



CITY OF VAUGHAN
COUNCIL MINUTES
MAY, 29, 2012

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, MAY 29, 2012

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:05 p.m.

The following members were present:

Regional Councillor Gino Rosati, Chair
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

85. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Schulte
seconded by Councillor Racco

THAT the agenda be confirmed.

CARRIED

86. DISCLOSURE OF INTEREST

Councillor DeFrancesca declared an interest with respect to the following:

- Item 14, Committee of the Whole, Report No. 21, MUNICIPAL ROAD TRANSFER REQUEST TO YORK REGION, KING-VAUGHAN ROAD FROM PINE VALLEY DRIVE TO BATHURST STREET, KIRBY ROAD FROM HIGHWAY 27 TO BATHURST STREET, PINE VALLEY DRIVE FROM KING-VAUGHAN ROAD TO TESTON ROAD, WARD 1 – VICINITY EAST OF HIGHWAY 27 AND NORTH OF TESTON ROAD, only as it pertains to the Rizmi/Milani Lands, as Ms. Lucia Milani is seeking a compliance audit of her 2010 election finances; and
- Item 4, Committee of the Whole (Closed Session) Report No. 22, LITIGATION/LEGAL ADVICE, RIZMI HOLDINGS/MILANI LANDS, 11333, 11641 DUFFERIN STREET, 11490 BATHURST STREET – WARD 1, as a party to the matter has initiated a request for a compliance audit on her campaign expenses.

87. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Shefman
seconded by Councillor Racco

THAT the minutes of the Special Council meeting of May 7, 2012 and Council meeting of May 8, 2012 be adopted as presented.

CARRIED

88. COMMUNICATIONS

MOVED by Councillor Carella
seconded by Councillor Racco

THAT Communications C1 to C20 inclusive be received and referred to their respective items on the agenda.

CARRIED

89. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 21

Items 8, 10, 11, 12, 13, 14, 16, 17, 18, 28, and 29

Committee of the Whole (Closed Session) Report No. 22

Items 2 and 4

Committee of the Whole (Working Session) Report No. 24

Item 2

MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 6, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 38 of the Committee of the Whole Report No. 21, 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. 22, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Item 1 of the Committee of the Whole (Public Hearing) Report No. 23, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Committee of the Whole (Working Session) Report No. 24, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

90. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 21

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

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ITEM - 12 PROCLAMATION – NATIONAL ACCESS AWARENESS WEEK
JUNE 3 – 9, 2012

MOVED by Councillor Shefman
seconded by Councillor Racco

THAT Item 12, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By receiving the presentation to Mr. Briton Amos, President of Humanitarian Mobility International.

CARRIED

ITEM - 8 DEVELOPMENT FILE DA.12.008
IMPROVE INC.
WARD 4 – VICINITY OF KEELE STREET AND SNIDERCROFT ROAD

MOVED by Councillor Racco
seconded by Regional Councillor Schulte

THAT Item 8, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving that Clause 2.c) be amended in accordance with Communication C14, from the Commissioner of Finance & City Treasurer, dated May 29, 2012, so that it now reads:

“That the Owner shall pay to Vaughan by way of certified cheque, all City, Regional, and Boards of Education Development Charges, if applicable, prior to the issuance of a Building Permit.”

CARRIED

ITEM - 10 AWARD OF TENDER T12-004
DON RIVER OPEN SPACE SYSTEM BARTLEY SMITH GREENWAY TRAIL
EXPANSION, PHASE 2
WARD 4

MOVED by Councillor Iafrate
seconded by Councillor Racco

THAT Item 10, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving the following:

- 1) That to avoid delaying the project and to ensure that outstanding deficiencies are completed in a timely manner, the awarding of the tender be deferred to the June 26, 2012, Council meeting to allow staff to confirm the following:
 1. That the contractor has completed all outstanding deficiencies at Jack Pine Park by the agreed date of June 15, 2012;
 2. That the contractor has provided proof that he has ordered the replacement trees, and has commenced correcting the deficiencies at Wood Valley Park by June 25, 2012; and

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3. That staff report back to the June 26, 2012 Council meeting on whether or not the conditions have been met, and if conditions have not been met, to include alternative options for proceeding; and
- 2) That Communication C10, from the Commissioner of Community Services, dated May 29, 2012, be received.

CARRIED

ITEM - 11 AWARD OF TENDER T12-084
 BINDERTWINE TENNIS COURT RECONSTRUCTION
 WARD 1

MOVED by Councillor Iafrate
seconded by Councillor Racco

THAT Item 11, Committee of the Whole Report No. 21 be adopted and amended, as follows:

- 1) That to avoid delaying the project and to ensure that outstanding deficiencies are completed in a timely manner, the awarding of the tender be deferred to the June 26, 2012, Council meeting to allow staff to confirm the following:
 1. That the contractor has completed all outstanding deficiencies at Jack Pine Park by the agreed date of June 15, 2012;
 2. That the contractor has provided proof that he has ordered the replacement trees, and has commenced correcting the deficiencies at Wood Valley Park by June 25, 2012; and
 3. That staff report back to the June 26, 2012 Council meeting on whether or not the conditions have been met, and if conditions have not been met, to include alternative options for proceeding; and
- 2) That Communication C10, from the Commissioner of Community Services, dated May 29, 2012, be received.

CARRIED

ITEM - 13 SCHOOL CROSSING GUARD
 ANNUAL REVIEW
 ALL WARDS

MOVED by Councillor Racco
seconded by Councillor Carella

THAT Item 13, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving the following in accordance with Communication C17, from the City Clerk, dated May 29, 2012:

“That the attached Terms of Reference be approved in order to facilitate the establishment of the School Crossing Guard Task Force.”

CARRIED

COUNCIL MEETING MINUTES - MAY 29, 2012

ITEM - 14 MUNICIPAL ROAD TRANSFER REQUEST TO YORK REGION
KING-VAUGHAN ROAD FROM PINE VALLEY DRIVE TO BATHURST
STREET, KIRBY ROAD FROM HIGHWAY 27 TO BATHURST STREET
PINE VALLEY DRIVE FROM KING-VAUGHAN ROAD TO TESTON ROAD
WARD 1 – VICINITY EAST OF HIGHWAY 27 AND NORTH OF
TESTON ROAD

MOVED by Regional Councillor Di Biase
seconded by Councillor Shefman

THAT Item 14, Committee of the Whole Report No. 21, be adopted without amendment.

CARRIED

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

ITEM - 16 VAUGHAN CYCLING FORUM FEEDBACK
CITY-WIDE

MOVED by Regional Councillor Schulte
seconded by Regional Councillor Di Biase

THAT Item 16, Committee of the Whole Report No. 21, be adopted without amendment.

CARRIED

ITEM - 17 KLEINBURG BUSINESS IMPROVEMENT AREA (KBIA) – APPOINTMENTS
WARD 1

MOVED by Councillor Carella
seconded by Regional Councillor Di Biase

THAT Item 17, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving Clause 1)(a) and (b) of the recommendation contained in the report of the Director of Financial Services and City Clerk, dated May 15, 2012;

By approving that Councillor Iafrate be appointed to the KBIA Board for the 2010-2014 term of Council; and

By receiving the following Communications:

- C3. Director of Financial Services and the City Clerk, dated May 24, 2012; and
- C9. Ms. L. Zembal, The Village of Kleinburg Business Improvement Association, Box 152, Village of Kleinburg, L0J 1C0, dated May 23, 2012.

CARRIED

ITEM - 18 KLEINBURG BUSINESS IMPROVEMENT AREA – BUDGET
APPORTIONMENT CHANGE – WARD 1

MOVED by Councillor Iafrate
seconded by Regional Councillor Di Biase

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THAT Item 18, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving the recommendation contained in the report of the Director of Financial Services and City Clerk, dated May 15, 2012;

By approving the following in accordance with Communication C4, from the Director of Financial Services and the City Clerk, dated May 25, 2012:

“That the KBIA 2012 budget approved at the KBIA Board on March 21, 2012, be received.”

By receiving the following Communications:

- C3. Director of Financial Services and the City Clerk, dated May 24, 2012; and
- C9. Ms. L. Zembal, The Village of Kleinburg Business Improvement Association, Box 152, Village of Kleinburg, L0J 1C0, dated May 23, 2012.

CARRIED

ITEM - 28 ESTABLISHMENT OF TASK FORCE ON RESIDENTIAL CONDOMINIUMS

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

THAT Item 28, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving the following in accordance with Communication C16, from the City Clerk, dated May 29, 2012:

“That the attached Terms of Reference be approved in order to facilitate the establishment of the Task Force on Residential Condominiums.”

CARRIED

ITEM - 29 THE VAUGHAN HEALTH CARE CAMPUS CENTRE PRECINCT PLAN MOVING FORWARD WITH PRECINCT PLANNING RELATED FILES: OPA 715 & OPA 725 WARD 1

MOVED by Regional Councillor Di Biase
seconded by Councillor Iafrate

THAT Item 29, Committee of the Whole Report No. 21, be adopted and amended, as follows:

By approving the following in accordance with Communication C18, from the Commissioners of Planning, Engineering and Public Works, and Legal and Administrative Services, dated May 29, 2012:

“That staff be authorized to retain the consulting team of Malone Given Parsons Ltd. and Cole Engineering Group Ltd. to complete the Precinct Plan, subject to staff finalizing the Terms of Reference and establishing the project cost satisfactory to the Commissioner of Planning and the Commissioner of Engineering and Public Works.”; and

By receiving Confidential Communication C19, from the Commissioners of Planning, Engineering and Public Works, and Legal and Administrative Services, dated May 29, 2012.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 22

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

ITEM - 4 LITIGATION/LEGAL ADVICE
 RIZMI HOLDINGS/MILANI LANDS
 11333, 11641 DUFFERIN STREET, 11490 BATHURST STREET –
 WARD 1

MOVED by Councillor Iafrate
seconded by Regional Councillor Di Biase

THAT Item 4, Committee of the Whole (Closed Session) Report No. 22 be adopted without amendment.

CARRIED

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

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 24

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

ITEM - 2 RESIDENTIAL PARKING ISSUES CONSEQUENT ON THE “NEW
 URBANISM” CITY-WIDE

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 2, Committee of the Whole (Working Session) Report No. 24 be adopted without amendment.

CARRIED

MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

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

1. ONTARIO MUNICIPAL BOARD APPEAL
 2109179 ONTARIO INC.
 FILES Z.10.002 AND DA.11.086
 3501 KING-VAUGHAN ROAD – WARD 1
 (Item 2, Committee of the Whole (Closed Session), Report No. 22)

(litigation or potential litigation)

CARRIED

Council recessed at 1:57 p.m.

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MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

THAT Council reconvene into Public Session.

CARRIED

Council reconvened at 2:21 p.m. with the following members present:

Regional Councillor Gino Rosati, Chair
Regional Councillor Michael Di Biase
Regional Councillor Deb Schulte
Councillor Tony Carella
Councillor Rosanna DeFrancesca
Councillor Marilyn Iafrate
Councillor Sandra Yeung Racco
Councillor Alan Shefman

91. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 22

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

ITEM - 2 ONTARIO MUNICIPAL BOARD APPEAL
 2109179 ONTARIO INC.
 FILES Z.10.002 AND DA.11.086
 3501 KING-VAUGHAN ROAD – WARD 1

MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

THAT Item 2, Committee of the Whole (Closed Session) Report No. 22 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of May 29, 2012.

CARRIED UPON A RECORDED VOTE

Yeas

Councillor Shefman
Councillor Racco
Regional Councillor Schulte
Regional Councillor Di Biase
Councillor DeFrancesca
Councillor Carella
Councillor Iafrate

Nays

Regional Councillor Rosati

92. BY-LAWS

MOVED by Councillor Carella
seconded by Regional Councillor Schulte

That Communication C20, from Ali Manji, Thornhill, regarding By-Law 84-2012, be received; and

That the following by-laws be enacted:

- By-Law Number 75-2012 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Hunterwood Chase north of Giorgia Crescent/Celeste Drive, Hunterwood Chase south of Giorgia Crescent/Celeste Drive, Celeste Drive east of Hunterwood Chase, Giorgia Crescent west of Hunterwood Chase) (Council, April 17, 2012, Item 21, Committee of the Whole, Report No. 12)
- By-Law Number 76-2012 A By-law to adopt property tax rates, tax ratios and to provide for the general local municipality levy and collection of levies required for the City of Vaughan for the year 2012 and to provide for the issuance of tax bills requiring payment of taxes for the year 2012. (Item 9, Committee of the Whole, Report No. 21)
- By-Law Number 77-2012 A By-Law to amend By-law Number 169-84, as amended, with respect to the Membership of the Board of Management of the Kleinburg Business Improvement Area (KBIA). (Item 17, Committee of the Whole, Report No. 21)
- By-Law Number 78-2012 A By-law to authorize the Mayor and Clerk to execute a Lease Agreement between Infrastructure Ontario and the City of Vaughan for the soccer field behind the Patricia Kemp Community Centre. (Item 1, Committee of the Whole (Closed Session), Report No. 22)
- By-Law Number 79-2012 A By-law to amend City of Vaughan By-law 1-88. (Z.11.018, 19T-11V004, 2130400 Ontario Inc., located on the east side of Regional Road 50, north of Langstaff Road, in Part of Lots 11 and 12, Concession 10) (Council, April 17, 2012, Item 10, Committee of the Whole, Report No. 12)
- By-Law Number 80-2012 A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 277-2005. (Z.12.003, DA.11.104, Solmar Inc., located on the east side of Jane Street, north of Rutherford Road, in Part of Lot 16, Concession 4,) (Lifting "(H)") (Council, May 8, 2012, Item 21, Committee of the Whole, Report No. 16)
- By-Law Number 81-2012 A By-law to authorize the Mayor and Clerk to execute Innovation Drive - Cost Sharing Agreement on behalf of the City of Vaughan between The Corporation of the City of Vaughan, SRF Vaughan Property II Inc. and Innovation Commercial Centre Inc. (Council, September 7, 2010, Item 5, Committee of the Whole (Closed Session), Report No. 41)
- By-Law Number 82-2012 A By-law to further amend Parking By-law 1-96, as amended. (Council, May 8, 2012, Item 30, Committee of the Whole, Report No. 16)
- By-Law Number 83-2012 A By-law to further amend Parking By-law 1-96, as amended. (Council, May 8, 2012, Item 31, Committee of the Whole, Report No. 16)

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By-Law Number 84-2012

A By-law to prohibit smoking outside municipal buildings and recreational areas in the City of Vaughan. (Council, June 28, 2011, Item 30, Committee of the Whole, Report No. 32)

CARRIED

93. CONFIRMING BY-LAW

MOVED by Councillor Racco
seconded by Councillor Shefman

THAT By-law Number 85 -2012, being a by-law to confirm the proceedings of Council at its meeting on May 29, 2012, be enacted.

CARRIED

94. ADJOURNMENT

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT the meeting adjourn at 2:26 p.m.

CARRIED

Regional Councillor Rosati, Chair

Jeffrey A. Abrams, City Clerk