



CITY OF VAUGHAN
COUNCIL MINUTES
MAY 14, 2013

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, MAY 14, 2013

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:01 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 (1:11 p.m.)
Councillor Alan Shefman
Councillor Sandra Yeung Racco

104. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Schulte
seconded by Councillor Shefman

THAT the agenda be confirmed.

CARRIED

105. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

106. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

THAT the minutes of the meeting of April 23, 2013 and Special Council meeting of April 30, 2013 be adopted as presented.

CARRIED

107. COMMUNICATIONS

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT Communications C1 to C11 and C13 to C21 inclusive be received and referred to their respective items on the agenda.

CARRIED

108. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 19

Items 4, 7, 12, 14, 20, 21, 28, 29, 34

Finance and Administration Committee Report No. 7

Item 1

MOVED by Councillor Racco
seconded by Councillor Shefman

THAT Item 1 of the Special Committee of the Whole Report No. 18, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 36 of the Committee of the Whole Report No. 19, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Closed Session) Report No. 20, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 21, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 7, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Item 1 of the Committee of the Whole (Working Session) Report No. 22, BE APPROVED and the recommendations therein be adopted.

CARRIED

109. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 19

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

ITEM - 21 OFFICIAL PLAN AMENDMENT FILE OP.12.017
 ZONING BY-LAW AMENDMENT FILE Z.12.038
 DRAFT PLAN OF SUBDIVISION FILE 19T-12V010
 KIPCO LANDS DEVELOPMENTS LTD.
 WARD 2 - VICINITY OF KIPLING AVENUE AND MEETING HOUSE ROAD

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 21, Committee of the Whole Report No. 19, be adopted and amended, as follows:

By receiving the following Communications:

C14. Ms. Sabrina Niceforo, Kipling Avenue, Vaughan, dated May 13, 2013; and

C18. Director of Development Planning, dated May 14, 2013.

CARRIED

110. RESOLUTION TO RESOLVE INTO CLOSED SESSION

MOVED by Regional Councillor Di Biase
seconded by Councillor Racco

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

1. 2013 DEVELOPMENT CHARGE REVIEW FINAL RECOMMENDATION REPORT
(Report No. 7, Item 1)
(litigation or potential litigation)

CARRIED

Council recessed at 1:18 p.m.

MOVED by Councillor DeFrancesca
seconded by Regional Councillor Rosati

THAT Council reconvene at 2:14 p.m.

CARRIED

Council reconvened at 2:14 p.m. with the following members 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 Alan Shefman
Councillor Sandra Yeung Racco

111. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 7

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

ITEM - 1 2013 DEVELOPMENT CHARGE REVIEW FINAL RECOMMENDATION
 REPORT

MOVED by Councillor Racco
seconded by Councillor DeFrancesca

THAT Item 1, Finance and Administration Committee Report No. 7, be adopted and amended, as follows:

1. By approving the recommendation of the Finance and Administration Committee subject to replacing Recommendation 1) with the following:

- 1) That the recommendation contained in the following report of the Acting City Manager and the Director of Development Finance & Investments, dated May 6, 2013, be approved, subject to the following amendments:
 - A. That Recommendation 1) in the staff report read as follows:
 - 1) That the draft 2013 Development Charges Background Study, dated April 5, 2013, be amended before approval without a change to the Development Charge rates, as follows:
 - a. Transfer all funding on line I1 (Kirby Road from Dufferin Street to Bathurst Street) of Table 2 of Appendix H to equally spread the total cost of the works (inclusive of the \$10.2M amount in Post Period Benefit) between 2019, 2020, and 2021;
 - b. Transfer \$10.2M from line I3 (Kirby Road Widening from Highway 27 to Dufferin Street) to Post Period Benefit;
 - c. Amend Appendix H (City Wide Engineering Growth-Related Capital Program) by adding \$10M for Black Creek/VMC storm water related engineering works in 2014; and
 - d. Amend Appendix H (City Wide Engineering Growth-Related Capital Program) by moving \$10M of item 13 (Kirby Road Widening from Highway 27 to Dufferin Street) to Post Period Benefit.
 - B. That Recommendation 2) in the staff report read as follows:
 - 2) That Council enact the City Wide Development Charge by-law and all Special Service Area Development Charge by-laws as drafted with the April 5, 2013 release of the Development Charge Background Study, with the exception of a by-law to impose Special Service Area Development Charges for Black Creek and Related VMC Storm Water Management Works, subject to revisions as stated in recommendation #4, and incorporating the phased-in development charge rates in:
Attachment 1 – City Wide Residential and Non-Residential Development Charges
Attachment 2 – Special Service Area Development Charges

and that said by-laws come into force on September 21, 2013.

 - C. That the following additional recommendation be adopted:

That staff be directed to continue consultation with affected landowners in the Black Creek and VMC related Storm Water Management Works area and report back to Finance and Administration Committee in September 2013 with a recommendation regarding any further amendments required to Appendix I, Map 10 and Table 10 of the Development Charge Background Study, a new Statutory Public Meeting date if applicable, a new draft Special Area Charge by-law and a new enactment/effective date for the Special Area Charge by-law; and
2. By receiving the following Communications:
 - C3. Mr. Cam Milani, Rizmi Holdings Limited, dated May 8, 2013;
 - C6. Confidential memorandum from City Clerk, dated May 7, 2013;
 - C8. Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated May 10, 2013;
 - C10. Interim City Manager, Commissioner of Engineering & Public Works,

- Director of Development/Transportation Engineering and Director of Development Finance & Investments, dated May 14, 2013;
- C11. Confidential memorandum from the Interim City Manager, Commissioner of Legal & Administrative Services, Commissioner of Engineering and Public Works, Commissioner of Planning, Director of Legal Services, Director of Development Finance & Investments and Director of Development/Engineering/Transportation, dated May 14, 2013;
- C13. Mr. Quinto Annibale, Loopstra Nixon LLP, Queens Plate Drive, Torontot, dated May 13, 2013;
- C15. Mr. Antony Niro, dated May 14, 2013;
- C16. Ms. Paula Bustard, Smart!Centres, Applewood Crescent, Vaughan, dated May 13, 2013;
- C17. Mr. Joseph Sgro, ZZen Group of Companies Limited, Zenway Boulevard, Woodbridge;
- C19. Mr. Fred Darvish, Liberty Development, Steelcase Road West, Markham, dated May 10, 2013;
- C20. Mr. Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan, date May 14, 2013; and
- C21. Mr. Jim Levac and Ms. Letizia D'Addario, Weston Consulting, Millway Avenue, Vaughan, dated May 14, 2013.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 19

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

ITEM - 4 AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 3013-6J5J5S – DONGARA PELLET FACTORY INC.

MOVED by Regional Councillor Schulte
seconded by Regional Councillor Di Biase

THAT Item 4, Committee of the Whole Report No. 19, be amended, as follows:

That consideration of this matter be deferred to the Council meeting of June 4, 2013.

CARRIED

ITEM - 7 SIGN VARIANCE APPLICATION
FILE NO: SV.13-002
OWNER: SRI SATYA SAI BABA SPIRITUAL CENTRE OF TORONTO
NORTH
LOCATION: 8142 ISLINGTON AVENUE
LOT 8, CONCESSION 7
WARD 2

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 7, Committee of the Whole Report No. 19, be adopted and amended, as follows:

That Sign Variance Application SV.13-002, Sri Satya Sai Baba Spiritual Centre of Toronto North, be approved; and

That the following recommendations in accordance with Communication C5, from the Chair of the Sign Variance Committee, dated May 9, 2013, be approved:

That the existing wall sign remain in place until such time as either the ownership changes or the congregation increases to a size sufficient for it to undertake the sign's replacement, whichever occurs first.

CARRIED

ITEM - 12 AWARD OF TENDER T13-080
HUMBER RIVER OPEN SPACE SYSTEM WILLIAM GRANGER
GREENWAY TRAIL
IMPROVEMENTS – WARD 2

MOVED by Regional Councillor Schulte
seconded by Regional Councillor Rosati

THAT Item 12, Committee of the Whole Report No. 19, be adopted and amended, as follows:

By approving the following recommendations in accordance with Communication C7, from Commissioner of Community Services, dated May 14, 2013:

- 1) That Tender T13-080 for Humber River Open Space System William Granger Greenway Trail Improvements be awarded to Gateman-Milloy Inc. in the amount of \$450,577.34 plus applicable taxes;
- 2) That a budget amendment to increase capital project PK-6098-08 in the amount of \$106,200 be approved with a funding source of Gas Tax;
- 3) That if the budget amendment to capital project PK-6098-08 is approved that the following project costs, plus applicable taxes, be approved:
 - a. That a 15% contingency in the amount of \$67,586.60 be approved, within which Parks Development is authorized to approve amendments to the contract;
 - b. That MNR permit required works tendered as provisional items PR1 and PR2 for habitat enhancement planting and signage be approved and awarded to Gateman-Milloy Inc. in the amount of \$27,060.41;
 - c. That geotechnical works for the construction review and testing in the amount of \$4,760 be approved and awarded to the consultant McClymont and Rak;
- 4) That the inclusion of this matter on a Public Committee or Council agenda with respect to amending the capital budget identified as Budget Amendment - Award of Tender T13-080 is deemed sufficient notice pursuant to Section 2(1)(c) of By-Law 394-2002; and
- 5) That the Mayor and City Clerk be authorized to sign the appropriate documentation.

CARRIED

ITEM - 14 ZONING BY-LAW AMENDMENT FILE Z.12.029
SITE DEVELOPMENT FILE DA.12.065
IMPERIAL OIL LIMITED ET AL
WARD 1 – VICINITY OF JANE STREET AND TESTON ROAD

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 14, Committee of the Whole Report No. 19, be adopted and amended, as follows:

By receiving Communication C4, from the Commissioner of Community Services, dated May 14, 2013.

CARRIED

ITEM - 20 ZONING BY-LAW AMENDMENT FILE Z.13.010
SITE DEVELOPMENT FILE DA.12.098
1668872 ONTARIO INC., C/O ROYAL PINE HOMES
WARD 3 - VICINITY OF PINE VALLEY DRIVE AND MAJOR MACKENZIE
DRIVE

MOVED by Councillor DeFrancesca
seconded by Councillor Racco

THAT Item 20, Committee of the Whole Report No. 19, be adopted and amended, as follows:

That whereas residents are concerned about potential impacts of lighting from the proposed development;

That the recommendation of the Commissioner of Planning, dated April 30, 2013, be amended to add the following condition:

That staff be directed to investigate the provision of sconce lighting and or downward facing lighting on the portions of the building facing the forest to reduce the potential for light impacts; and

That the information in accordance with Communication C9 from the Commissioner of Planning, dated May 10, 2013, be received.

CARRIED

ITEM - 28 PIERRE BERTON DISCOVERY CENTRE FUNDRAISING TASK FORCE
RESIGNATION OF MEMBER

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

THAT Item 28, Committee of the Whole Report No. 19, be adopted and amended, as follows:

That the Terms of Reference for the Pierre Berton Discovery Centre Fundraising Task Force be amended to add the following:

Under the heading of Staff Resources:

“A staff member from Corporate Communications to assist the Task Force in providing communication support in its Fundraising and outreach efforts, as required.”

That Communication C2, from the City Clerk, dated May 7, 2013, be received.

CARRIED

ITEM - 29 REQUEST FOR SAFE CITY COORDINATOR TO ATTEND SAFETY
MEETING

MOVED by Councillor Carella
seconded by Regional Councillor Di Biase

THAT Item 29, Committee of the Whole Report No. 19, be adopted and amended, as follows:

That the resolution submitted by Councillor Carella, dated April 30, 2013, be amended to read:

That the Safe City Coordinator be directed to attend Councillor Carella's safety meeting on May 27th, 2013 at 7 pm, at the Woodbridge Pool and Arena, where appropriate space will be provided.

CARRIED

ITEM - 34 **NEW BUSINESS – UPDATE WITH RESPECT TO THE
PIERRE BERTON DISCOVERY CENTRE**

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

THAT Item 34, Committee of the Whole Report No. 19, be adopted without amendment.

CARRIED

112. BY-LAWS

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

THAT the following by-laws be enacted:

- | | |
|------------------------|---|
| By-Law Number 039-2013 | A By-law to amend Appointment By-law 73-2007. (Delegation By-law 196-2010) |
| By-Law Number 040-2013 | A By-law to adopt Amendment Number 733 to the Official Plan of the Vaughan Planning Area. (OP.12.013, Z.12.031, 19T-12V006, Nonnodesto Income Inc., located at the southwest corner of Teston Road and Bathurst Street, being, in Part of Lot 25, Concession 2) (Council, April 23, 2013, Item 17, Committee of the Whole, Report No. 14) |
| By-Law Number 041-2013 | A By-law to amend City of Vaughan By-law 1-88. (OP.12.013, Z.12.031, 19T-12V006, Nonnodesto Income Inc., located on the west side of Bathurst Street, south of Teston Road, in Lot 25, Concession 2) (Council, April 23, 2013, Item 17, Committee of the Whole, Report No. 14) |
| By-Law Number 042-2013 | A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 24-2012 and By-law 99-2012. (OP.11.014, DA.12.039, Z.12.017, Ravines of Islington Holdings Ltd., located on the east side of Islington Avenue, south of Langstaff Road, being Lot 7 on Registered Plan M-1113, known municipally as 8469 Islington Avenue) (Council, April 23, 2013, Item 24, Committee of the Whole, Report No. 14) |

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By-Law Number 043-2013	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 67-2007. (Z.12.029, DA.12.065, Imperial Oil Limited Et Al, located at the southwest corner of Jane Street and Teston Road, in Part of Lot 26, Concession 5, municipally known as 10520 Jane Street) (Item 14, Committee of the Whole, Report No. 19)
By-Law Number 044-2013	A By-law to amend City of Vaughan By-law 1-88. (Z.07.059, DA. 11.087, Zepcel Holdings Inc., located north side of Nashville Road, east of Huntington Road, municipally known as 950 Nashville Road, being Part of Lot 26, Concession 9) (Item 16, Committee of the Whole, Report No. 19)
By-Law Number 045-2013	A By-law to impose City-Wide Development Charges. (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 046-2013	A By-law to impose Special Service Area Development Charges – Rainbow Creek Drainage Works. (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 047-2013	A By-Law to impose Special Service Area Development Charges – Pressure District 5 West (Woodbridge Watermain). (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 048-2013	A By-law to impose Special Service Area Development Charges – Pressure District 6 West (Major Mackenzie Drive Watermain). (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 049-2013	A By-law to impose Special Service Area Development Charges – Pressure District 6 East (Rutherford Road Watermain). (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 050-2013	A By-law to impose Special Service Area Development Charges – Pressure District 7 Watermain West. (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 051-2013	A By-law to impose Special Service Area Development Charges – Dufferin/Teston Sanitary Sewer (OPA 332 Ultimate Outlet). (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 052-2013	A By-law to impose Special Service Area Development Charges – Zenway/Fogal Sanitary Sub Trunk. (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 053-2013	A By-law to impose Special Service Area Development Charges – Highway 27 South Servicing Works. (Item 1, Finance and Administration Committee, Report No. 7)
By-Law Number 054-2013	A By-law to impose Special Service Area Development Charges – Huntington Road Sewer (Tradevalley to Rutherford). (Item 1, Finance and Administration Committee, Report No. 7)

CARRIED

113. CONFIRMING BY-LAW

MOVED by Councillor DeFrancesca
seconded by Councillor Carella

THAT By-law Number 056-2013, being a by-law to confirm the proceedings of Council at its meeting on May 14, 2013, be enacted.

CARRIED

114. ADJOURNMENT

MOVED by Councillor Carella
seconded by Councillor Racco

THAT the meeting adjourn at 2:49 p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk