



CITY OF VAUGHAN  
COUNCIL MINUTES  
OCTOBER 29, 2013

Table of Contents

<u>Minute No.</u>		<u>Page No.</u>
186.	CONFIRMATION OF AGENDA .....	157
187.	DISCLOSURE OF INTEREST .....	158
188.	CEREMONIAL PRESENTATIONS .....	158
189.	ADOPTION OR CORRECTION OF MINUTES.....	158
190.	COMMUNICATIONS.....	158
191.	TAX ADJUSTMENTS PURSUANT TO SECTION 356 OF THE <i>MUNICIPAL ACT, 2001-</i> ALL WARDS .....	158
192.	TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE <i>MUNICIPAL ACT,</i> S.O. 2001 - ALL WARDS .....	160
193.	DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION .....	160
194.	REVISED FEED IN TARIFF (FIT 3.0) PROGRAM ONTARIO POWER AUTHORITY (Addendum No. 2).....	161
195.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION .....	164
196.	TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE <i>MUNICIPAL ACT,</i> S.O. 2001 - ALL WARDS.....	168
197.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION .....	169
198.	AWARD OF TENDER T13-236 & BUDGET AMENDMENT INTERIOR RENOVATIONS TO DUFFERIN CLARK LIBRARY- WARD 5 AND WOODBRIDGE LIBRARY – WARD 2 (Addendum No. 1).....	172
199.	NOISE EXEMPTION REQUEST - PACHINO CONSTRUCTION CO. LTD. SANITARY RELIEF SEWER PROJECT (Addendum No. 3).....	175
200.	BY-LAWS .....	177
201.	CONFIRMING BY-LAW .....	178
202.	ADJOURNMENT .....	179



**CITY OF VAUGHAN**

**COUNCIL MEETING**

**TUESDAY, OCTOBER 29, 2013**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:10 p.m.

The following members were present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Gino Rosati  
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

**186. CONFIRMATION OF AGENDA**

MOVED by Regional Councillor Di Biase  
seconded by Councillor Shefman

THAT the agenda be confirmed.

**AMENDMENT**

MOVED by Regional Councillor Di Biase  
seconded by Councillor Iafrate

That the following addendums be added to the agenda:

1. AWARD OF TENDER T13-236 & BUDGET AMENDMENT  
INTERIOR RENOVATIONS TO DUFFERIN CLARK LIBRARY- WARD 5 AND  
WOODBIDGE LIBRARY- WARD 2

Report of the Commissioner of Community Services with respect to the above.

2. REVISED FEED IN TARIFF (FIT 3.0) PROGRAM  
ONTARIO POWER AUTHORITY

Report of the Commissioner of Planning and the Director of Building Standards with respect to the above.

3. NOISE EXEMPTION REQUEST - PACHINO CONSTRUCTION CO. LTD.  
SANITARY RELIEF SEWER PROJECT

Report of the Commissioner of Legal & Administrative Services and City Solicitor and the Director of By-law and Compliance with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

**187. DISCLOSURE OF INTEREST**

Councillor lafrate declared an interest with respect to Item 1, Committee of the Whole (Closed Session), Report No. 43, as she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the matter.

Councillor lafrate declared an interest with respect to Item 3, Committee of the Whole (Working Session), Report No. 45, as she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the matter.

Councillor lafrate declared an interest with respect to Item 1, Special Committee of The Whole (Closed Session), Report No. 46, as she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the matter.

**188. CEREMONIAL PRESENTATIONS**

Mayor Bevilacqua offered congratulations to all the recipients of the R.A.V.E. (Recognizing Arts Vaughan Excellence) Awards.

Communication C23, an Information Flyer, was received.

**189. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Carella  
seconded by Councillor DeFrancesca

THAT the minutes of the meeting of October 8, 2013 be adopted as presented.

CARRIED

**190. COMMUNICATIONS**

MOVED by Councillor lafrate  
seconded by Councillor Racco

THAT Communications C1 to C23 inclusive be received and referred to their respective items on the agenda.

CARRIED

**191. TAX ADJUSTMENTS PURSUANT TO SECTION 356 OF THE MUNICIPAL ACT, 2001-ALL WARDS**

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

MOVED by Regional Councillor Di Biase  
seconded by Councillor Carella

That the recommendation contained in the following report of the Acting Commissioner of Finance &

City Treasurer, the Director of Financial Services, and the Manager of Property Tax & Assessment, dated October 29, 2013, be approved:

CARRIED

**Recommendation**

The Acting Commissioner of Finance & City Treasurer, the Director of Financial Services, and the Manager of Property Tax & Assessment recommend:

That the tax adjustments as outlined on the attached report be approved in accordance with the requirements under the Municipal Act.

**Economic Impact**

There is no economic impact to the City of Vaughan.

**Communications Plan**

As required by the Act, notification of this meeting has been sent to all applicants and persons in respect of whom the applications were made, at least 14 days prior to the meeting. Notices of Decisions will be issued to all applicants after the meeting of Council and these will detail the total amount of the adjustment and the right of the applicant to appeal the decision to the Assessment Review Board.

**Purpose**

To obtain Council approval for the apportionment of property taxes as permitted under the *Municipal Act, 2001*.

**Background - Analysis and Options**

**Section 356 – Division Into Parcels:**

One (1) application has been received to sever property that was returned on the roll as one parcel. The Municipal Property Assessment Corporation (MPAC) provides the City with a report outlining the value of each separate piece, and the taxes on the single piece are apportioned to the various parts in accordance with the assessment.

An apportionment does not result in a reduction or increase of taxes; it simply shares the taxes levied among the new parcels based on the apportioned value of assessment. Should any property owner disagree with the recommendation approved by Council, they can appeal the decision to the Assessment Review Board (ARB) for a further hearing.

**Relationship to Vaughan Vision 2020**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Regional Implications**

There are no Regional Implications in this Report.

**Conclusion**

Council approval of the recommendations in this report will allow staff to bill the separate property owners their proportionate share, and confirm their right to appeal the decision to the ARB. If no appeals are filed with the ARB, staff will proceed with the property tax apportionments.

**Attachments**

Attachment 1 – Severance Report

**Report prepared by:**

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

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

**192. TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, S.O. 2001 - ALL WARDS**

This matter was stood down to allow consultation with the deputant, Mr. Saverio Amerato and was dealt with later in the meeting.

*Refer to Minute No. 196 with respect to disposition of this matter.*

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

The following items were identified for separate discussion:

Committee of the Whole Report No. 42

Items 8, 17, 19, 20, 23, 24, 25, 28

Committee of the Whole (Closed Session) Report No. 43

Item 1

Finance and Administration Committee Report No. 12

Item 1

Committee of the Whole (Working Session) Report No. 45

Items 1, 3

Special Committee of the Whole (Closed Session) Report No. 46

Item 1

Addendum Items

1, 2, 3

MOVED by Councillor Iafrate  
seconded by Regional Councillor Di Biase

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 11, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 30 of the Committee of the Whole Report No. 42, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Committee of the Whole (Closed Session) Report No. 43, 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. 44, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Finance and Administration Committee Report No. 12, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 45, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Item 1 of the Special Committee of the Whole (Closed Session) Report No. 46, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

Addendum Item

**194. REVISED FEED IN TARIFF (FIT 3.0) PROGRAM  
ONTARIO POWER AUTHORITY  
(Addendum No. 2)**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Schulte

That the recommendation contained in the following report submitted by the Commissioner of Planning and the Director of Building Standards, dated October 29, 2013, be approved:

CARRIED

**Recommendation**

The Commissioner of Planning and the Director of Building Standards, in consultation with the Manager of Environmental Sustainability and the Commissioner of Strategic and Corporate Services recommend:

1. That Council endorse the attached revised FIT Version 3.0 resolution; and
2. That the Mayor and City Clerk be authorized to sign the revised resolution.

### **Contribution to Sustainability**

This report recommending endorsement of the FIT program which promotes local small scale energy production through renewable energy projects including rooftop solar installations is consistent with the priorities previously set out by Council in Green Directions Vaughan regarding the Community Sustainability and Environmental Plan:

- Goal 1, Action 1.2.1: Demonstrate support for renewable energy use and generation by businesses and citizens by minimizing, where appropriate, obstacles to the development of alternative energy sources.

### **Economic Impact**

There is no direct economic impact to the Municipality resulting from the recommendations of this report.

### **Communications Plan**

A communication plan is not required as the FIT program is administered by the Ontario Power Authority (“OPA”). Information about renewable energy generators in the City of Vaughan will be posted on the Environmental Sustainability area of the City website.

### **Purpose**

The purpose of this report is to request that Council provide staff the authorization to administer Council’s Resolution based on the revised FIT 3.0 program’s forms and procedures.

### **Background - Analysis and Options**

Earlier this year on June 12, 2013 the Honorable Bob Chiarelli, Minister of Energy directed the Ontario Power Authority (OPA) to make changes to the FIT Program and develop a new competitive procurement process that considers input from all stakeholders. The final application documents (FIT Version 3.0) were not made available on the OPA’s Website until October 9 2013. On October 17, 2013 Staff attended a Webinar conducted by the OPA that outlined changes to the program. The following is a report from Staff respecting the relevant changes.

In 2009 the *Green Energy and Green Economy Act* came into force. The Act effectively provides for the implementation of renewable energy projects despite any restrictions imposed by law including a municipal by-law, a condominium by-law or any encumbrances on real property or an agreement. In essence, municipalities lack the authority to deny an applicant the ability to put in place a renewable energy project that complies with the *Green Energy Act*.

On June 26, 2012 Council approved a resolution for rooftop solar projects under the Ontario Power Authority (OPA) FIT 2.1 (Feed-In Tariff) program. The resolution approved by Council, was based on templates posted by the Ontario Power Authority (OPA) at that time. The OPA has now revised the municipal support resolution templates under FIT Version 3.0. These changes require Councils further consideration. Furthermore, the former City resolution contained what now constitutes conditions that are different than those under the FIT Version 3.0 application so a new Council resolution is required.

In early 2013, the City of Vaughan provided 116 municipal support resolutions to FIT 2.1 Program participants during the last application window in order for their project(s) to gain priority points. Each project was required to have at least one whole priority point in order to be eligible to participate in the FIT program. The Ontario Power Authority (OPA) considered projects with more priority points to be screened for available capacity first, provided that contract capacity and procurement targets were available. Thirty four projects totaling over 4500 kW were approved by the OPA within the City of Vaughan on July 3, 2013.



As with the previous FIT application process, the OPA is continuing to provide municipalities an opportunity to influence renewable energy projects. Municipalities may provide support through either a blanket support resolution or an individual/specific support resolution. The former provides support for the specified renewable energy project anywhere in the municipality while the latter provides support for projects proposed for a specific location in the municipality. The latter requires individual Council support resolutions for each project. The resolution's sole purpose is to enable the applicant to receive priority points under the FIT program and may not be used for the purpose of seeking or qualifying for any other form of municipal approval.

In FIT Version 3.0, municipalities will now be eligible for priority points in the application process. In addition, projects partnered or led by municipalities will be eligible for set asides under the annual renewable energy procurement target initiated by the OPA. Under the updated program seven projects on City of Vaughan facilities which were proposed by PowerStream in the previous application process are more likely to receive approval under the new FIT framework.

Under FIT 3.0, for a Municipal or Public Sector project to claim Priority Points where the Local Municipality has economic interest, the project is ineligible to receive priority points unless it is categorized as a type of project addressed through a Municipal Council Blanket Support Resolution. This measure was imposed to create a level playing field for all competitors within the municipality.

The OPA has recently announced a limited application window from November. 4, 2013 to December 13, 2013. Staff have again received a number of requests for Council to pass a resolution in support of their projects in the City.

Staff are recommending that Council endorse the attached FIT 3.0 Municipal Council Blanket Support Resolution for all rooftop solar generation installations within the City. Staff continue to recommend that all other system types such as wind generation or ground mount solar installations should be reviewed on a site by site basis thus requiring individual site specific Municipal Council Support Resolutions approved by Council. A similar approach has been adopted by many local municipalities such as the City of Toronto, Burlington, Kingston and others. Under the FIT Version 3.0 rules the blanket support resolution expires after one year.

In order to process requests for Council's support resolutions Staff will continue to require the following information:

- 1) Project Owner/Applicant name, contact email and phone number
- 2) Project Location
- 3) Building Type and Project Size

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Regional Implications**

Not applicable.

**Conclusion**

The OPA has recently announced a limited application window for FIT 3.0 projects from November. 4, 2013 to December 13, 2013.

Staff are recommending that Council endorse the attached FIT Version 3.0 Municipal Council Blanket Support Resolution for all rooftop solar generation installations within the City. Staff continue to recommend that all other system types such as wind generation or ground mount solar installations

should be reviewed on a site by site basis and requiring individual Municipal Council Support Resolutions approved by Council.

The applicants should be aware that the council resolution does not in itself provide for these installations and that building permits must be processed through the City of Vaughan Building Standards Department prior to commencement of any works.

**Attachments**

1. Municipal Council Blanket Support Resolution – Prescribed Form – FIT Version 3.0

**Report prepared by:**

John Studdy, Manager of Customer and Administrative Services, ext. 8232

(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.)

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

**COMMITTEE OF THE WHOLE REPORT NO. 42**

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

ITEM - 8            SITE DEVELOPMENT FILE DA.13.055  
CORPORATION OF THE CITY OF VAUGHAN  
WARD 2 - VICINITY OF RUTHERFORD ROAD AND NAPA VALLEY  
AVENUE

MOVED by Councillor Carella  
seconded by Regional Councillor Di Biase

THAT Item 8, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That Site Development File DA.13.055 (Corporation of the City of Vaughan) to permit the installation of a 25 m high monopole telecommunication tower (with Canadian flag) and associated radio equipment cabinets (Attachments #3 to #5 inclusive) on the subject lands shown on Attachments #1 and #2, BE REFUSED; and

That the following Communications be received:

- C1. Petition from "The affected community";
- C14. Ms. Tina Catalano, Dalmato Court, Vaughan, dated October 27, 2013;
- C15. Ms. Diana Marini, Carstad Crescent, Vaughan, dated October 28, 2013;
- C18. Ms. Emily Scarcello, Carstad Crescent, Vaughan dated October 29, 2013;
- C19. Ms. Lena Streletska, dated October 29, 2013; and
- C21. Mr. Mark Goldberg, Forest Lane Drive, Thornhill, dated October 29, 2013.

CARRIED

ITEM - 17      SITE DEVELOPMENT FILE DA.13.056  
TORONTO AND REGION CONSERVATION AUTHORITY  
WARD 2 - VICINITY OF ISLINGTON AVENUE AND KILORAN  
AVENUE

MOVED by Councillor Carella  
seconded by Regional Councillor Di Biase

THAT Item 17, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That consideration of this matter be deferred to the Council meeting of November 19, 2013,  
to allow further consultation with residents; and

That staff request comments from TRCA with respect to this matter.

CARRIED

ITEM - 20      ONTARIO LOTTERY AND GAMING CORPORATION (OLG) –  
POTENTIAL OF AN ENTERTAINMENT AND GAMING COMPLEX IN  
THE VAUGHAN METROPOLITAN CENTRE

MOVED by Regional Councillor Rosati  
seconded by Councillor Racco

THAT Item 20, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That Communication C2 from Mr. Chuck Thibeault, Central Counties Tourism, Warden  
Avenue, Markham, dated October 15, 2013, be received.

CARRIED UPON A RECORDED VOTE

YEAS

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

NAYS

Councillor Shefman  
Mayor Bevilacqua

ITEM - 19      OFFICIAL PLAN AMENDMENT FILE OP.12.008  
ZONING BY-LAW AMENDMENT FILE Z.12.022  
SITE DEVELOPMENT FILE DA.12.022  
HERITAGE HILL DEVELOPMENTS (II) CORPORATION  
WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

MOVED by Councillor Iafrate  
seconded by Regional Councillor Di Biase

THAT Item 19, Committee of the Whole Report No. 42 be adopted and amended, as follows:

**COUNCIL MEETING MINUTES – OCTOBER 29, 2013**

---

By approving the following:

That consideration of this matter be deferred to the Council meeting of November 19, 2013;

That Planning and Legal Departments provide a report on the following:

1. Concerns raised regarding setting a precedent with respect to this application;
2. How the application will be dealt with in a site-specific by-law; and
3. Whether the site-specific by-law could be open to challenge; and

That the following Communications be received:

- C6. Mr. Frank Greco, dated October 24, 2013;  
C7. Commissioner of Planning, dated October 24, 2013;  
C16. Mr. Ken Schwenger, KARA, P.O. Box 202, Kleinburg, dated October 28, 2013; and  
C17. KARA Communications Committee, dated October 28, 2013.

CARRIED

ITEM - 23      ZONING BY-LAW AMENDMENT FILE Z.09.031  
                    SITE DEVELOPMENT FILE DA.09.070  
                    P. GABRIELE AND SONS LTD.  
                    WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON  
                    ROAD  
                    (Referred)

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Di Biase

THAT Item 23, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That the recommendation set out in Communication C8 from the Commissioner of Planning, dated October 24, 2013, be approved, as follows:

1. THAT Attachments #5 and #6 of the Report of the Commissioner of Planning and Director of Development Planning, dated June 18, 2013, with respect to Zoning By-law Amendment File Z.09.031 and Site Development File DA.09.070 (P. Gabriele and Sons Ltd.) be deleted, and replaced with the revised building elevations shown on Attachment #5, attached hereto; and
2. THAT Recommendations #1, #2 and #3 of the Report of the Commissioner of Planning and Director of Development Planning, dated June 18, 2013, BE APPROVED.

CARRIED

ITEM - 24      ZONING BY-LAW AMENDMENT FILE Z.09.031  
                    SITE DEVELOPMENT FILE DA.09.071  
                    P. GABRIELE AND SONS LTD.  
                    WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON  
                    ROAD  
                    (Referred)

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Di Biase

THAT Item 24, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That the recommendation set out in Communication C9 from the Commissioner of Planning, dated October 24, 2013, be approved, as follows:

1. THAT Attachments #5 and #6 of the Report of the Commissioner of Planning and Director of Development Planning, dated June 18, 2013, with respect to Zoning By-law Amendment File Z.09.031 and Site Development File DA.09.071 (P. Gabriele and Sons Ltd.) be deleted, and replaced with the revised building elevations as shown on Attachment #5, attached hereto; and
2. THAT Recommendations #1, #2 and #3 of the Report of the Commissioner of Planning and Director of Development Planning, dated June 18, 2013, BE APPROVED.

CARRIED

ITEM - 25      DESIGN BUILD OF THORNHILL WOODS NEIGHBOURHOOD LIBRARY -  
WARD 4

MOVED by Regional Councillor Rosati  
seconded by Regional Councillor Di Biase

THAT Item 25, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That the recommendation set out in Communication C10 from the Commissioner of Community Services , dated October 29, 2013, be approved, as follows:

1. That RFP 13-331 for the Design Build of Pleasant Ridge Library be awarded to Maystar General Contractors Inc. in collaboration with Diamond Schmitt Architects in the amount of \$ 2,878,000.00 plus applicable taxes;
2. That a 10% contingency allowance in the amount of \$287,800.00, plus applicable taxes be approved within which the Commissioner of Community Services or his designate is authorized to approve amendments to the contract;
3. That the above amounts plus the applicable administration recovery fee be funded from capital budget LI-4532-11 Pleasant Ridge Library;
4. That surplus funds in the amount of \$408,000 from Vaughan Public Libraries' 2013 Operating Budget be reallocated to the LI-4532-11 Pleasant Ridge Library capital project budget;
5. That the inclusion of the matter on a public Committee or Council agenda for the budget amendment is deemed sufficient notice pursuant to Section 2 (1) (c) of By-law 394-2002;
6. That the Mayor and City Clerk be authorized to sign all documentation necessary to complete the contract; and

That Communication C13 from Mr. Kevin Hanit, Queenbridge Drive, Concord, dated October 25, 2013, be received.

CARRIED

196. **TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE *MUNICIPAL ACT, S.O. 2001 - ALL WARDS***

MOVED by Councillor Racco  
seconded by Regional Councillor Schulte

- 1) That the recommendation contained in the following report of the Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, dated October 29, 2013, be approved; and
- 2) That the deputation of Mr. Saverio Amerato, Great Lanes Drive, Brampton, be received.

CARRIED

**Recommendation**

The Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, in consultation with the Manager of Property Tax & Assessment, recommends:

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

**Contribution to Sustainability**

This is not applicable to this report.

**Economic Impact**

The City's share of these property tax adjustments is approximately \$65,037. A provision for tax adjustments has been budgeted.

**Communications Plan**

As required by the Act, notification of this meeting has been sent to all applicants and persons in respect of whom the applications were made, at least 14 days prior to the meeting. Notices of Decisions will be issued to all applicants detailing the total amount of the adjustment and the right of the applicant to appeal the decision to the Assessment Review Board.

**Purpose**

To obtain Council's approval for the increase or cancellation of property taxes as permitted under Section 357 and 358 of the *Municipal Act, 2001*.

**Background - Analysis and Options**

Eighty-two (82) applications have been prepared for Council's consideration for the cancellation, reduction or refund of taxes for the current and prior tax years, under sections 357 and 358 of the *Municipal Act, 2001, as amended*. There are various reasons for tax adjustments such as property becoming exempt, roll numbers being cancelled by the Municipal Property Assessment Corporation (MPAC), buildings that have been demolished or razed by fire, and properties that have been over assessed by a gross or manifest clerical error. These tax adjustments do not relate to collection issues.

Six (6) applications have been included for Council's consideration but do not require adjustment. They do not qualify for any adjustment under sections 357 and 358 of the *Municipal Act, 2001, as amended*.

The total cancellation, reduction or refund of taxes, as recommended is \$275,085. The City portion of this amount is approximately \$65,037, or approximately 24%.

Approval of these adjustments will allow the applicant the right to appeal the decision to the Assessment Review Board.

**Relationship to Vaughan Vision 2020**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Regional Implications**

The Region's share of these property tax adjustments is approximately \$113,888 or approx. 41%.

**Conclusion**

Council approval of the applications in this report will allow staff to proceed with the property tax adjustments as applicable. Council approval also gives the applicant the right to appeal the decision to the Assessment Review Board if so desired.

**Attachments**

Attachment 1 - Tax Appeal Report

**Report prepared by:**

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

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

*Please refer to Minute No. 192 for disposition of this matter.*

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

**COMMITTEE OF THE WHOLE REPORT NO. 42**

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

ITEM - 28      DEPUTATION – MR. MICHAEL TIBOLLO  
WITH RESPECT TO FESTIVAL OF LIGHT

MOVED by Regional Councillor Di Biase  
seconded by Regional Councillor Schulte

THAT Item 28, Committee of the Whole Report No. 42 be adopted and amended, as follows:

By approving the following:

That the recommendation set out in Communication C5 from the Commissioner of Community Services, dated October 22, 2013, be approved, as follows:

1. That Council endorse the use of City Hall (atrium for the month of December/multipurpose room for one evening) by NCIC for the 2013 "Festival of Light" event with all applicable fees; and

2. That staff meet with the NCIC to outline CSO rental rates and policies associated with the event and ensure public safety, City requirements and security is maintained at City Hall.

CARRIED

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 43**

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

- ITEM - 1      2013 COLLECTIVE AGREEMENT WITH THE  
                    VAUGHAN PROFESSIONAL FIREFIGHTERS ASSOCIATION -  
                    UPDATE

MOVED by Regional Councillor Rosati  
seconded by Regional Councillor Di Biase

THAT Item 1, Committee of the Whole (Closed Session) Report No. 43 be adopted without amendment.

CARRIED

*Councillor lafrate declared an interest with respect to the foregoing matter on the basis that she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the foregoing matter.*

**COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 45**

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

- ITEM - 3      SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION)  
                    RESOLUTION OCTOBER 22, 2013

MOVED by Regional Councillor Rosati  
seconded by Councillor Carella

THAT Item 3, Committee of the Whole (Working Session) Report No. 45 be adopted without amendment.

CARRIED

*Councillor lafrate declared an interest with respect to the foregoing matter on the basis that she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the foregoing matter.*

**FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 12**

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

- ITEM - 1      POWERSTREAM PROMISSORY NOTE – INTEREST DEFERRAL  
                    RENEWAL

MOVED by Regional Councillor Schulte  
seconded by Councillor Shefman



THAT Item 1, Finance and Administration Committee Report No. 12 be adopted and amended, as follows:

By approving the following:

That the recommendation set out in Communication C12 from the Interim City Manager, dated October 22, 2013, be approved, as follows:

1. That the City of Vaughan agrees, in principle, to subscribe for equity common shares in Vaughan Holdings Inc. in the maximum amount of \$22,657,500;
2. That the City of Vaughan's investment in such common shares may be made in tranches, with amounts and timing determined consistent with the dates and amounts of the additional common shares to be issued from PowerStream to Vaughan Holdings Inc. for PowerStream's core distribution business; and
3. That the Mayor, together with the City Clerk are hereby authorized to execute all documents and that staff are authorized take such steps as may be necessary or desirable in connection with the foregoing.

CARRIED

**COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 45**

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

ITEM - 1      CORPORATE COMMUNICATIONS STRATEGY

MOVED by Councillor Racco  
seconded by Councillor DeFrancesca

THAT Item 1, Committee of the Whole (Working Session) Report No. 45 be adopted and amended, as follows:

By approving the following:

That Communication C4 from the Director of Corporate Communications, dated October 29, 2013, be received.

CARRIED

**SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 46**

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

ITEM - 1      CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905,  
VAUGHAN UNIT FULL TIME CLERICAL & TECHNICAL AND HOURLY  
RATED COLLECTIVE AGREEMENTS UPDATE

MOVED by Councillor Racco  
seconded by Regional Councillor Di Biase

THAT Item 1, Special Committee of the Whole (Closed Session) Report No. 46 be adopted without amendment.

CARRIED

*Councillor lafrate declared an interest with respect to the foregoing matter on the basis that she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the foregoing matter.*

Addendum Items

**198. AWARD OF TENDER T13-236 & BUDGET AMENDMENT  
INTERIOR RENOVATIONS TO DUFFERIN CLARK LIBRARY- WARD 5 AND  
WOODBIDGE LIBRARY – WARD 2  
(Addendum No. 1)**

MOVED by Regional Councillor Di Biase  
seconded by Councillor Carella

That the recommendation contained in the following report submitted by the Commissioner of Community Services, dated October 29, 2013, be approved:

CARRIED

**Recommendation**

The Commissioner of Community Services, in consultation with Acting Commissioner of Finance, the Director of Library Finance and Facilities, Director of Building and Facilities and Director of Purchasing Services recommends:

1. That Tender T13-236 for interior Renovations to Dufferin Clark Library and Woodbridge Library be awarded to Anacond Contracting Inc., for the amount of \$117,902.00 (plus applicable taxes); and,
2. That \$27,500.00 be reallocated from LI-4534-12 Woodbridge Library renovation to LI-4536-12 Dufferin Clark Library Renovation ; and,
3. That contingency allowances in the amounts of \$1,616,95 for LI-4534-12 and \$6,439.94 for LI-4536-12 be approved within which the Commissioner of Community Services or his designate is authorized to approve amendments to the contract; and,
4. That the above amounts and all applicable taxes and administration recovery fees be funded from capital budgets LI-4534-12 and LI-4536-12; and,
5. That the inclusion of the matter on a public Committee or Council agenda for the budget amendment is deemed sufficient notice pursuant to Section 2 (1) (c) of By-law 394-2002; and,
6. That the Mayor and the City Clerk be authorized to sign the appropriate documents.

**Contribution to Sustainability**

Renovation to library space at both Dufferin Clark Library and Woodbridge Library branches; to include a new AODA compliant desk.

- 4.1.10 Develop accessible service standards as part of the compliance with the Accessibility for Ontarians with Disability Act, 2005.

**Economic Impact**

The total tender costs of \$133,229.26 are available within the approved library capital projects LI-4534-12 and LI-4536-12 Interior Renovations to Dufferin Clark Library and Woodbridge Library which have a combined approved capital budget of \$150,000.00. Both projects are for workspace renovations and replacement of separate circulation and information desks into a combined AODA compliant service desk.

**Communications Plan**

Non applicable

**Purpose**

The purpose of this report is to award tender, T13-236, Interior Renovations to Dufferin Clark Clark Library, Ward 5 and Woodbridge Library, Ward 2 to Anacond Contracting Inc.

**Background – Analysis**

- LI-4534-12, Woodbridge Library Renovation, and LI-4536-12, Dufferin Clark Renovation were budgeted by Vaughan Public Libraries at \$75,000 each, and approved in the 2012 Capital budget. Both projects are for the renovation of the circulation desks at the libraries to have them AODA compliant.

Due to the similarity of the work required at both locations, the projects were incorporated into one tender, so as to achieve more competitive pricing from general contractors.

The tender was advertised on Daily Commercial News, Bidding, OPBA and City Webpage on Wednesday, August 21, 2013 with closing date as Monday, September 9th, 2013. Sixteen (16) contractors picked up the Tender documents from the Purchasing Services Department. Tenders were closed and publicly opened on Monday, September 9<sup>th</sup> 2013, with eleven (11) bids received.

<b>Contractor (or Consultants)</b>	<b>Total Bid (Excl. HST)</b>	<b>Total (Incl. HST)</b>
Anacond Contracting Inc.	\$117,902.00	\$133,229.26
Onit Construction Inc.	\$129,572.00	\$146,416.36
Stracor Inc.	\$135,579.00	\$153,204.00
Euro Group Ltd.	\$136,600.00	\$154,358.00
Brown Daniels Associates Inc.	\$143,300.00	\$161,929.00
MN Dynamic Construction Ltd.	\$153,883.00	\$173,887.00
Onterra Construction Inc.	\$154,000.00	\$174,020.00
R-Chad General Contracting Inc.	\$168,000.00	\$189,840.00
Deciantis Construction Ltd.	\$187,000.00	\$211,310.00
Citycore Construction Inc.	\$190,500.00	\$215,265.00
Pop's Restoration	\$206,250.00	\$233,062.50

As detailed in the table below, while no additional funding is required, there is a \$27,500 budget shortfall in LI-4536-12, but there are sufficient funds remaining in LI-4534-12 that the shortfall can be covered. As the tender can only be awarded subject to a budget reallocation, and this reallocation requires a Council resolution, the award and the budget reallocation are recommended in this report.

**T13-236 Interior Renovations to Dufferin Clark Library and Woodbridge Library**

	<b>Woodbridge Library (LI-4534-12)</b>	<b>Dufferin Clark Library (LI-4536-12)</b>
<b>Approved Capital Funding</b>	<b>75,000.00</b>	<b>75,000.00</b>
Less: Expenses/Commitments to Date	7,878.98	10,488.81
<b>Current Remaining Funds</b>	<b>67,121.02</b>	<b>64,511.19</b>
Tender Cost	36,260.00	81,642.00
Non-Refundable Portion HST (1.76%)	638.17	1,436.89
Sub-Total	36,898.17	83,078.89
Administration Recoverable (3%)	1,106.90	2,492.36
<b>Total Tender Cost</b>	<b>38,005.07</b>	<b>85,571.25</b>
<b>Remaining Balance(Additional Funds)</b>	29,115.95	(21,060.06)
Transfer	(27,500.00)	27,500.00
Sub-total	1,615.95	6,439.94
Contingency Amount	1,615.95	6,439.94
<b>Balance Remaining in Account</b>	<b>0.00</b>	<b>0.00</b>

**Relationship to Vaughan Vision 2020 / Strategic Plan**

In consideration of the strategic priorities related to Vaughan Vision 2020, the project will provide:

- **STRATEGIC OBJECTIVE:**  
Service Excellence – Providing service excellence to citizens.
- **STRATEGIC OBJECTIVE:**  
Enhance and Ensure Community Safety, Health and Wellness.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Regional Implications**

Not applicable.

**Conclusion**

With the reallocation of funding between the two capital budgets, Vaughan Public Libraries, supported by the City of Vaughan’s Building and Facilities group, will be able to move ahead with construction in both Libraries. By implementing the measures detailed in the report, the VPL will continue to improve on the services that it provides to residents as well as continue to make an inclusive and accessible municipality where people of all abilities have the chance to fully achieve their potential.

Should Council concur with the budget amendment, this action would be considered as an amendment to the Capital Budget.

**Attachments**

None

**Report prepared by:**

Mike Zentena, Capital Project Supervisor, Ext. 8100

**199. NOISE EXEMPTION REQUEST - PACHINO CONSTRUCTION CO. LTD.  
SANITARY RELIEF SEWER PROJECT  
(Addendum No. 3)**

MOVED by Regional Councillor Di Biase  
seconded by Councillor Carella

That the recommendation contained in the following report submitted by the Commissioner of Legal & Administrative Services and City Solicitor and the Director of By-law and Compliance, dated October 29, 2013, be approved:

CARRIED

**Recommendation**

The Commissioner of Legal & Administrative Services and City Solicitor and the Director of By-law and Compliance recommend:

- 1) That the Pachino Construction Co. Ltd. be granted an exemption to the Noise By-law 96-2006 for the sewer installation, as proposed by Pachino Construction Co. Ltd. ("the Applicant"), acting on behalf of Region of York.

**Contribution to Sustainability**

Contributes to sustainability of the City of Vaughan and Regional water/wastewater infrastructure.

**Economic Impact**

Adoption of this report has no adverse economic impact.

**Communications Plan**

The Applicant has been instructed by the City to notify area residents and businesses in Vaughan of the proposed work schedule in advance of the commencement of the work and have provided a draft of such notice as part of their Application (Attachment No. 2).

**Purpose**

The purpose of this report is to seek Council's approval in support of an Application for Exemption to the City's Noise By-law # 96-2006 from Pachino Construction Co. Ltd. ("the Applicant"), acting on behalf of the Region of York in support of the necessary municipal work, proposed to take place over two 30 day periods, between the date of October 30, 2013 to April 30, 2014. As this request for granting an exemption to the provisions of the City of Vaughan Noise By-law exceeds staff's delegated authority of a maximum of 11 calendar days, authorization for exemption of the time proposed requires the approval of City Council.

**Background - Analysis and Options**

The City of Vaughan Noise By-law 96-2006 prohibits Construction Noise from 7:00 pm of one day to 7:00 am next day and on Sundays or statutory holidays. Any noise created by construction activity during these prescribed hours requires an exemption to the provisions of the By-law. Exemption requests for construction noise are governed by the provisions of Section 19 Exemption – Construction Equipment and includes the requirement that applications be received at least 60 days prior to commencement of the work.

On October 4, 2013, the Applicant submitted a written request to the City of Vaughan, By-law and Compliance Department requesting an exemption to the Noise By-law for the purposes of installing a sanitary relief sewer on behalf of York Region (pursuant to York Region Contract No. T-13-64 – North Don Sanitary Relief Sewer). This necessary municipal work is being carried out as part of the Region's Long Term Wastewater Master Plan 2009.

The location of construction is in an area zoned commercial and residential and is scheduled to take place from the intersection of Bathurst Street and Rutherford Road (Carville Road), southbound on the west side of Bathurst Street to Autumn Hill (See Key Map – Attachment No. 2). The closest residential property is approximately 4 meters from the proposed work site.

This work will also take place along Carville Road (in the Town of Richmond Hill). This portion of the work does not fall within the jurisdiction of the City of Vaughan.

As described within the Application, construction activity is required to continue during prohibited evening hours, as the machinery and type of work being undertaken requires 24 hour continuous movement. The micro-tunneling construction portion of this project will require work to continue through a 24 hour operation to ensure the trunk sewer commissioning will be achieved as per the York Region Contract; to ensure the ground will not close around the pipeline (which would cause high jacking forces preventing forward movement of the tunnel boring machine); and to ensure drilling fluids do not freeze during construction in the winter months.

The exact dates of the micro-tunneling portion of this construction project are unknown to the Applicant at this time as the timing is dependent on several factors, such as weather and equipment and material availability. This noise exemption is being requested to enable two separate 30 day periods (described as the duration of the continuous work), with a commencement date between October 30, 2013, concluding April 30, 2014; inclusive of the hours between 7:00 pm of one day through 7:00 am of the following day, Sundays and statutory holidays. Although the Applicant does not intend to work on Sundays or statutory holidays, the applicant is requesting inclusion, in the event of an emergency.

Lauren Schipper, Special Project Technologist with the Regional Municipality of York has advised that the City of Vaughan will be provided with as much notice as possible as to when the 24/7 work will take place. In addition, a written Notice of Construction will be provided to surrounding residents and businesses prior to commencement of construction.

**Noise Mitigation Plan:**

In order to accomplish the micro-tunneling the following equipment will be used and are expected to be the primary sources of noise during construction:

- Herreknecht Tunnel Boring Machine;
- Surface Spoil Separation Equipment;
- Generator (housed inside insulated enclosure);
- CAT 330;
- CAT 950 Front Loader;
- 65T Mobile Crane.

In order to mitigate evening and overnight noise, the applicant will operate the generator from within an insulated enclosure, and will not have truck movement into and out of the site during the hours of 9 pm and 7 am to minimize construction activities on site.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is in keeping with the priorities previously established by Council.

**Regional Implications**

The work proposed to be carried out is required as necessary municipal work, carried on as part of a tendered contract with the Region of York's Long Term Wastewater Master Plan and borders two municipalities: the City of Vaughan and the Town of Richmond Hill.

**Conclusion**

This request for a noise exemption pursuant to the City of Vaughan Noise By-law 96-2006 exceeds the delegated authority of the Director of By-law and Compliance. Therefore, Council authorization for the exemption to the By-law is required to permit Pachino Construction Co. Ltd., acting on behalf of the Region of York, to proceed as planned. Although the Application was not received prior to the 60 day Application period as prescribed by the By-law, the proposed work is necessary municipal work, included as part of the Region's Long Term Wastewater Master Plan, and should be supported accordingly. Staff believes this request for an exemption is reasonable as proposed.

**Attachments**

- Attachment 1: Pachino Construction Co. Ltd Letter of Intent
- Attachment 2: Draft Letter to area Residents/Businesses
- Attachment 3: Key Plan (map of construction area)

**Report prepared by:**

- Janice Heron, Office Coordinator
- Gus Michaels, Director, By-law and Compliance

(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.)

**200. BY-LAWS**

MOVED by Councillor Iafrate  
seconded by Councillor Carella

THAT the following by-laws be enacted:

- |                        |   |
|------------------------|---|
| By-Law Number 141-2013 | A By-law to assume Municipal Services in Maple Airport Subdivision, Phase 2, 19T-88080, Registered Plan 65M-3098. (and Fiston Holdings Limited and Baif Developments Limited dated May 27, 1996) (Item 11, Committee of the Whole, Report No. 42) |
| By-Law Number 142-2013 | A By-law to assume Municipal Services in Klein Ridge Estates Residential Subdivision, 19T-98V04, Registered Plan 65M-3738. (Jofian Holdings Ltd. dated January 27, 2004) (Item 12, Committee of the Whole, Report No. 42)                         |

## COUNCIL MEETING MINUTES – OCTOBER 29, 2013

---

- By-Law Number 143-2013 A By-law to assume Municipal Services in Villas of Olde Woodbridge Subdivision, 19T-04V03, Registered Plan 65M-3920. (Stone Manor Developments (Woodbridge) Limited dated March 27, 2006) (Item 13, Committee of the Whole, Report No. 42)
- By-Law Number 144-2013 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 and Foxwood Road) (Council, September 17, 2013, Item 24, Committee of the Whole, Report No. 35)
- By-Law Number 145-2013 A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Apple Blossom Drive and Santa Amato Crescent/Spring Harbour Road) (Council, September 17, 2013, Item 25, Committee of the Whole, Report No. 35)
- By-Law Number 146-2013 A By-law to dedicate certain lands as part of the public highway. (2056668 Ontario Limited (Eagles Landing) Eagles Landing Road, Sir Benson Drive, 65R-30757 - PIN 03341-1847 (LT), 65R-30757 - PIN 03341-1848 (LT), 65R-30757 – PIN 03341-1848 (LT) (Delegation By-law 196-2010)
- By-Law Number 147-2013 A By-law to exempt parts of Plan 65M-3627 from the provisions of Part Lot Control. (PLC.13.009, Roybridge Holdings Limited, located at the northwest corner of Regional Road 7 and Regional Road 27, known municipally as 6100 Regional Road 7, being Part of Blocks 45 and 46 on Registered Plan 65M-3627, described as Parts 7 to 9 inclusive on Plan 65R-30102, in Lots 6 and 7, Concession 8) (Delegation By-law 196-2010)
- By-Law Number 148-2013 A By-law to repeal By-law 147-2013. (PLC.13.009, Roybridge Holdings Limited, located at the northwest corner of Regional Road 7 and Regional Road 27, known municipally as 6100 Regional Road 7, being Part of Blocks 45 and 46 on Registered Plan 65M-3627, described as Parts 7 to 9 inclusive on Plan 65R-30102, in Lots 6 and 7, Concession 8) (Delegation By-law 196-2010)

CARRIED

### 201. **CONFIRMING BY-LAW**

MOVED by Regional Councillor Schulte  
seconded by Councillor Shefman

THAT By-law Number 149-2013, being a by-law to confirm the proceedings of Council at its meeting on October 29, 2013, be enacted.

CARRIED



**202. ADJOURNMENT**

MOVED by Councillor Carella  
seconded by Councillor Iafrate

THAT the meeting adjourn at 3:45 p.m.

CARRIED

---

Hon. Maurizio Bevilacqua, Mayor

---

Jeffrey A. Abrams, City Clerk