CITY OF VAUGHAN

REPORT NO. 4 OF THE

COMMITTEE OF THE WHOLE

For consideration by the Council of the City of Vaughan on February 21, 2012

The Committee of the Whole met at 1:05 p.m., on February 7, 2012.

Present: Councillor Marilyn Iafrate, Chair

Hon. Maurizio Bevilacqua, Mayor Regional Councillor Gino Rosati Regional Councillor Michael Di Biase Regional Councillor Deb Schulte

Councillor Tony Carella

Councillor Rosanna DeFrancesca

Councillor Alan Shefman

Councillor Sandra Yeung Racco

The following items were dealt with:

1 TELECOMMUNICATION FACILITY SITING PROTOCOL TASK FORCE
1) REVISION TO THE TERMS OF REFERENCE
2) REQUEST RE: RADIO FREQUENCY ELECTROMAGNETIC FIELDS TESTING

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 7, 2012, be approved subject to adding Clause 3 as follows:
 - That the information requested of York Region Health Services and Public Health Ontario be accompanied by additional data on electromagnetic fields as measured from other sources, both short term and long term, and their known impacts on human health, in order that the public may make an informed judgement on these matters; and
- 2) That Communication C3, memorandum from the Director of Building Facilities, dated January 26, 2012, be received.

Recommendation

The City Clerk, on behalf of the Telecommunication Facility Siting Protocol Task Force, recommends:

1) That the Terms of Reference be amended to increase the number of months that the Task Force was given to complete the Findings Report from five months to eight months; and

That representatives from York Region Health Services and Public Health Ontario be 2) requested to conduct radio frequency electromagnetic fields testing at the Al Palladini Community Centre in the Spring.

2 SIGN VARIANCE APPLICATION FILE NO: SV.11-041 **OWNER: CORNERSTONE COMMUNITY CHURCH LOCATION: 180 NASHVILLE ROAD, KLEINBURG**

> **LOTS 11-14, PLAN RP-210** WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-041, Cornerstone Community Church, be REFUSED.

3 SIGN VARIANCE APPLICATION

> FILE NO: SV.11-042 OWNER: JOHNY DRUCKMANN **LOCATION: 130 RACCO PARKWAY BLOCK 1, PLAN 65M-3531** WARD 5

The Committee of the Whole recommends that consideration of this matter be deferred until this site is brought into conformity with the Sign By-law and existing approvals.

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-042, Johny Drucknmann, be APPROVED and that Enforcement Services be notified of the existing non-conforming signs.

SIGN VARIANCE APPLICATION 4

> FILE NO: SV.11-043 **OWNER: CANADIAN PACIFIC RAIL LOCATION: 6830 RUTHERFORD ROAD** PART OF LOT 16, CONCESSION 10 WARD 2

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-043, Canadian Pacific Rail, be APPROVED.

5 SIGN VARIANCE APPLICATION

FILE NO: SV.11-044
OWNER: NORWARD PLAZA INC.
LOCATION: 9651 JANE STREET
PART OF LOT 19, CONCESSION 4
WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-044, Norward Plaza Inc., be APPROVED.

6 SIGN VARIANCE APPLICATION FILE NO: SV.11-046

OWNER: CELLOWAY REAL ESTATE INVESTMENT LOCATION: 110 WINDFLOWER GATE, UNIT G4 PART OF LOT 6, CONCESSION 6 WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-046, Celloway Real Estate Investment, be APPROVED.

7 BLACK HISTORY MONTH CELEBRATIONS IN FEBRUARY 2012

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated February 7, 2012:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Recreation and Culture, recommends:

- 1. That the list of activities to be held in February 2012 in the City of Vaughan to commemorate Black History Month as found within this report, be received; and,
- 2. That the City's activities be posted on the City's website and promoted at City facilities.

PROCLAMATION REQUEST <u>EPILEPSY AWARENESS MONTH MARCH 2012 AND MARCH 26TH AS "PURPLE DAY"</u>

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated February 7, 2012:

Recommendation

The City Clerk recommends:

- 1) That March 2012 be proclaimed as "Epilepsy Awareness Month"; and March 26th as "Purple Day", and
- 2) That the proclamation be posted on the City's website and published on the City Page Online.

9 ASSUMPTION – MAPLE SPRINGS (MACKENZIE GLEN), PHASE 2 19T-89016 / 65M-3065 & 65M-3066 WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That Council enact the necessary by-law assuming the municipal services that are set out in the Subdivision Agreement for Plans 65M-3065 & 65M-3066, and that the Municipal Services Letter of Credit be released.

10 ZONING BY-LAW AMENDMENT FILE Z.11.008 1350150 ONTARIO LIMITED WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 7, 2012:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.11.008 (1350150 Ontario Limited) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2 from EM1 Prestige Employment Area Zone to C10 Corporate District Zone, together with the zoning exceptions identified in Table 1 of this report, to facilitate a multi-unit retail development as shown on Attachment #3.

ZONING BY-LAW AMENDMENT FILE Z.10.002 SITE DEVELOPMENT FILE DA.11.086 2109179 ONTARIO INC. WARD 1

The Committee of the Whole recommends:

11

- 1) That consideration of this matter be deferred to the April 3, 2012 Committee of the Whole meeting;
- 2) That the coloured elevation drawings submitted by the applicant, be received;
- 3) That the following deputations and communications be received:
 - 1. Mr. Antony Niro, 333 Laurentian Boulevard, Maple, L6A 2V3 and Communication C6, dated February 6, 2012; and
 - 2. Ms. Rosemarie Humphries, Humphries Planning Group, 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5 and Communication C8, dated February 7, 2012, on behalf of the applicant: and
- 4) That Communication C7 from The Neys, dated February 6, 2012, be received.

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Zoning By-law Amendment File Z.10.002 (2109179 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically the A Agricultural Zone, and Section 3.24 "Prohibited Use", on the subject lands shown on Attachments #1 and #2, to maintain a portable dry batch concrete production plant (mixing plant) use for a temporary maximum period of 3 years (maximum permitted by the Planning Act) with accessory office, truck repair and outdoor storage of materials, equipment and machinery in the manner shown on Attachment #3, together with the zoning exceptions identified in Table1 of this report.
- 2. THAT the implementing Zoning By-law include the following:
 - i) site-specific definition for a "Mixing Plant"
 - "Mixing Plant for the purpose of this paragraph, means an existing building(s) or structure(s) or part of a building(s) or structure(s), where only concrete is mixed or batched, weighed and measured for mixing off-site. The following accessory uses shall be permitted, provided such uses are operated accessory to the mixing plant located on the subject lands only:
 - i) truck repair located in the existing concrete block building only (Attachments #3 and #5);
 - ii) office use;
 - iii) outside storage of sand, gravel and equipment, and machinery accessory to the mixing plant use only (Attachment #3). The outside storage of all other materials shall not be permitted."
- 3. THAT Site Development File DA.11.086 (2109179 Ontario Inc.) BE APPROVED, to recognize the existing temporary portable dry batch concrete production plant, with accessory office, truck repair and outdoor storage of materials, equipment and machinery, in the manner shown on Attachment #3, subject to the following conditions:

- a) that prior to the execution of the Site Plan Letter of Undertaking, the final site plan and building elevations shall be approved by the Vaughan Development Planning Department;
- b) that the applicant provide a Letter of Credit to the City of Vaughan in the amount of \$10,000 to cover the cost of any road surface repairs to King-Vaughan Road in proximity to the site entrance which are necessary due to damage from trucks entering and leaving the site. The Letter of Credit shall be released after King-Vaughan Road is reconstructed by the City; and,
- c) that the site plan drawings be revised to require that the driveway be paved a minimum of 30 m back from King Vaughan Road, to the satisfaction of the Vaughan Development/Transportation Engineering Development.
- 4. THAT Vaughan Council enact the necessary by-law to amend the Comprehensive Traffic By-law 284-94 to remove the half load restriction on King-Vaughan Road from Weston Road to Jane Street during the period between May 1st and November 30th.

12 ZONING BY-LAW AMENDMENT FILE Z.11.012 SITE DEVELOPMENT FILE DA.11.036 OZNER CORPORATION (SOUTH) WARD 3

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 7, 2012, be approved; and
- That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Zoning By-law Amendment File Z.11.012 (Ozner Corporation (South)) BE APPROVED, to amend Zoning By-law 1-88, specifically site-specific Exception 9(1223) to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone (walkway block) to RT1 Residential Townhouse Zone (for freehold street townhouses) as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the development of 62 street townhouse dwelling units within 12 blocks.
- 2. THAT Site Development File DA.11.036 (Ozner Corporation (South)) BE APPROVED, to facilitate the development of 62, two-storey street townhouse units (freehold) as shown on Attachments #3, and #6 to #8 inclusive, within 12 blocks (Blocks 138 to 142, Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11, Plan 65M-4283) as shown on Attachment #4, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the implementing Zoning By-law be in full force and effect;
 - ii) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department; and,

iii) the final site servicing and grading plan shall be approved by the Vaughan Development/Transportation Engineering Department.

DRAINAGE ISSUES ON ANTHONY LANE WARD 5

The Committee of the Whole recommends:

13

- 1) That Clause 2 contained in the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be approved;
- 2) That staff continue to explore the causes of the flooding at 102 110 Anthony Lane and any threats to the City's public infrastructure, up to and including, if necessary, a comprehensive hydrogeological study; and
- 3) That the following deputations be received:
 - 1. Ms. Sophia Dimitriadis, 106 Anthony Lane, Concord, L4K 3K8;
 - 2. Ms. Besie Deris, 110 Anthony Lane, Concord, L4K 3K8; and
 - 3. Ms. Maddalgna Zucaro, 102 Anthony Lane, Concord, L4K 3K8.

Recommendation

The Commissioner of Engineering and Public Works recommends:

- 1. That the City maintain the current position with respect to responsibilities for addressing drainage issues on private property resting with the owners of said properties; and
- 2. That City staff be directed to address the surface water condition now existing in the municipal right-of-way at the frontage of 110 Anthony Lane (Option 2, as identified within this report).

14 STAFF REVIEW OF EXTERNAL ASSISTANCE TO THE ATTAWAPISKAT FIRST NATION

The Committee of the Whole recommends:

1) That the following resolution submitted by Councillor Shefman, be approved:

That this Council submit to The Federation of Canadian Municipalities and The Association of Municipalities of Ontario a resolution on the subject of the "Role of Municipalities in Developing a Cooperative and Supportive Relationship with First Nations Communities":

That the resolution include the following statements:

- 1. Whereas, in light of the issues raised recently by the Attawapiskat community relating to lack or poor state of infrastructure such as housing, potable water systems, community recreation facilities and other components required for a sustainable municipality in northern and remote First Nations communities, and
- 2. Whereas member municipalities of this organization possess an enormous breadth of skills, knowledge and experiences in the administration and operation of all aspects of municipalities, and
- 3. Whereas the status of First Nations people in this country and their unique relationship with the Federal Government is fully respected and recognized.

Therefore it is resolved;

- 1. That this organization initiate a discussion with First Nations leaders to identify the types of activities that we as a (national/provincial) organization or as individual municipalities might establish to work with First Nations communities to assist those communities to advance the administration and operation of their municipalities;
- 2. That, if acceptable to First Nations leadership, a municipal twinning program be established to provide for an ongoing relationship between First Nations communities and municipalities across Canada (Ontario); and
- 3. That member municipalities be encouraged to work in partnership with individual First Nations communities to further the development of skills and knowledge of municipal operations in those communities; and
- 2) That the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be received.

Recommendation

The Commissioner of Engineering and Public Works recommends:

That this report be received for information.

15 PIERRE BERTON ARTIFACTS AND MEMORABILIA TASK FORCE RECOMMENDATIONS FROM THE JANUARY 20, 2012 MEETING

The Committee of the Whole recommends that consideration of this matter be deferred to the February 21, 2012 Council meeting.

Recommendation

The City Clerk, on behalf of the Pierre Berton Artifacts and Memorabilia Task Force, recommends:

- That the Pierre Berton Artifacts and Memorabilia Task Force Project be added to the City of Vaughan's website; and that Berton Woodward forward information for the website;
- 2. That the following three (3) events be planned:
 - 1. Street Party Spring;
 - 2. Bindertwine exhibit Summer;
 - Gala Fall:
- That a Reserve Fund be established by the City to collect public donations to go towards the construction and operation of the Pierre Berton Discovery Centre; and that tax receipts be issued by the City for donations made towards the funding of the Centre; and
- 4. That staff investigate sites for storage of Pierre Berton memorabilia to be given to the City by the Berton family for the Pierre Berton Discovery Centre and request Council approval for this storage area.

16 REESTABLISHMENT OF THE VAUGHAN ERUV

The Committee of the Whole recommends approval of the recommendation contained in the following resolution submitted by Mayor Bevilacqua and Councillor Shefman, dated February 7, 2012:

Member's Resolution

Submitted by Mayor Maurizio Bevilacqua and Councillor Alan Shefman

Whereas for traditional Jews, the Sabbath and other holy days are defined by a set of requirements and restrictions, including the prohibition against the carrying of objects between private domains (such as homes and apartments) and public domains (such as streets, plazas, highways etc.); and

Whereas in accordance with the Jewish religion, the laws of the Sabbath contain the Commandment "Let no man go out of his place on Sabbath Day" (Exodus 16:29), and a man's place is defined by (1) specifying certain natural or artificial boundaries, and (2) letting the use of the domain by mutual agreement; and

Whereas Eruv ('eruv' meaning to fix or join together) Districts have been established in many communities so as to permit traditional Jews, on the Sabbath and other holy days, to carry objects across what in the absence of the eruv would be considered boundaries between public and private domains, thus allowing them to carry objects to their places of worship or to visit friends and relatives, or to carry and use such objects as strollers and walkers; and

Whereas an eruv is physically defined by infrastructure (such as walls, fences, wires etc.), or topography, which demarks the extent of the Eruv District; and

Whereas in accordance with Jewish doctrine, the municipality in which an eruv is situated is required to endorse the eruv and accept nominal payment as a symbolic rental for its use; and

Whereas the sum of five (5) dollars has been provided as nominal payment; and

Whereas by the adoption by City Council on October 11, 1995 of Item 44 of Report No. 19 of the Committee of the Whole, an Eruv District bounded by Steeles Avenue, Dufferin Street, Yonge Street and Highway 7 was endorsed by the City of Vaughan; and

Whereas there is a perceived need to increase the Eruv District from time to time; and

Whereas the Eruv District in the City of Vaughan is administered by the Toronto ERUV Corporation; and

Whereas, the office of the Mayor of the City of Vaughan has been requested by the Toronto ERUV Corporation on behalf of those of the Orthodox Jewish faith to authorize the expansion of the Eruv District so that traditional Jews who reside within an Eruv District within the City of Vaughan will have the right area to "carry" on the Sabbath and other Jewish holy days in accordance with Orthodox Jewish Law; and

Whereas, the office of the Mayor of the City of Vaughan, deems it to be in the public interest that those of its residents of the Jewish faith for whom the request has been presented be granted the rights requested, and likewise deems it to be of no detriment to the rights and general welfare of other members of public; and

Whereas, nothing in this resolution creates an obligation for the City of Vaughan to create, maintain or grant the use of infrastructure, nor to grant any approvals that may be required with respect to same, nor abrogates the rights of any person or group.

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It is therefore recommended that the Council of the City of Vaughan proclaim that the Toronto ERUV Corporation may, for a term of 49 years, expand the Eruv District as it deems necessary and appropriate within the boundaries of the City of Vaughan in order to define boundaries within which traditional Jews may "carry" on the Sabbath and other holy days in accordance with Jewish doctrine.

17 COUNCIL GOVERNANCE - REVIEW OF THE NEW COMMITTEE STRUCTURE AND NEW PROCEDURE BY-LAW 7-2011

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 7, 2012, be approved:
- That staff provide a further opportunity to discuss concerns raised by Members of Council with respect to the committee structure at a Committee of the Whole (Working Session) meeting; and
- 3) That staff report back on the impact of having evening Committee of the Whole meetings.

Recommendation

The City Clerk recommends:

(1) That this report be received for information.

18 INTERNATIONAL BUSINESS DEVELOPMENT (IBD) – 2012

The Committee of the Whole recommends that Clauses 1-4 contained in the following report of the Director of Economic Development, dated February 7, 2012, be approved:

Recommendation

The Director of Economic Development in consultation with the City Manager, recommends that:

- 1. This report be received; and
- 2. That Council approve a delegation from Vaughan to lead an exploratory business mission to Israel, July 2 July 9, 2012 in coordination with the Clean Tech 2012 Exhibition in Tel Aviv, Israel:
- 3. That Council approve a delegation from Vaughan to participate in the Italian Chamber of Commerce Trade Mission to Italy, September 22 29, 2012;
- 4. That Council approve a delegation from Vaughan to participate in the Greater Toronto Chinese Business Association Trade Mission to China, November 24 December 5, 2012;
- 5. That each of the trade missions have participation of two staff members and two members of Council.

19 AGREEMENT FOR RESIDENTIAL WASTE COLLECTION SERVICES

The Committee of the Whole recommends that the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be approved, subject to adding Clause #4 as follows:

4. That, as part of the contemplated operational review, appropriate staff prepare a report on the cost implications of extending waste collection services to residential condominiums not currently receiving such services, and that the report be provided in advance of the 2013 budget deliberations.

Recommendation

The Commissioner of Engineering and Public Works recommends in consultation with Commissioner of Finance and City Treasurer and Commissioner of Community Services, that based on the directive of the December 13, 2011 Finance and Administration Committee meeting (Item 1, attachment 10), to have an Operational Review undertaken with respect to waste collection services:

- 1. Council direct staff to carry out an Operational Review on waste collection services in 2012;
- 2. Council authorize staff to negotiate an agreement with the current waste collection contractor, Miller Waste Systems, a Division of Miller Paving Limited, to continue waste collection services at existing levels of services, and within the budgeted funding envelope limits, for a minimum 18 month period, commencing January 1, 2013, which will serve to bridge the time frame needed to complete the Operational Review, prepare a new tender, and award a new waste collection contract;
- 3. Council authorize the Mayor and Clerk to execute the agreement once it has been finalized.

20 <u>ONTARIO MUNICIPAL INTERNSHIP PROGRAM</u>

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated February 7, 2012:

Recommendation

The City Manager recommends:

- 1. That the City's application to the 2012-2013 Ontario Municipal Internship Program be endorsed; and,
- 2. That Council ratify the action taken at the February 7, 2012 Committee of Whole meeting.

21 DEPUTATION – MS. LAUREEN D'ALESSANDRO WITH RESPECT TO CHANGING EXISTING BY-LAWS IN REGARDS TO THE ABUSE AND EXPLOITATION OF WILD AND EXOTIC ANIMALS

The Committee of the Whole recommends that the deputation of Ms. Laureen D'Alessandro, 20 Mapes Avenue, Woodbridge, L4L 8S4 and Communications C1, dated January 11, 2012 and C4, be received and referred to staff for a report on the process and implications of enacting a bullhook, whip and electric prod ban in the City of Vaughan and report back to a Committee of the Whole meeting in the near future.

22 DEPUTATION – MR. TONY GENCO ON BEHALF OF MR. MARC NANTHAKUMAR

WITH RESPECT TO CHANGING EXISTING BY-LAWS IN REGARDS TO CHARITABLE ORGANIZATIONS

The Committee of the Whole recommends that the deputation of Mr. Tony Genco, 7900 Keele Street, Suite #1, Vaughan, L4K 2A3 and Communications C2, and C5, on behalf of DYN Exports, be received and referred to staff for a report.

23 OTHER ITEMS CONSIDERED BY THE COMMITTEE

23.1 CONSIDERATION OF AD HOC COMMITTEE REPORTS

The Committee of the Whole recommends:

That the following Ad Hoc Committee reports be received:

- 1. Telecommunication Facility Siting Protocol Force meeting of January 12, 2012 (Report No. 1).
- 2. Heritage Vaughan meeting of January 18, 2012 (Report No. 1).
- 3. Pierre Berton Artifacts and Memorabilia Task Force meeting of January 20, 2012 (Report No. 1).

24 <u>NEW BUSINESS – ELECTRIC SIGNS IN HERITAGE AREAS</u>

The Committee of the Whole recommends that staff provide a report regarding electric signs in heritage areas.

The foregoing matter was brought to the attention of the Committee by Regional Councillor Schulte.

25 NEW BUSINESS – SECONDARY SUITES

Regional Councillor Schulte requested that staff provide an update on the status of Secondary Suites.

The foregoing matter was brought to the attention of the Committee by Regional Councillor Schulte.

26 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION FEBRUARY 7, 2012

The Committee of the Whole passed the following resolution to resolve into closed session for the purpose of discussing the following:

- 1. APPOINTMENT OF HEARINGS OFFICERS
 - (personal matters about an identifiable individual)
- 2. CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905, PART-TIME UNIT (labour relations)

3. BLOCK 47 – SKANDATUT SITE LEGAL ADVICE SUBJECT TO SOLICITOR/CLIENT PRIVILEGE – WARD 3

(solicitor/client privilege)

The meeting adjourned at 5:55 p.m.	
Respectfully submitted,	
Councillor Marilyn Iafrate, Chair	