



**CITY OF VAUGHAN  
COUNCIL MINUTES  
MARCH 8, 2011**

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**CITY OF VAUGHAN**

**COUNCIL MEETING**

**TUESDAY, MARCH 8, 2011**

**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:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Gino Rosati (1:22 p.m.)  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**27. PRESENTATION – INTERNATIONAL WOMEN’S DAY**

Mayor Bevilacqua and Members of Council recognized International Women’s Day and presented flowers as a gesture of thanks.

**28. PRESENTATION – DELEGATION FROM SIRACUSA, ITALY**

Mayor Bevilacqua and Members of Council introduced and welcomed a special delegation from Siracusa, Italy; the Association of Siracusani of the World (Associazione Siracusani Nel Mondo). Delegates included Vittorio Anastasi – President, Francesco Bonasera, Antonino Bonasera, Gianluca Cocco, Pina Nunzia La Rosa, Vincenzo Pitruzzello, Rita Annunziata Leonardi and Antonia Montana.

**29. CONFIRMATION OF AGENDA**

MOVED by Councillor Carella  
seconded by Regional Councillor Di Biase

THAT the agenda be confirmed.

MOVED by Councillor Carella  
seconded by Councillor Racco

That the following addendum be added to the agenda:

- 1) COMPLIANCE AUDIT PROSECUTIONS - LEGAL ADVICE  
SUBJECT TO SOLICITOR-CLIENT PRIVILEGE

Confidential Report of the Commissioner of Legal & Administrative Services & City Solicitor.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

**30. DISCLOSURE OF INTEREST**

Regional Councillor Di Biase declared an interest with respect to Addendum Item 1, COMPLIANCE AUDIT PROSECUTIONS – LEGAL ADVICE SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, as he is a party to the matter at issue, and did not take part in the discussion or vote on the foregoing matter.

Councillor DeFrancesca declared an interest with respect to Addendum Item 1, COMPLIANCE AUDIT PROSECUTIONS – LEGAL ADVICE SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, in that her husband initiated a request for compliance audit at issue, and did not take part in the discussion or vote on the foregoing matter.

**31. PRESENTATION - THE ONTARIO GOOD ROADS ASSOCIATION AWARD TO THE CITY OF VAUGHAN**

Mayor Bevilacqua and Members of Council acknowledged the efforts of the Engineering Services Department and accepted the Ontario Good Roads Association's John Niedra Best Practices Competition for Innovative Management Practices Award on behalf of the City of Vaughan.

**32. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Regional Councillor Schulte  
seconded by Regional Councillor Rosati

THAT the minutes of the meeting of February 15, 2011 be adopted as presented.

CARRIED

**33. COMMUNICATIONS**

MOVED by Councillor Racco  
seconded by Councillor Iafrate

THAT the Communications C1 to C9 inclusive be received and referred to their respective items on the agenda.

CARRIED

**34. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

Committee of the Whole Report No. 11

Items 4, 7, 15 and 17

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

Item 4

Finance and Administration Committee Report No. 5

Item 3

Addendum

Item 1

MOVED by Councillor Carella  
seconded by Councillor DeFrancesca

THAT Items 1 to 2 of the Finance and Administration Committee Report No. 3, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 4, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 25 of the Committee of the Whole Report No. 11, 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. 12, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Item 1 of the Special Committee of the Whole Report No. 13, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 5, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

**35. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE REPORT NO. 11**

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

ITEM - 4      DRAFT PLAN OF SUBDIVISION FILE 19T-08V03  
                  SRF VAUGHAN PROPERTY II INC.  
                  WARD 2

MOVED by Regional Councillor Rosati  
seconded by Councillor Carella

That this matter be stood down until later in the meeting.

CARRIED

**COUNCIL MEETING MINUTES – MARCH 8, 2011**

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ITEM - 7            ZONING BY-LAW AMENDMENT FILE Z.08.025  
                         TRINITY DEVELOPMENT GROUP INCORPORATED  
                         WARD 2

MOVED by Regional Councillor Rosati  
seconded by Councillor Carella

That this matter be stood down until later in the meeting.

CARRIED

ITEM - 15           THORNHILL CENTRE STREET  
                         AREA LAND USE STUDY  
                         FILE: 15.113  
                         WARD 5

MOVED by Regional Councillor Di Biase  
seconded by Councillor DeFrancesca

THAT Item 15, Committee of the Whole Report No. 11 be adopted and amended, as follows:

By receiving the communication from Mr. Mario G. Racco, President of Beverley Glen Ratepayers Association and Executives of the Brownridge Ratepayers Association, C9, dated March 4, 2011.

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Iafrate  
Regional Councillor Rosati  
Councillor Shefman  
Regional Councillor Di Biase  
Councillor DeFrancesca  
Mayor Bevilacqua  
Councillor Carella

NAYS

Councillor Racco

ITEM - 17           NEW CITY HALL – FINAL REPORT

MOVED by Councillor Shefman  
seconded by Councillor Racco

THAT Item 17, Committee of the Whole Report No. 11 be adopted and amended, as follows:

By approving the recommendation contained in the following report of the Commissioner of Community Services, dated March 1, 2011;

By approving that consideration of the recommended Terms of Reference and scope be referred to a Special Council meeting before the end of March 2011; and

By receiving the memorandum from the City Manager, C3, dated March 4, 2011.

CARRIED

**COUNCIL MEETING MINUTES – MARCH 8, 2011**

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ITEM - 4            DRAFT PLAN OF SUBDIVISION FILE 19T-08V03  
                          SRF VAUGHAN PROPERTY II INC.  
                          WARD 2

MOVED by Councillor Carella  
seconded by Regional Councillor Rosati

That this matter be deferred to the Council meeting of April 5, 2011, to allow further discussion amongst the parties; and

That the communication from Mr. Cam Milani, 611428 Ontario Limited, C1, dated February 22, 2011, be received

CARRIED

ITEM - 7            ZONING BY-LAW AMENDMENT FILE Z.08.025  
                          TRINITY DEVELOPMENT GROUP INCORPORATED  
                          WARD 2

MOVED by Councillor Carella  
seconded by Regional Councillor Rosati

That this matter be deferred to the Council meeting of April 5, 2011, to allow further discussion amongst the parties; and

That the following communications be received:

- 1)        Mr. Cam Milani, 611428 Ontario Limited, C2, dated February 22, 2011; and
- 2)        Mr. Murray Evans, Evans Planning, C8, dated March 8, 2011.

CARRIED

**FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 5**

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

ITEM - 3            DATE FOR PUBLIC MEETING – PROPOSED OPERATING AND  
                          CAPITAL BUDGETS  
                          (Addendum Item)

MOVED by Councillor Shefman  
seconded by Councillor Racco

THAT Item 3, Finance and Administration Committee Report No. 5 be adopted and amended, as follows:

By approving the Special Council meeting on April 5, 2011; and

By receiving the memorandum from the Commissioner of Finance/City Treasurer, C6, dated March 8, 2011.

CARRIED

**COUNCIL MEETING MINUTES – MARCH 8, 2011**

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MOVED by Councillor Iafrate  
seconded by Councillor Racco

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

- i. Item 4, Report No. 12 of the Committee of the Whole (Closed Session) PERSONAL MATTER – RETIREMENT  
(personal matters about an identifiable individual)
- ii. Addendum Item 1 COMPLIANCE AUDIT PROSECUTIONS – LEGAL ADVICE SUBJECT TO SOLICITOR-CLIENT PRIVILEGE  
(solicitor client privilege)

CARRIED

Council recessed at 3:21 p.m.

Council reconvened at 4:13 p.m.

CARRIED

Council reconvened at 4:13 p.m. with the following members present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**36. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 12**

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

ITEM - 4      PERSONAL MATTER - RETIREMENT

MOVED by Regional Councillor Schulte  
seconded by Councillor Racco

THAT Item 4, Committee of the Whole (Closed Session) Report 12 be adopted as amended, as follows:

By approving the confidential recommendation of the Closed Session meeting of March 8, 2011.

CARRIED



Addendum

**37. COMPLIANCE AUDIT PROSECUTIONS –  
LEGAL ADVICE SUBJECT TO SOLICITOR-CLIENT PRIVILEGE**  
(Addendum Item)

MOVED by Councillor Carella  
seconded by Councillor Iafrate

That the following recommendation of the Closed Session meeting of March 8, 2011, be approved:

That the City not file appeals of the decisions of Justice Wright, on charges in respect of Michael Di Biase, and of Justice Kenkel, on charges in respect of Linda Jackson and Mario Campese;

That the Independent Prosecutor be instructed to withdraw the remaining charges against Michael Di Biase and Bernie Di Vona based on the Court's decision on the limitation period; and

That the confidential report of the Commissioner of Legal and Administrative Services & City Solicitor, dated March 8, 2011, be received.

CARRIED

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

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

**38. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**  
**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 12**

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

ITEM - 2      UPDATE ON COLLECTIVE BARGAINING WITH VAUGHAN  
PROFESSIONAL FIRE FIGHTERS ASSOCIATION

MOVED by Councillor Racco  
seconded by Councillor Carella

That this matter be reconsidered.

CARRIED

MOVED by Councillor Iafrate  
seconded by Councillor Carella

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

- i.      Item 2, Report No. 12 of the Committee of the Whole (Closed Session) UPDATE ON COLLECTIVE BARGAINING WITH VAUGHAN PROFESSIONAL FIRE FIGHTERS ASSOCIATION  
(labour relations or employee negotiations)

CARRIED

Council recessed at 4:15 p.m.

## **COUNCIL MEETING MINUTES – MARCH 8, 2011**

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MOVED by Councillor Shefman  
seconded by Councillor Racco

THAT Council reconvene at 4:45 p.m.

CARRIED

Council reconvened at 4:45 p.m. with the following members present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

### **39. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

#### **COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 12**

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

#### ITEM - 2            UPDATE ON COLLECTIVE BARGAINING WITH VAUGHAN PROFESSIONAL FIRE FIGHTERS ASSOCIATION

MOVED by Councillor Carella  
seconded by Councillor DeFrancesca

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

By approving the confidential recommendation moved in Closed Session; and

By receiving the confidential communication from the Commissioner of Legal & Administrative Services & City Solicitor, the Fire Chief and the Director of Human Resources, C7, dated March 8, 2011.

CARRIED

### **40. BY-LAWS**

MOVED by Councillor Carella  
seconded by Regional Councillor Di Biase

THAT the following by-laws be enacted:

By-Law Number 30-2011            A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Ravineview Drive and Peak Point Boulevard/Beaverbrook Crescent) (Council, February 15, 2011, Item 20, Committee of the Whole, Report No. 7)

By-Law Number 31-2011            A By-law to approve the expropriation of certain lands being

composed of Part of Lot 27, and Part of the West Half of Lot 28, Concession 3, municipally known as 11067 Keele Street, in the City of Vaughan, Regional Municipality of York. (Item 14, Committee of the Whole, Report No. 11)

By-Law Number 32-2011 A By-Law to authorize the execution of Agreements between the Corporation of the City of Vaughan and various parties regarding various special events. (Corporate Events Function) (Council, July 13, 2010, Item 1, Audit and Operational Review Committee, Report No. 5)

By-Law Number 33-2011 A By-law to amend City of Vaughan By-law 1-88. (Z.09.016, Nine-Ten West Limited, located on the north side of Rutherford Road and east of Thomas Cook Avenue, municipally known as 1076 Rutherford Road, Part of Lot 16, Concession 2) (Council, January 25, 2011, Item 5, Committee of the Whole, Report No. 1)

By-Law Number 35-2011 A By-law to assume Municipal Services in Via D'Oro Subdivision, 19T-89103, Registered Plan 65M-2830. (Subdivision Agreement - 647261 Ontario Ltd. dated September 17, 1990) (Item 1, Committee of the Whole, Report No. 11)

By-Law Number 36-2011 A By-law to dedicate certain lands as part of the public highway. (Wycliffe Avenue) (Delegation By-law 196-2010)

CARRIED

**41. CONFIRMING BY-LAW**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Di Biase

THAT By-law Number 37-2011, being a by-law to confirm the proceedings of Council at its meeting on March 8, 2011, be enacted.

CARRIED

**42. ADJOURNMENT**

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Schulte

THAT the meeting adjourn at 4:47 p.m.

CARRIED

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk