

**CITY OF VAUGHAN
 COUNCIL MINUTES
 SEPTEMBER 22, 2008**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, SEPTEMBER 22, 2008

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:07 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: Vaughan Youth Councillor Sabrina Bruno

198. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

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) **BY-LAW NUMBER 250-2008**
(Item 6, Committee of the Whole Report No. 44)

A By-law to rescind By-law 168-95, a by-law providing for the making of a loan from the City of Vaughan Community Heritage Fund Program and authorizing the execution of the agreement on behalf of the City of Vaughan between the Corporation of the City of Vaughan and Linda Hartman, in Trust and to delete Instrument No. R663425, being the said By-law registered on title. (NOTE: *By-Law No. 250-2008 was not in a proper form, and will be presented for adoption at the October 27th meeting of Council.*)

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

199. **DISCLOSURE OF INTEREST**

There was no disclosure of interest by any member.

200. **ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT the minutes of the meeting of September 8, 2008 be adopted as presented.

CARRIED

201. **TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, S.O. 2001**

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

MOVED by Regional Councillor Frustaglio
seconded Regional Councillor Ferri

That the recommendation contained in the following report of the Director of Financial Services, dated September 22, 2008, be approved:

CARRIED

Recommendation

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

That the tax adjustments as outlined on the attached report be approved.

Economic Impact

The City's share of these property tax adjustments is approximately \$36,410. A provision for tax adjustments has been budgeted.

Communications Plan

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.

Purpose

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

Background - Analysis and Options

Sections 357 and 358 – Cancellation, Reduction or Refunds:

Thirty-two (32) applications have been prepared for Council's consideration for the cancellation, reduction or refund of taxes for the current and prior tax years, under sections 357 and 358 of the *Municipal Act, 2001, as amended*. There are various reasons for tax adjustments such as property becoming exempt, roll numbers being cancelled by the Municipal Property Assessment Corporation

(MPAC), buildings that have been demolished or razed by fire, and properties that have been over assessed by a gross or manifest clerical error. These tax adjustments do not relate to collection issues.

The total cancellation, reduction or refund of taxes, as recommended is \$144,266. The City portion of this amount is \$36,410, or approximately 25%. The tax adjustments relating to commercial and industrial properties are prior to any recalculations resulting from the capping legislation.

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.

Regional Implications

The Region's share of these property tax adjustments is approximately \$70,728.

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, September 22, 2008

Report prepared by:

Maureen E. Zabiuk, A.I.M.A., AMTC
Manager, Property Tax & Assessment
Ext. 8268

(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.)

202. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 44

Items 9, 11, and 12

Special Committee of the Whole Report No. 46

Item 1

Committee of the Whole (Public Hearing) Report No. 47

Items 2 and 4

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Frustaglio

THAT Items 1 and 2 of the Committee of the Whole (Working Session) Report No. 43, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 22 of the Committee of the Whole Report No. 44, 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. 45, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 47, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Strategic Planning Committee Report No. 4, BE APPROVED and the recommendations therein be adopted.

CARRIED

203. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 44

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

ITEM - 9 AWARD OF DESIGN / BUILD OF ONE (1) ARTIFICIAL TURF SOCCER
FIELD AND ASSOCIATED FACILITIES FOR
MCNAUGHTON PARK (RFP08-179)

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 9, Committee of the Whole Report No. 44 be adopted and amended, as follows:

By approving the following in accordance with the additional report of the Commissioner of Community Services, dated September 22, 2008:

- 1) That RFP08-179, Design / Build of One (1) Artificial Turf Soccer Field and Associated Facilities for McNaughton Park be awarded to Rutherford Contracting for the amount of \$1,023,775.00 (excluding G.S.T.);
- 2) That a contingency allowance of 10% be approved, within which the Director of Parks Development is authorized to approve amendments to the contract; and
- 3) That the Mayor and City Clerk be authorized to sign necessary documents; and

By receiving the confidential memorandum from the Director of Legal Services, dated September 19, 2008.

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Carella
Regional Councillor Ferri
Regional Councillor Frustaglio
Mayor Jackson
Councillor Meffe
Councillor Yeung Racco
Regional Councillor Rosati
Councillor Shefman

NAYS

Councillor Di Vona

ITEM - 11 AWARD OF TENDER T08-246
PINE VALLEY DRIVE RESURFACING/REHABILITATION

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT Item 11, Committee of the Whole Report No. 44 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 18, 2008:

- 1) That Tender T08-246, Pine Valley Drive Resurfacing/Rehabilitation be awarded to Furfari Paving Co. Ltd. in the amount of \$426,831.50, plus G.S.T.;
- 2) That a contingency allowance in the amount of \$45,000.00 plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
- 3) That a Geotechnical and Material Testing amount of \$5,000.00, plus G.S.T. be approved to ensure compliance with all applicable standards; and
- 4) That the Mayor and Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 12 AWARD OF TENDER – T08-231
ROAD RESURFACING 2008 – EAST VAUGHAN
VARIOUS LOCATIONS

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 12, Committee of the Whole Report No. 44 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated September 15, 2008:

- 1) That Tender T08-231, Road Resurfacing 2008 – East Vaughan, Various Locations be awarded to Furfari Paving Co. Ltd. in the amount of \$1,987,756.50;
- 2) That a contingency allowance in the amount of \$200,000.00 plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
- 3) That a Geotechnical and Material Testing amount of \$20,000.00, plus G.S.T. be approved to ensure compliance with all applicable standards; and
- 4) That the Mayor and Clerk be authorized to sign the appropriate documents; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 18, 2008.

CARRIED

SPECIAL COMMITTEE OF THE WHOLE REPORT NO. 46

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

ITEM - 1 **DEVELOPMENT CHARGES BACKGROUND STUDY AND
PROPOSED BY-LAW**

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

THAT Item 1, Special Committee of the Whole Report No. 46 be adopted and amended, as follows:

By receiving the memorandum from the Deputy City Manager/Commissioner of Finance and Corporate Services, the Commissioner of Engineering and Public Works, the Director of Reserves and Investments, and the Director of Development/Transportation Engineering, dated September 18, 2008;

By receiving the memorandum from the Deputy City Manager/Commissioner of Finance and Corporate Services, dated September 19, 2008; and

By receiving the written submission from Mr. Fred Darvish, Liberty Developments, 505 Highway 7 East, Suite 303, Thornhill, L3T 7T1, dated September 18, 200[8].

CARRIED

COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 47

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

ITEM - 2 **ZONING BY-LAW AMENDMENT FILE Z.08.027
ANNA DIBIASE**

MOVED by Councillor Carella
seconded by Councillor Di Vona

THAT Item 2, Committee of the Whole (Public Hearing) Report No. 47 be adopted and amended, as follows:

By receiving the memorandum from Mr. Anthony Sun, Toronto and Region Conservation Authority, 5 Shoreham Drive, Downsview, M3N 1S4, dated September 12, 2008.

CARRIED

ITEM - 4 **ZONING BY-LAW AMENDMENT FILE Z.08.032
BLUE WATER RANCH DEVELOPMENTS INC. &
THORNHILL RETIREMENT RESIDENCE L.P.**

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT Item 4, Committee of the Whole (Public Hearing) Report No. 47 be adopted and amended, as follows:

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By receiving the written submission from Mr. Jim Kirk, Malone Given Parsons Ltd., 140 Renfrew Drive, Suite 201, Markham, L3R 6B3, dated September 5, 2008.

CARRIED

204. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That the memorandum from the Director of Legal Services, dated September 18, 2008, regarding By-Law 249-2008, be received.

CARRIED

MOVED by Regional Councillor Frustaglio
seconded by Councillor Carella

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

- | | |
|------------------------|---|
| By-Law Number 230-2008 | A By-law to impose City Wide Development Charges. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 231-2008 | A By-law to impose Special Service Area Development Charges – Rainbow Creek Drainage Works. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 232-2008 | A By-Law to impose Special Service Area Development Charges – Pressure District 5 West Woodbridge Watermain. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 233-2008 | A By-law to impose Special Service Area Development Charges – Pressure District 6 West Major Mackenzie Drive Watermain. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 234-2008 | A By-law to impose Special Service Area Development Charges – Pressure District 6 East Rutherford Road Watermain. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 235-2008 | A By-law to impose Special Service Area Development Charges – Pressure District 7 West Teston Road/America Avenue/Canada Drive Watermain. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 236-2008 | A By-law to impose Special Service Area Development Charges – Dufferin/Teston Sanitary Sewer OPA 332. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 237-2008 | A By-law to impose Special Service Area Development Charges – Ansley Grove Sanitary Subtrunk Sewer Improvements. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 238-2008 | A By-law to impose Special Service Area Development Charges – Zenway/Fogal Sanitary Sub Trunk Extension. (Item 1, Special Committee of the Whole, Report No. 46) |
| By-Law Number 239-2008 | A By-law to impose Special Service Area Development Charges – |

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- Highway 27 South Servicing Works. (Item 1, Special Committee of the Whole, Report No. 46)
- By-Law Number 240-2008 A By-law to authorize the Mayor and Clerk to execute an Agreement between The Corporation of the City of Vaughan, The Cadillac Fairview Corporation Limited, and Communications Traffic Plus (+) Inc. (Sign Variance Application File SV.06-06, Promenade Mall, 1 Promenade Circle, Block 1-4, Registered Plan 65M-2325) (Council, September 8, 2008, Item 18, Committee of the Whole, Report No. 40)
- By-Law Number 241-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.06.035, 1643750 Ontario Limited/Rice Developments, located on the north side of Regional Road 7 between Wigwoss Drive and Pine Valley Drive, municipally known as 4620 and 4700 Regional Road 7, in Lot 6 Concession 7) (Council, May 12, 2008, Item 51, Committee of the Whole, Report No. 24)
- By-Law Number 242-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.08.013, FCHT Holdings (Ontario) Corporation, located at the northwest corner of Rutherford Road and Bathurst Street, in Part of Lot 16, Concession 2) (Item 18, Committee of the Whole, Report No. 44)
- By-Law Number 243-2008 A By-law to exempt parts of Plan 65M-4042 from the provisions of Part Lot Control. (PLC.08.022 (Z.03.083 and 19T-03V18), Treasure Hill Home Corp., located south of Major Mackenzie Drive west of Peter Rupert Avenue, being Lots 1, 2, 3, 4, 5, and 6, and Blocks 11, 12, 13, 14, and 15 inclusive on Registered Plan 65M-4042, in Part of Lot 20, Concession 3, within Planning Block 18) (Delegation By-law 333-98)
- By-Law Number 244-2008 A By-law to repeal By-law 243-2008. (PLC.08.022 (Z.03.083 and 19T-03V18), Treasure Hill Home Corp., located south of Major Mackenzie Drive west of Peter Rupert Avenue, being Lots 1, 2, 3, 4, 5, and 6, and Blocks 11, 12, 13, 14, and 15 inclusive on Registered Plan 65M-4042, in Part of Lot 20, Concession 3, within Planning Block 18) (Delegation By-law 333-98)
- By-Law Number 245-2008 A By-law to exempt parts of Plan 65M-4070 from the provisions of Part Lot Control. (PLC.08.023 (Z.00.092 and 19T-00V18), 1612190 Ontario Limited, located south of Major Mackenzie Drive between Dufferin Street and Keele Street, being Lots 5, 6, 7, and 8 on Registered Plan 65M-4070, in Part of Lot 20, Concession 3, within Planning Block 18) (Delegation By-law 333-98)
- By-Law Number 246-2008 A By-law to repeal By-law 245-2008. (PLC.08.023 (Z.00.092 and 19T-00V18), 1612190 Ontario Limited, located south of Major Mackenzie Drive between Dufferin Street and Keele Street, being Lots 5, 6, 7, and 8 on Registered Plan 65M-4070, in Part of Lot 20, Concession 3, within Planning Block 18) (Delegation By-law 333-98)
- By-Law Number 247-2008 A By-law to exempt parts of Plan 65M-3973 from the provisions of Part Lot Control. (PLC.08.025 (19T-00V17), located north of Rutherford Road west of Dufferin Street, being Lots 117 to 126, inclusive, on Registered Plan 65M-3973, in Part of Lots 16 and 17, Concession 3, within Planning Block 18) (Delegation By-law 333-98)

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- By-Law Number 248-2008 A By-law to repeal By-law 247-2008. (PLC.08.025 (19T-00V17), located north of Rutherford Road west of Dufferin Street, being Lots 117 to 126, inclusive, on Registered Plan 65M-3973, in Part of Lots 16 and 17, Concession 3, within Planning Block 18) (Delegation By-law 333-98)
- By-Law Number 249-2008 A By-law to authorize the conveyance of lands to the Region of York for road widening purposes. (Additional Information Memo dated September 18, 2008)
- By-Law Number 250-2008 NOTE: By-Law No. 250-2008 was not in a proper form, and will be presented for adoption at the October 27th meeting of Council.

CARRIED

205. CONFIRMING BY-LAW

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

THAT By-law Number 251-2008, being a by-law to confirm the proceedings of Council at its meeting on September 22, 2008, be read a First, Second and Third time and enacted.

CARRIED

206. ADJOURNMENT

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

THAT the meeting adjourn at 1:52 p.m.

CARRIED

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk