

**CITY OF VAUGHAN
COUNCIL MINUTES
SEPTEMBER 21, 2009**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, SEPTEMBER 21, 2009

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 Alan Shefman
Councillor Sandra Yeung Racco

172. PRESENTATION – THORNHILL BASEBALL CLUB’S AA MOSQUITO THORNHILL REDS 2009 CHAMPIONS

The Mayor and Members of Council presented the Thornhill Baseball Club’s AA Mosquito Thornhill Reds with certificates to recognize the team winning the 2009 Ontario Baseball Association Championships.

173. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That the following addendums be added to the agenda:

Presentation

1. ii) Regional Councillor Joyce Frustaglio providing information on a region-wide food drive campaign.

Items

1. COLLECTIVE BARGAINING UPDATE

Confidential report to be provided at the meeting.

2. BY-LAW NUMBER 209-2009
(Council, June 30, 2009, Item 76, Committee of the Whole Report No. 35)

A By-law to adopt Amendment Number 713 to the Official Plan of the Vaughan Planning Area. (OP.07.004, Major Weston Centres Limited, located at the north-east corner of Weston Road and and Major Mackenzie Drive, in Part of Lot 21, Concession 5

3. BY-LAW NUMBER 210-2009
(Council, June 30, 2009, Item 76, Committee of the Whole Report No. 35)

A By-law to amend City of Vaughan Zoning By-law 1-88. (Z.07.040, Major Weston Centres Limited, located on the north-east intersection of Weston Road and Major Mackenzie Drive, in Part of Lot 21, Concession 5, City of Vaughan. The subject lands have an area of approximately 20.214 ha, with 300 m of frontage along Weston Road and 493.37 m of frontage along Major Mackenzie Drive)

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

174. DISCLOSURE OF INTEREST

Mayor Jackson declared an interest with respect to the following:

- i) Item 27, Committee of the Whole Report No. 38, REPORT ON COMPLAINT OF VIOLATION OF CODE OF CONDUCT FOR MEMBERS OF COUNCIL, as the report relates to her; and
- ii) Item 3, Committee of the Whole (Closed Session) Report No. 39, ONTARIO MUNICIPAL BOARD HEARING, OFFICIAL PLAN AMENDMENT NO. 633, FILE OP.06.004, ZONING BY-LAW AMENDMENT 167-2006, FILE Z.06.012, OFFICIAL PLAN AMENDMENT FILE OP.07.004, ZONING BY-LAW AMENDMENT FILE Z.07.031, 10360 AND 10384 ISLINGTON AVE INC., GIOSEFFINA GRECO-ALVIANI, FABIO ALVIANI, FRANK GRECO (APPELLANTS) – WARD 1, as her husband leases space from the applicant.

Councillor Di Vona declared an interest with respect to Item 34, Committee of the Whole Report No. 38, DEPUTATION – MR. CARLO DEFRANCESCA WITH RESPECT TO COUNCILLOR DI VONA'S APPEAL - COSTS, as the matter deals with his election campaign.

175. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT the minutes of the Council meeting of June 30, 2009; Special Council meetings of September 2, September 8, and September 11, 2009, be adopted as presented.

CARRIED

176. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Deferred Items

1 and 2

Committee of the Whole Report No. 38

Items 6, 10, 11, 12, 22, 24, 27, 33, 34, and 35

Committee of the Whole (Closed Session) Report No. 39

Item 3

Committee of the Whole (Working Session) Report No. 41

Item 2

Addendums

Presentation 1ii), 1, 2, 3

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Items 1 to 36 of the Committee of the Whole Report No. 38, 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 (Closed Session) Report No. 39, 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 (Public Hearing) Report No. 40, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 41, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 5 of the Strategic Planning Committee Report No. 3, BE APPROVED and the recommendations therein be adopted.

CARRIED

Deferred Item

177. FENCE HEIGHT EXEMPTION – 27 GOODMAN CRESCENT – WARD 1
(Deferred Item 2)

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

That this matter be deferred to the Committee of the Whole meeting of September 29, 2009.

CARRIED

Council, at its meeting of June 30, 2009, adopted the following (Item 31, Report No. 35):

- 1) That a decision on this matter be deferred to the Council meeting of September 21, 2009 to provide an opportunity for the applicant to obtain support from abutting

property owners;

- 2) That the memorandum of the Director of Enforcement Services, dated June 15, 2009, be received; and
- 3) That the following written submissions be received:
 - a) Paolo and Susie Santoriello, 12 Malaren Road, Vaughan, L6A 1E5, dated June 15, 2009; and
 - b) Mr. Giuseppe Agrippa, 27 Goodman Crescent, Vaughan, L6A 1E8, dated June 22, 2009.

Report of the Director of Enforcement Services, dated June 23, 2009

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 27 Goodman Crescent be approved.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no appeals have been received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 27 Goodman Crescent has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application for a proposed horizontal wooden fence of 8 feet in height in order to provide for a feeling of privacy around an existing pool.

The rear and side yard fences are proposed to be 8 feet high.

There will be one gate on each side of the property that will also not exceed 8 feet.

The By-law permits a fence height of 6 feet in rear yards.

The area was inspected by Enforcement staff and there are no rear yard fences similar in height to the Applicant's. The majority of fences in this area are chain link.

The fence height does not pose a potential sight line issue.

In this general area there has not been similar fence height exemptions approved in recent years. The details outlined above support the approval of a fence height exemption for this location.

This application is outside the parameters of the delegated authority passed by Council.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case supports the approval of a fence height exemption for this location.

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Plan
- 4) Photos

Report prepared by:

Janice Heron

(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.)

178. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 38

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

ITEM - 22 SITE DEVELOPMENT FILE DA.08.027
 LEVIATHAN INVESTMENTS INC.
 WARD 1

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT Item 22, Committee of the Whole Report No. 38 be adopted and amended, as follows:

By approving the recommendation of the Commissioner of Planning, dated September 8, 2009;

By receiving the memorandum from the Commissioner of Planning, dated September 17, 2009; and

By receiving the coloured elevation drawings submitted by the applicant.

CARRIED

179. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

That the memorandum from the Commissioner of Planning, dated September 9, 2009, regarding By-law 204-2009, be received; and

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

By-Law Number 204-2009 A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 38-2009. (Z.09.021, (OP.06.009 and Z.06.023), 1504546 Ontario Limited, located on the south side of Woodbridge Avenue, west of Islington Avenue being Part of Parcel A on Registered Plan 449, in Part of Lot 7, Concession 7, known as 75 and 83 Woodbridge Avenue) (Council, June 30, 2009, Item 73, Committee of the Whole, Report No. 35)

CARRIED

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

That the memorandum from the Commissioner of Planning, dated September 17, 2009, regarding By-law 206-2009, be received; and

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

By-Law Number 206-2009 A By-law to amend City of Vaughan By-law 1-88. (Z.06.068 (19T-06V14), Molise Kleinburg Estates Inc., located south of Nashville Road, west of Regional Road #27, south of Major Mackenzie Drive, in Part of Lots 22, 23, and 24, Concession 9) (Administrative Correction) (Council, November 10, 2008, Item 29, Committee of the Whole, Report No. 53)

CARRIED

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That the memorandum from the Commissioner of Planning, dated September 17, 2009, regarding By-law 208-2009, be received; and

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

By-Law Number 208-2009 A By-law to amend City of Vaughan By-law 1-88. (Z.08.057 (Z.05.013, Z.07.014, Z.08.015, 19T-89124), Andridge Homes Ltd., et al, located within Planning Block 12, in Part of Lots 21 to 25, Concession 2, City of Vaughan, within Plan of Subdivisions 19T-00V02 (Mayvon and Manson Investments Ltd.), 19T-89124 (Major Bob Farms Inc.), 19T-03V17 (McNair Creek Ltd.), and 19T-99V08 (Andridge Homes Ltd.) (Council, November 10, 2008, Minute No.

238) (Council, May 25, 2004, Item 23, Committee of the Whole, Report No. 46)

CARRIED

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

That the memoranda from the Commissioner of Planning, dated September 18, 2009, and September 21, 2009, regarding By-laws 209-2009 and 210-2009, be received; and

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

By-Law Number 209-2009 A By-law to adopt Amendment Number 713 to the Official Plan of the Vaughan Planning Area. (OP.07.004, Major Weston Centres Limited, located at the north-east corner of Weston Road and Major Mackenzie Drive, in Part of Lot 21, Concession 5) (Council, June 30, 2009, Item 76, Committee of the Whole Report No. 35) (Addendum No. 2)

CARRIED

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

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

By-Law Number 210-2009 A By-law to amend City of Vaughan Zoning By-law 1-88. (Z.07.040, Major Weston Centres Limited, located on the north-east intersection of Weston Road and Major Mackenzie Drive, in Part of Lot 21, Concession 5, City of Vaughan. The subject lands have an area of approximately 20.214 ha, with 300 m of frontage along Weston Road and 493.37 m of frontage along Major Mackenzie Drive) (Council, June 30, 2009, Item 76, Committee of the Whole Report No. 35) (Addendum No. 3)

CARRIED

180 PRESENTATION –YORK REGION FOOD DRIVE CAMPAIGN

Regional Councillor Frustaglio presented details of the region-wide food drive campaign and its partners and supporters, and advised that the official kick-off would be held on September 29, 2009.

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

That the presentation by Regional Councillor Frustaglio be received; and

That the Vaughan Food Bank be permitted to place donation bins at Vaughan community centres.

CARRIED

Deferred Item

181. CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

(Deferred Item 1)

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

- 1) That recommendation 1 and 2 contained in the additional report of the Integrity Commissioner, dated September 21, 2009, be approved, as follows:
 1. That Council adopt the Code of Ethical Conduct for Members of Council, City of Vaughan (Attachment 1); and
 2. That Council receive Attachment 2 which is a summary of the comments received from the public on the Code of Ethical Conduct for Members of Council, City of Vaughan;
- 2) That in lieu of the Committee of the (Working Session) meeting scheduled for October 5, 2009, that under section 239, sub-section 3.1, of the *Municipal Act*, Council meet in Closed Session at the Thoreau MacDonald House in Thornhill on October 5, 2009, at 10:00 a.m. for the purpose of conducting education and training relating to the Code of Ethical Conduct for Members of Council; and
- 3) That the report of the Integrity Commissioner, dated June 23, 2009, be received.

CARRIED

Council, at its meeting of June 30, 2009, adopted the following (Item 55, Report No. 35):

1. The Committee of the Whole recommendation of June 23, 2009:
 - (1) That the recommendation contained in the following report of the Accountability and Transparency Committee, dated June 23, 2009, be approved, in principle;
 - (2) That the final decision on this matter be deferred to the Council meeting of September 21, 2009, to provide further opportunity for public input; and
 - (3) That the following deputations be received:
 - a) Reverend Jim Keenan, New Hope United Church, 9225 Jane Street, Suite 1416, Concord, L6A 0J7; and
 - b) Ms. Marilyn Iafrate, 55 Marwood Place, Maple, L6A 1C5.
2. The written submission from Reverend Jim Keenan, New Hope United Church, 9225 Jane Street, Suite 1416, Concord, L6A 0J7, dated June 23, 2009, provided at the Council meeting of June 30, 2009.

Report of the Accountability and Transparency Committee, dated June 23, 2009

Recommendation

The Accountability and Transparency Committee, in consultation with the Integrity Commissioner, recommends:

1. That the attached Code of Ethical Conduct for Members of Council approved in principle by the Accountability & Transparency Committee on June 1, 2009, and posted to the City's Website for Public Information, be adopted.

Contribution to Sustainability

Not applicable.

Economic Impact

Not applicable.

Communications Plan

The Code of Ethical Conduct for Members of Council will be posted to the City's Website.

Purpose

The purpose of this report is to provide an updated Code of Ethical Conduct for Members of Council.

Background - Analysis and Options

- Council at its meeting of April 23, 2007 approved the position of an independent part-time Integrity Commissioner, and directed that an Accountability and Transparency Committee be established.
- Council at its meeting of November 26, 2007, recommended the appointment of Mr. Bill Fitzgerald and Ms. Joy Lerman to the Committee as the two (2) representatives from the public.
- Council at its meeting of April 14, 2008 appointed Mr. William (Bill) Weissglas as Vaughan's Integrity Commissioner.
- Council at its meeting of June 23, 2008 adopted the Complaint Protocol for Council Code of Conduct.
- On November 21, 2008, William (Bill) Weissglas tendered his resignation as Integrity Commissioner.
- Council at its meeting of February 24, 2009 appointed Ms. Suzanne Craig as Vaughan's Integrity Commissioner, effective April 6, 2009.

The Accountability and Transparency Committee was tasked, in conjunction with the Integrity Commissioner, to review and recommend revisions to the City of Vaughan's existing Code of Ethics and Conduct for Members of Council. The existing Code, Policy 01.06 dates back to 1996. The attached Code of Ethical Conduct for Members of Council is the result of lengthy consideration and deliberations, in consultation with both the former and current Integrity Commissioners, who reviewed numerous Codes of Conduct from other jurisdictions. The result is a comprehensive Code of Ethical Conduct which establishes a series of 21 rules that will guide Members of Council, each rule supported by commentary which may be supplemented by examples, to ensure a consistent understanding.

The Code of Ethical Conduct reflects an acknowledgement that ethics and integrity are at the core of public confidence in government and in the political process. In adopting this Code of Ethical Conduct, Council is recognizing that as leaders of the community, they are held to higher standards of behaviour and conduct, and that their conduct must reflect the highest ethical ideals so that it can bear the closest public scrutiny.

The Code of Ethical Conduct provides clear guidance regarding conflicts of interest, gifts and benefits, the handling of confidential information, use of City property and resources, election campaign work, improper use of influence and employment of family members among other matters, as well as provisions to enforce compliance with the Code.

Relationship to Vaughan Vision 2020

The high ethical ideals embodied in the Code of Ethical Conduct reflect the City's values identified in the Vaughan Vision 2020.

Regional Implications

None

Conclusion

The attached Code of Ethical Conduct for Members of Council should be adopted by Council.

Attachments

1. Code of Ethical Conduct for Members of Council
2. Written Submission from Reverend Jim Keenan, dated June 23, 2009

Report prepared by:

Janice Atwood-Petkovski
Commissioner of Legal and Administrative Services and City Solicitor

(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.)

182. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 38

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

ITEM - 6 NAMING OF FIRE STATION # 7-2 – WARD 1

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Item 6, Committee of the Whole Report No. 38 be adopted without amendment.

CARRIED

ITEM - 10 AWARD OF TENDER T09-285
ROAD RESURFACING/REHABILITATION - EAST VAUGHAN – MAPLE
AREA, VARIOUS LOCATIONS
WARDS 1 AND 4

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

THAT Item 10, Committee of the Whole Report No. 38 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, 2009:

1. That Tender T09-285 Road Resurfacing/Rehabilitation – East Vaughan – Maple Area, Various Locations be awarded to Coco Paving Inc. in the amount of

\$1,741,928.19, plus G.S.T.;

2. That a contingency allowance in the amount of \$174,000.00, 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 the City retain an engineering consulting firm to provide contract administration and inspection services, at an estimated cost of \$35,000.00, plus G.S.T. funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing;
4. That the City retain a geotechnical engineering firm to provide geotechnical and material testing and disbursements at an estimated cost of \$18,000.00, plus G.S.T., funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing; and
5. That the Mayor and City Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 11 AWARD OF TENDER T09-286
ROAD RESURFACING/REHABILITATION - EAST VAUGHAN –
THORNHILL AREA, VARIOUS LOCATIONS
WARDS 4 & 5

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

THAT Item 11, Committee of the Whole Report No. 38 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 14, 2009:

1. That Tender T09-286 Road Resurfacing/Rehabilitation – East Vaughan – Thornhill Area, Various Locations be awarded to Furfari Paving Co. Ltd. in the amount of \$1,177,317.52, plus G.S.T.;
2. That a contingency allowance in the amount of \$118,000.00, 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 the City retain an engineering consulting firm to provide contract administration and inspection services, at an estimated cost of \$35,000.00, plus G.S.T. funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing;
4. That the City retain a geotechnical engineering firm to provide geotechnical and material testing and disbursements at an estimated cost of \$15,000.00, plus G.S.T., funded 2/3 from Infrastructure Stimulus Funding and 1/3 from Debenture Financing; and
5. That the Mayor and City Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 12 AWARD OF TENDER – T09-332 WATERMAIN PROTECTION PROGRAM

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

COUNCIL MEETING MINUTES – SEPTEMBER 21, 2009

THAT Item 12, Committee of the Whole Report No. 38 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 16, 2009:

1. That Tender T09-332 be awarded to 1460973 Ontario Limited O/A C.P. Systems, in the amount of \$284,904.00, plus G.S.T., per annum for a period of approximately two years (\$569,808.00 plus G.S.T. over 2 years), with an optional extension of one year. The total amount of the initial term of contract shall not exceed the approved capital funding of \$721,000;
2. That staff be authorized to perform the necessary watermain protection up to the approved Capital Budget project amount; and
3. That the Mayor and Clerk be authorized to sign the necessary documents.

CARRIED

ITEM - 24 SITE DEVELOPMENT FILE DA.09.016
 IMPERIAL OIL LIMITED
 WARD 4

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 24, Committee of the Whole Report No. 38 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated September 16, 2009:

1. That the revised building elevations as shown on attachment #3 to this memorandum for Site Development File DA.09.016 (Imperial Oil Limited) be approved.; and

By receiving the coloured elevation drawings submitted by the applicant.

CARRIED

ITEM - 33 NEW BUSINESS – PETITION FROM RESIDENTS OF VAUGHAN MILLS
 ROAD, HUMBERVIEW DRIVE, ROYALPARK WAY, JOLANA CRESCENT,
 LOIS DRIVE AND ROSELAWN DRIVE

ITEM - 35 DEPUTATION – MS. CARRIE LIDDY WITH RESPECT TO
 TRAFFIC CONCERNS AT VAUGHAN MILLS ROAD AND THE
 PARKETTE PROPOSED IN THE SUBJECT AREA

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Items 33 and 35, Committee of the Whole Report No. 38 be adopted and amended, as follows:

By approving the following:

1. That Council approve the completion of park construction at this time;
2. That the Engineering Services Department do a follow up assessment of the impact of all newly installed traffic calming measures during the month of October 2009 (once the public is generally aware of the existence of the traffic calming measures);

3. That, should such assessment indicate additional safety measures are called for, that recommendations be provided to that effect, to include but not limited to the placement of a steel beam guardrail along the park frontage on Vaughan Mills Road; and

By receiving the memorandum from the Commissioner of Community Services, dated September 17, 2009.

NOT VOTED UPON

MOVED by Regional Councillor Frustaglio
seconded by Councillor Yeung Racco

That Items 33 and 35, Committee of the Whole Report No. 38, be discussed in Closed Session.

CARRIED

ITEM - 34 DEPUTATION – MR. CARLO DEFRANCESCA WITH RESPECT TO COUNCILLOR DI VONA'S APPEAL - COSTS

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 34, Committee of the Whole Report No. 38 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.

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 41

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

ITEM - 2 RESIDENTIAL PARKING ISSUES CONSEQUENT ON THE "NEW URBANISM"

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 2, Committee of the Whole (Working Session) Report No. 41 be adopted and amended, as follows:

By receiving the memorandum from the Commissioner of Legal and Administrative Services & City Solicitor and the Commissioner of Engineering and Public Works, dated September 17, 2009, advising that a report can be anticipated in spring 2010.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 38

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

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

ITEM - 27 REPORT ON COMPLAINT OF VIOLATION OF CODE OF CONDUCT FOR MEMBERS OF COUNCIL

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Item 27, Committee of the Whole Report No. 38 be adopted and amended, as follows:

By approving the recommendation of the Integrity Commissioner, dated September 8, 2009.

CARRIED

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.

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

That Council resolve into Closed Session for the purpose of discussing the following matters:

- i. Item 33, Committee of the Whole, Report No. 38
NEW BUSINESS – PETITION FROM RESIDENTS OF VAUGHAN MILLS ROAD,
HUMBERVIEW DRIVE, ROYALPARK WAY, JOLANA CRESCENT,
LOIS DRIVE AND ROSELAWN DRIVE
(receiving of advice that is subject to solicitor/client privilege)
- ii. Item 35, Committee of the Whole, Report No. 38
DEPUTATION – MS. CARRIE LIDDY WITH RESPECT TO
TRAFFIC CONCERNS AT VAUGHAN MILLS ROAD AND THE
PARKETTE PROPOSED IN THE SUBJECT AREA
(receiving of advice that is subject to solicitor/client privilege)
- iii. Item 3, Committee of the Whole (Closed Session), Report No. 39
ONTARIO MUNICIPAL BOARD HEARING
OFFICIAL PLAN AMENDMENT NO. 633, FILE OP.06.004
ZONING BY-LAW AMENDMENT 167-2006, FILE Z.06.012
OFFICIAL PLAN AMENDMENT FILE OP.07.004
ZONING BY-LAW AMENDMENT FILE Z.07.031
10360 AND 10384 ISLINGTON AVE INC.
GIOSEFFINA GRECO-ALVIANI, FABIO ALVIANI, FRANK GRECO (APPELLANTS) –
WARD 1
(litigation/potential litigation)
- iv) Addendum No. 1, Minute No. 183
COLLECTIVE BARGAINING UPDATE
(labour relations or employee negotiations)

CARRIED

COUNCIL MEETING MINUTES – SEPTEMBER 21, 2009

Council recessed at 2:30 p.m.

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

THAT Council reconvene at 4:05 p.m.

CARRIED

Council reconvened at 4:05 p.m. with the following members present:

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

183. COLLECTIVE BARGAINING UPDATE (Addendum No. 1)

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

That the confidential recommendation of the Closed Session meeting of September 21, 2009, be approved.

CARRIED

184. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 38

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

ITEM - 33 NEW BUSINESS – PETITION FROM RESIDENTS OF VAUGHAN MILLS ROAD, HUMBERVIEW DRIVE, ROYALPARK WAY, JOLANA CRESCENT, LOIS DRIVE AND ROSELAWN DRIVE

ITEM - 35 DEPUTATION – MS. CARRIE LIDDY WITH RESPECT TO TRAFFIC CONCERNS AT VAUGHAN MILLS ROAD AND THE PARKETTE PROPOSED IN THE SUBJECT AREA

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Items 33 and 35, Committee of the Whole Report No. 38 be adopted and amended, as follows:

By approving the following:

1. That Council approve the completion of park construction at this time;
2. That the Engineering Services Department do a follow up assessment of the impact of all newly installed traffic calming measures during the month of October 2009 (once the public is generally aware of the existence of the traffic calming measures);

3. That, should such assessment indicate additional safety measures are called for, that recommendations be provided to that effect, to include but not limited to the placement of a steel beam guardrail along the park frontage on Vaughan Mills Road; and

By receiving the memorandum from the Commissioner of Community Services, dated September 17, 2009.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 39

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

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

ITEM - 3 ONTARIO MUNICIPAL BOARD HEARING
 OFFICIAL PLAN AMENDMENT NO. 633, FILE OP.06.004
 ZONING BY-LAW AMENDMENT 167-2006, FILE Z.06.012
 OFFICIAL PLAN AMENDMENT FILE OP.07.004
 ZONING BY-LAW AMENDMENT FILE Z.07.031
 10360 AND 10384 ISLINGTON AVE INC.
 GIOSEFFINA GRECO-ALVIANI, FABIO ALVIANI, FRANK GRECO
 (APPELLANTS) – WARD 1

MOVED by Councillor Shefman
seconded by Regional Councillor Ferri

THAT Item 3, Committee of the Whole (Closed Session) Report No. 39 be adopted and amended, as follows:

By approving that staff be directed to inform the OMB that the City of Vaughan consents to the settlement reached with the parties in this matter; and

By receiving the following confidential written submissions:

- a) Mr. Ken Schwenger and Mr. Bob Klein, Kleinburg and Area Ratepayers' Association, P.O. Box 202, Kleinburg, L0J 1C0, dated September 20, 2009; and
- b) Ms. Nadia Lazzarino, 25 Pennon Road, Kleinburg, L0J 1C0, dated September 21, 2009.

CARRIED

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

At this point in the meeting, Mayor Jackson resumed the Chair.

185. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

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That the memoranda from the Commissioner of Planning, dated September 16 and 17, 2009, regarding By-law 205-2009 and 207-2009, be received.

CARRIED

MOVED by Regional Councillor Ferri
seconded by Councillor Shefman

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

- By-Law Number 191-2009 A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Thornhill Woods Drive) (Council, June 30, 2009, Item 23, Committee of the Whole, Report No. 35)
- By-Law Number 192-2009 A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Montebello Avenue and Marbella Road) (Council, June 30, 2009, Item 5, Committee of the Whole, Report No. 35)
- By-Law Number 193-2009 A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Montebello Avenue and Mondavi Road) (Council, June 30, 2009, Item 5, Committee of the Whole, Report No. 35)
- By-Law Number 194-2009 A By-law to exempt parts of Plan 65M-4101 from the provisions of Part Lot Control. (PLC.09.019, Elderston Manor Estates Inc., located south of Teston Road and west of Cityview Boulevard, specifically on Keystar Court, being Blocks 24 – 29 inclusive on Registered Plan 65M-4101, in Part of Lot 25, Concession 5) (Delegation By-law 333-98)
- By-Law Number 195-2009 A By-law to repeal By-law 194-2009. (PLC.09.019, Elderston Manor Estates Inc., located south of Teston Road and west of Cityview Boulevard, specifically on Keystar Court, being Blocks 24 – 29 inclusive on Registered Plan 65M-4101, in Part of Lot 25, Concession 5) (Delegation By-law 333-98)
- By-Law Number 196-2009 A By-law to exempt parts of Plan 65M-4106 from the provisions of Part Lot Control. (PLC.09.017, Greenbrooke Developments Inc., located on the west side of Weston, south of Teston Road specifically on Hansard Drive and Ostrovsky Road, being Lots 139 to 141, 143, to 145, 147, 160, 162, 165 and 166 on Registered Plan 65M-4106, in Lot 23, Concession 6) (Delegation By-law 333-98)
- By-Law Number 197-2009 A By-law to repeal By-law 196-2009. (PLC.09.017, Greenbrooke Developments Inc., located on the west side of Weston, south of Teston Road specifically on Hansard Drive and Ostrovsky Road, being Lots 139 to 141, 143, to 145, 147, 160, 162, 165 and 166 on Registered Plan 65M-4106, in Lot 23, Concession 6) (Delegation By-law 333-98)
- By-Law Number 198-2009 A By-law to exempt parts of Plan 65M-3941 and Plan 65M-4113 from the provisions of Part Lot Control. (PLC.09.015, Medallion Developments (South Maple) Limited, located south of Ivy Glen Drive and west of Dufferin Street specifically on Sir Sanford Fleming Way, being Lot 116 on Registered Plan 65M-3941, and Lots 1-4 inclusive and Lots 7-20 inclusive on Registered Plan 65M-4113, in

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- Part of Lots 18 and 19, Concession 3) (Delegation By-law 333-98)
- By-Law Number 199-2009 A By-law to repeal By-law 198-2009. (PLC.09.015, Medallion Developments (South Maple) Limited, located south of Ivy Glen Drive and west of Dufferin Street specifically on Sir Sanford Fleming Way, being Lot 116 on Registered Plan 65M-3941, and Lots 1-4 inclusive and Lots 7-20 inclusive on Registered Plan 65M-4113, in Part of Lots 18 and 19, Concession 3) (Delegation By-law 333-98)
- By-Law Number 200-2009 A By-law to exempt parts of Plan 65M-4016 and 65M-4036 from the provisions of Part Lot Control. (PLC.09.021, Countrywide Homes (Thornhill Estates) Inc., located on Israel Zilber Drive, west of Bathurst Street and south of Lady Dolores Avenue being Blocks 56 to 62 inclusive on Registered Plan 65M-4036 and Blocks 166 to 172 inclusive on Registered Plan 65M-4016, in Part of Lots 24 and 25, Concession 2) (Delegation By-law 333-98)
- By-Law Number 201-2009 A By-law to repeal By-law 200-2009. (PLC.09.021, Countrywide Homes (Thornhill Estates) Inc., located on Israel Zilber Drive, west of Bathurst Street and south of Lady Dolores Avenue being Blocks 56 to 62 inclusive on Registered Plan 65M-4036 and Blocks 166 to 172 inclusive on Registered Plan 65M-4016, in Part of Lots 24 and 25, Concession 2) (Delegation By-law 333-98)
- By-Law Number 202-2009 A By-law to exempt parts of Plan 65M-4091 from the provisions of Part Lot Control. (PLC.09.016, North Bathurst Developments Limited, located north of Lebovic Campus Drive, west of Bathurst Street, being Lots 38 to 41 inclusive, Lots 68 to 71 inclusive, Lots 88 to 91 inclusive, Lots 98 and 99, Lots 105 to 126 inclusive, and Lots 143 to 152 inclusive, on Plan 65M-4091, in Part of Lot 18, Concession 2) (Delegation By-law 333-98)
- By-Law Number 203-2009 A By-law to repeal By-law 202-2009. (PLC.09.016, North Bathurst Developments Limited, located north of Lebovic Campus Drive, west of Bathurst Street, being Lots 38 to 41 inclusive, Lots 68 to 71 inclusive, Lots 88 to 91 inclusive, Lots 98 and 99, Lots 105 to 126 inclusive, and Lots 143 to 152 inclusive, on Plan 65M-4091, in Part of Lot 18, Concession 2) (Delegation By-law 333-98)
- By-Law Number 205-2009 A By-law to amend City of Vaughan By-law 1-88. (Z.08.040, K & K Holdings Ltd., located on the north side of Kirby Road, west of Keele Street, in Part of Lot 31, Concession 4) (Administrative Correction) (Council, June 30, 2009, Item 70, Committee of the Whole, Report No. 35)
- By-Law Number 207-2009 A By-law to amend City of Vaughan By-law 176-2009. (Z.06.027, Salvatore Lucia, located in the vicinity of Broda Drive and Regional Road #27, in Part of Lot 19, Concession 9) (Administrative Correction) (Council, June 30, 2009, Item 52, Committee of the Whole, Report No. 35)

CARRIED

186. **CONFIRMING BY-LAW**

MOVED by Regional Councillor Rosati
seconded by Councillor Carella

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THAT By-law Number 211-2009, being a by-law to confirm the proceedings of Council at its meeting on September 21, 2009, be read a First, Second and Third time and enacted.

CARRIED

187. ADJOURNMENT

MOVED by Councillor Shefman
seconded by Regional Councillor Frustaglio

THAT the meeting adjourn at 4:10 p.m.

CARRIED

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk