is required, by resolution, to appoint an auditor licensed under the *Public Accounting Act, 2004* to conduct a compliance audit of the candidate's election campaign finances pursuant to section 81(4) of the Act.

In such circumstances, the auditor is required by section 81(6) to conduct promptly an audit of the candidate's election campaign finances to determine whether he/she has complied with the provisions of the Act relating to election campaign finances, and prepare a report outlining any apparent contravention by the candidate.

Under section 81(8), for the purposes of the audit, the auditor is entitled to have access to all relevant books, papers, documents or things in the possession of the candidate and the City, and has the powers of a commission under Part II of the *Public Inquiries Act*.

The City is required to pay the auditor's costs of performing the audit. If the auditor's report indicates no apparent contravention of the Act, and the Council finds that there were no reasonable grounds for the application, the Council is entitled to recover the auditor's costs from the applicant, pursuant to section 81(11).

Pursuant to section 81(7), the auditor must submit the report to the candidate, the Council, the clerk and the applicant(s).

Under section 81(10), the Council is required to consider the report within 30 days after receiving it. The Council may then commence a legal proceeding against the candidate for any apparent contravention of any provision of the Act relating to election campaign finances.

As Council is aware, an audit in respect of Linda Jackson's first financial filings has already been ordered by the Court, and an auditor has been identified through an RFP process.

SUMMARY OF SPECIFIC ALLEGATIONS OF BREACH OF THE *MUNICIPAL ELECTIONS ACT, 1996*

In general terms, the applicants allege that candidate Linda D. Jackson contravened various requirements of the *Municipal Elections Act, 1996*, grouped under a number of "issues" contained in the Affidavit of Quintino Mastroguiseppe and Gino Ruffolo (Attachment 1).

A summary of the allegations specific to this Application (refer to Attachment 1) are as follows:

Issue 1

The applicants allege that candidate Linda D. Jackson (candidate) appears to have contravened sections 66(2)1(iii) and 69(1)(m) of the Act in the reporting of advertising expenses.

Issue 2

The applicants have raised concerns with respect to the advertising expenses amount reported in the candidate's April 2, 2007 Financial Statement and February 29, 2008 Financial Statement and the fundraising expenses reported in the candidate's April 2, 2007 Financial Statement and February 29, 2008 Financial Statement.

Issue 3

The applicants allege that the candidate appears to have contravened sections 66(2)1(iii) and 69(1)m of the Act as no amount has been recorded under the heading "Voting Day Party/Appreciation Notices or Other" and cite the voting day party at The Venetian Banquet & Hospitality Centre held November 13, 2006.

The applicants allege that the candidate appears to have contravened sections 66(2)91(iii) and 69(1)m of the Act as no amount has been recorded under the heading "Voting Day Party/Appreciation Notices or Other" and cite the volunteer appreciation night held at The Venetian on December 18, 2006.

Issue 4

The applicants allege that the candidate appears to have contravened sections 69(1)(f)(ii) and (iv) and 78(3) of the Act as contributions in the February 29, 2008 Financial Statement have been removed and not reported as returned on the appropriate schedule or provided an explanation for their removal.

Issue 5

The applicants allege that the candidate appears to have contravened section 69(1)(f)(iv) of the Act as addresses have not been recorded for seven contributors.

LEGAL AND PRACTICAL CONSIDERATIONS RELEVANT TO DECISION-MAKING BY THE COUNCIL

The provisions of section 81 of the Act impose a specific responsibility upon the City Council, as a form of tribunal functioning as a judge or arbiter over allegations against a candidate for municipal office, potentially leading to City expenditure for the retaining of an auditor, and a further possible duty to decide in such circumstances, based on the auditor's report, whether or not to initiate prosecutorial proceedings against such candidate for alleged breach of the Act.

In this role, the Council functions as a form of decision-making tribunal analogous to quasi-judicial tribunals established by or under various Provincial statutes.

In these circumstances, the Council is exercising a discretionary decision-making role, imposing requirements of fairness, impartiality and objective decision-making discretion, in the exercise of its specific duty under section 81(3) of the Act to decide, after reviewing the application for the compliance audit of a candidate's election campaign finances and supporting material, whether or not it should be granted or rejected.

If the Council decides to grant the application, this will lead to the appointment of the auditor, who will conduct the audit of the candidate's election campaign finances to determine whether he/she has complied with the provisions of the Act, and prepare a report outlining any apparent contravention, following which the Council will then be required to consider the report and decide whether or not to

commence a legal proceeding against the candidate for any apparent contravention of one or more provisions of the Act relating to election campaign finances.

In exercising its discretion as to whether or not to grant the Application for a Compliance Audit of candidate Linda D. Jackson's election campaign finances, as reported in the Financial Statement and Auditor's Report filed February 29, 2008, Council should consider the following:

Council must make its decision within 30 days after receiving an application;

- Council has no discretion to decline or defer dealing with an application, only to decide whether to grant or reject it;
- Council must base its decision upon grounds relevant to the intention of the Act;
- the intent of the Act is that the election finances of candidates for municipal office be open and documented, that candidates ensure that all possible steps be taken to ensure compliance with the Act relating to contributions and expenses, and that limitations on maximum contributions be strictly enforced;
- the purpose of s.81 is to screen out allegations of election campaign finance wrongdoing which are "frivolous, vexatious, or otherwise devoid of merit" and to ensure that applications are dealt with "expeditiously and without undue delay";
- s.81 of the Act is a "complete code" of procedure for any elector who alleges campaign finance wrongdoing by candidates;
- the principal question before Council involves consideration of whether the applicant has established reasonable grounds to believe that the candidate has contravened the Act;
- if the application reveals that the applicant has reasonable grounds to believe that the candidate has committed a contravention of the Act, an audit is the only remedy;
- "reasonable grounds is not to be equated with proof beyond a reasonable doubt or a prima facie case. The appropriate standard of reasonable or credibly-based probability envisions a practical, non-technical and common sense probability as to the existence of the facts and inferences asserted".

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council.

Regional Implications

Not applicable.

Conclusion

Council is required to make a decision within 30 days of receipt (March 25th) with respect to the Application for a Compliance Audit on candidate Linda D. Jackson's election campaign finances as reported in the Financial Statement and Auditor's Report filed February 29, 2008. Mayor Jackson was advised on March 26th that this report would be brought forward to the Council meeting of March 31st and that she may submit any additional information for consideration prior to Council making a decision on this matter. It should be noted that in the month of April there is only one Council meeting scheduled on April 14th, 2008.

Attachments

- Attachment 1: Affidavit (Application) of Quintino Mastroguiseppe and Gino Ruffolo
- Attachment 2: Financial Statement and Auditor's Report of candidate Linda D. Jackson, filed February 29, 2008.

Report prepared by:

Sybil Fernandes, Deputy 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.)

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

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

At this point, Mayor Jackson resumed the Chair.

68. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 13

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

ITEM - 11 ZONING BY-LAW AMENDMENT FILE Z.04.029
SITE DEVELOPMENT FILE DA.06.058
1096818 ONTARIO INC.
REPORT #P.2005.64

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 11, Committee of the Whole Report No. 13 be adopted and amended, as follows:

By approving the revised elevations contained in the written submission of Mr. Ryan Guetter, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated March 18, 2008.

CARRIED

ITEM - 17 OFFICIAL PLAN AMENDMENT FILE OP.04.019
ZONING BY-LAW AMENDMENT FILE Z.04.059
SITE DEVELOPMENT FILE DA.08.003
AMARDEEP DEOL/3942198 CANADA INC.

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 17, Committee of the Whole Report No. 13 be adopted and amended, as follows:

By receiving the following written submissions:

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- a) Mr. Christopher J. Williams, Aird & Berlis, Barristers and Solicitors, BCE Place, 181 Bay Street, Suite 1800, Box 754, Toronto, M5J 2T9, dated March 3, 2008; and
- b) Mr. Mark N. Emery, 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated March 3, 2008.

CARRIED

ITEM - 20 DEPUTATION – MR. FRANK GRECO
WITH RESPECT TO THE SIGN BY-LAW AS IT RELATES TO
KLEINBURG

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT Item 20, Committee of the Whole Report No. 13 be adopted and amended, as follows:

By approving that a report be provided to the Committee of the Whole meeting of April 7, 2008, in accordance with the memorandum from the Manager of Customer and Administrative Services, dated March 28, 2008.

CARRIED

COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 14

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

ITEM - 2 ZONING BY-LAW AMENDMENT FILE Z.07.059
SCEPTRE DEVELOPMENTS INC.

MOVED by Councillor Meffe
seconded by Councillor Shefman

THAT Item 2, Committee of the Whole (Public Hearing) Report No. 14 be adopted and amended, as follows:

By receiving the written submission from Miroslava and Pavel Kirov, 970 Nashville Road, R.R.1 Kleinburg, L0J 1C0, dated February 25, 2008.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 16

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

ITEM - 22 AWARD OF PROJECT – RFP07- 297
SELECTION OF CONSULTANT
THE ISLINGTON AVENUE STREETScape
MASTER PLAN STUDY – VILLAGE OF KLEINBURG
FILE 21.36

MOVED by Councillor Meffe
seconded by Regional Councillor Ferri

THAT Item 22, Committee of the Whole Report No. 16 be adopted and amended, as follows:

By receiving the written submission from Mr. Joe Chimenti, 25 Granary Road, P.O. Box 945, Kleinburg, L0J 1C0, dated March 25, 2008.

CARRIED

COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 18

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

ITEM - 1 OFFICIAL PLAN AMENDMENT FILE OP.06.002
 ZONING BY-LAW AMENDMENT FILE Z.06.005
 1668872 ONTARIO INC. (ROYAL PINE HOMES)

MOVED by Councillor Di Vona
seconded by Councillor Shefman

THAT Item 1, Committee of the Whole (Public Hearing) Report No. 18 be adopted and amended, as follows:

By receiving the written submission from Mr. Richard Rodaro, 50 Woodend Place R.R.2, Woodbridge, L4L 1A6, dated March 27, 2008.

CARRIED

Addendum

69. LEAF AND YARD WASTE COLLECTION – REVISED START DATE
(Addendum No. 2)

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 31, 2008, be approved:

CARRIED

Recommendation

The Commissioner of Engineering and Public Works recommends that:

This report be received for information.

Economic Impact

There is no additional cost to the City for this change and there may be a reduction in leaf and yard waste costs should the full 34 week program not be required this year due to weather conditions.

Communication Plan

The revised start date will be advertised comprehensively utilizing the local newspapers, mobile signs and the City's website.

Purpose

To advise Council of a change in the start date for the City's annual leaf and yard waste program due to weather conditions.

Background

The City's Spring Leaf and Yard Waste Collection was scheduled to start April 8, 2008. As with previous years, the start and end dates of the Leaf and Yard Collection program has been fairly consistent and usually not problematic - typically starting the second week of April and ending the last week of November.

This year, with the heavier snow fall and the delayed arrival of warmer weather, it appears as though leaf and yard waste collection will not be needed by the scheduled start date. Our contracted weather service has indicated that the long range forecast for the next few weeks continues to show below normal temperatures. Accordingly, it is expected that it will take some time for the snow to melt and the ground to dry so that residents can undertake their spring yard clean up.

Given the foregoing, Leaf and Yard Waste Collection is being deferred to an April 22 start date.

This start date is two weeks later than previously scheduled. Staff will discuss with the City's waste collection contractor, Miller Waste Systems, the possibility of adding additional weeks to the spring weekly collection program and/or adding additional weeks in the Fall. It should be noted that we will pay Miller only for the weeks of service provided and if the two weeks are not required this year, we would experience a savings in our leaf and yard waste collection expenses.

Staff will comprehensively advertise this revised start date via the local papers, mobile signs and the City website. However, it should be recognized that the current waste collection calendar and the Spring Greening Vaughan newsletter mailed earlier this month (prior to the last two snowfalls) do advertise the April 8 start date.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved. It supports the objectives of Pursuing Excellence in Service Delivery and Enhancing Productivity, Cost Effectiveness and Innovation.

Regional Implications

N/A

Conclusion

Due to the heavy snowfalls experienced this past winter and the amount of snow still on the ground now, it is expected that it will be some time before residents will be able to undertake their spring clean up and utilize the City's leaf and yard waste collection program. As starting the program at the usual time would not be fully utilized, the start date is being deferred two weeks.

Attachments

N/A

Report prepared by:

Brian Anthony, CRS-S, C.TECH, Director of Public Works
Bill Robinson, P. Eng., Commissioner of Engineering and Public Works

COUNCIL MEETING MINUTES – MARCH 31, 2008

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

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

- i) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

Council recessed at 2:50 p.m.

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT Council reconvene at 3:33 p.m.

CARRIED

Council reconvened at 3.33 p.m. with the following members present:

Mayor Linda D. Jackson, Chair
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

70. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

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

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

ITEM - 2 VAUGHAN CORPORATE CENTRE ADVISORY COMMITTEE APPOINTMENT OF MEMBERS

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

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

CARRIED

71. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Councillor Shefman

COUNCIL MEETING MINUTES – MARCH 31, 2008

That the following be approved in accordance with the memorandum of the Commissioner of Planning, regarding By-Law Number 68-2008, dated March 26, 2008:

“That a by-law be enacted to remove the Holding Symbol “(H)” from the lands shown as subject lands on Attachment #1 and zoned RD3(H) Residential Detached Zone Three, RD4(H) residential Detached Zone Four, RS1(H) Residential Semi-Detached Zone One, and RT1(H) Residential Townhouse Zone.”; and

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

By-Law Number 68-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.08.003 - Vellore Park Holdings Inc., Weston 400 Holdings Inc., Z.08.004 – Argento Developments Inc., Z.08.005 – JRN Holdings Inc., Z.08.006 – Keystar Developments Inc., Z.08.007 – Lormel Developments (Weston) Inc., and Ozner Corporation (South), Z.08.008 – Red Shelf Corporation, located south of Teston Road, west of Highway 400, north of Major Mackenzie Drive and east of Weston Road, and comprising Draft Plans of Subdivision 19T-00V03 (Lormel Developments (Weston) Inc. & Ozner Corporation (South)), 19T-00V05 (Red Shelf Corporation), 19T-00V07 (Keystar Developments Inc.), 19T-00V09 (JRN Holdings Inc.), 19T-00V10 (Vellore Park Holdings Inc. & Weston-400 Holdings Inc.) and 19T-03V08 (Argento Developments Inc.), in Lots 21 to 25, Concession 5) (Removal of the Holding Symbol “(H)”) (Council May 9, 2005, Item 68, Committee of the Whole, Report No. 55)

CARRIED

MOVED by Regional Councillor Rosati
seconded by Councillor Yeung Racco

That the memorandum from the Senior Manager of Real Estate, dated March 25, 2008, regarding By-law 64-2008, be received.

CARRIED

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

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

By-Law Number 62-2008 A By-law to authorize the Mayor and Clerk to execute an agreement between The Corporation of the City of Vaughan and Hospice Thornhill. (Hospice Thornhill Lease Agreement for Charlton House) (Item 4, Committee of the Whole, Report No. 13)

By-Law Number 63-2008 A By-law to amend By-Law Number 192-2005 to revise the City of Vaughan Emergency Management Program Committee, and to revise the City of Vaughan Emergency Plan. (Council, February 25, 2008, Item 4, Committee of the Whole, Report No. 9)

By-Law Number 64-2008 A By-Law to authorize the Mayor and Clerk to execute a Lease Renewal Agreement and for the provision of municipal capital facilities in accordance with Section 110 of the Municipal Act between the Corporation of the City of Vaughan and Bellshire Woods Estates Inc. (2501 Rutherford Road, Building C) (Additional Information Memo dated March 25, 2008)

COUNCIL MEETING MINUTES – MARCH 31, 2008

- By-Law Number 65-2008 A By-law to authorize the sale of City lands on the south side of Langstaff Road, west of Highway 27 and to authorize a Master Servicing Agreement. (Part of Lot 10, Concession 9 – shown on Schedule “A” as Part 6 and Part 9) (Item 3, Committee of the Whole (Closed Session), Report No. 17)
- By-Law Number 66-2008 A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board. (OMB File Z050090 – Enio Liorti and 787290 Ontario Ltd) (OMB Order No. 0464)
- By-Law Number 67-2008 A By-law to rename the southernmost portion of Jacob Fisher Avenue to Townsgate Drive. (Parts 61 and 62 on Plan 65R-12728) (Council, February 11, 2008, Item 5, Committee of the Whole, Report No. 5)
- By-Law Number 70-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.07.060, Stephen and Helene Sender, zoned RIV Old Village residential by By-law 1-88, located on Lot 55, Plan 4061, being 95 Thornridge Drive) (Council, February 11, 2008, Item 27, Committee of the Whole, Report No. 5)
- By-Law Number 71-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.04.018 / Z.07.042, Glen 50 Developments Limited, located on the east side of Regional Road #50 through to Highway #427, in Part of Lots 2 and 3, Concession 9) (Council, June 25, 2007, Item 91, Committee of the Whole, Report No. 34) (Council, January 28, 2008, Item 31, Committee of the Whole, Report No. 3)
- By-Law Number 72-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.06.073 (DA.06.092), 2019625 Ontario Inc., located west of Jane Street and north of Rutherford Road, more specifically at the southeast corner of Sweetriver Boulevard and Auto Vaughan Drive, municipally known as 233 Sweetriver Boulevard, 101 Auto Vaughan Drive, and 111 Auto Vaughan Drive, being Block 3 on Registered Plan 65M-3766) (Removal of the Holding Symbol “(H)”) (Council, February 11, 2008, Item 24, Committee of the Whole, Report No. 5)
- By-Law Number 73-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.07.062 (19T-04V05), Lindvest Properties (Major Mackenzie) Limited, located southwest of Major Mackenzie Drive and Bathurst Street, being Lots 43 to 56, inclusive, Lots 73 to 80, inclusive, Lots 85 to 88, inclusive, Lots 126 to 127, inclusive, Lots 132 to 135, inclusive, and Lot 140 within Approved Draft Plan of Subdivision 19T-04V05 (Lindvest Properties (Bathurst Mackenzie) Limited), in Lot 20, Concession 2) (Council, June 15, 2005, Item 27, Committee of the Whole, Report No. 87)
- By-Law Number 75-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.07.048, Giovanni and Tina Raimondo, zoned RIV Old Village residential by By-law 1-88, located on Lot 4, M-Plan 1068, being 24 Donna Mae Crescent) (Council, January 28, 2008, Item 30, Committee of the Whole, Report No. 1)

COUNCIL MEETING MINUTES – MARCH 31, 2008

- By-Law Number 76-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.07.051, Marsha Jacobson, zoned RIV Old Village residential by By-law 1-88, located on Lot 109, Plan 3765, being 36 Riverside Boulevard) (Council, January 28, 2008, Item 29, Committee of the Whole, Report No. 1)
- By-Law Number 77-2008 A By-law to exempt parts of Plan 65M-3992 from the provisions of Part Lot Control. (PLC.08.004, Vaughan West II Limited, located on the east side of Huntington Road, south of Conair Parkway, being Part of Block 45 and Blocks 46-48, inclusive on Registered Plan 65M-3992, being Parts 1-5, inclusive on Reference Plan 65R-30718, in Part of Lot 8, Concession 9) (Delegation By-law 333-98)
- By-Law Number 78-2008 A By-law to repeal By-law 77-2008. (PLC.08.004, Vaughan West II Limited, located on the east side of Huntington Road, south of Conair Parkway, being Part of Block 45 and Blocks 46-48, inclusive on Registered Plan 65M-3992, being Parts 1-5, inclusive on Reference Plan 65R-30718, in Part of Lot 8, Concession 9) (Delegation By-law 333-98)
- By-Law Number 79-2008 A By-law to exempt parts of Plan 65M-3940 from the provisions of Part Lot Control. (PLC.08.009, Milescope Holdings Inc., located south of Major Mackenzie Drive and west of Peter Rupert Avenue, more specifically on the north side of Lauderdale Drive (Lots 1, 2 and 3) and on the south side of Mahogany Forest Drive (Lots 4, 5 and 6), being Lots 1 to 6 inclusive on Registered Plan 65M-3940, in Part of Lot 18, Concession 3) (Delegation By-law 333-98)
- By-Law Number 80-2008 A By-law to repeal By-law 79-2008. (PLC.08.009, Milescope Holdings Inc., located south of Major Mackenzie Drive and west of Peter Rupert Avenue, more specifically on the north side of Lauderdale Drive (Lots 1, 2 and 3) and on the south side of Mahogany Forest Drive (Lots 4, 5 and 6), being Lots 1 to 6 inclusive on Registered Plan 65M-3940, in Part of Lot 18, Concession 3) (Delegation By-law 333-98)
- By-Law Number 81-2008 A By-law to assume Municipal Services in Maple Highlands (Central Park Lodge), Registered Plan 65R-23829. (Development Agreement - Maplewood Villages Ltd. dated July 3, 2001) (Item 12, Committee of the Whole, Report No. 16)
- By-Law Number 82-2008 A By-law to authorize the acquisition of land for a cemetery, and the acquisition of a permanent easement for access to the Carville Cemetery. (Part of Lot 16, Concession 2, designated as Parts 3 and 4) (Council, June 25, 2007, Item 3, Committee of the Whole, Report No. 33)
- By-Law Number 83-2008 A By-law to authorize the temporary borrowing of a sum that shall not exceed \$50,000,000 during the year 2008. (Item 2, Committee of the Whole, Report No. 16)

CARRIED

72. **CONFIRMING BY-LAW**

MOVED by Councillor Shefman
seconded by Councillor Meffe

COUNCIL MEETING MINUTES – MARCH 31, 2008

THAT By-law Number 84-2008, being a by-law to confirm the proceedings of Council at its meeting on March 31, 2008, be read a First, Second and Third time and enacted.

CARRIED

73. ADJOURNMENT

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

THAT the meeting adjourn at 3:36 p.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk