



**CITY OF VAUGHAN
COUNCIL MINUTES
NOVEMBER 17, 2015**

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CITY OF VAUGHAN
COUNCIL MEETING
TUESDAY, NOVEMBER 17, 2015

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:

Hon. Maurizio Bevilacqua, Mayor
Regional Councillor Michael Di Biase
Regional Councillor Gino Rosati
Regional Councillor Mario Ferri
Councillor Tony Carella
Councillor Rosanna DeFrancesca
Councillor Marilyn Iafrate
Councillor Sandra Yeung Racco

148. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Councillor Iafrate

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

That the following addendum be added to the agenda:

1. **PROCLAMATION REQUEST**
WORLD AIDS DAY

Report of the City Clerk with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

149. DISCLOSURE OF INTEREST

Regional Councillor Di Biase declared an interest with respect to the following items:

Item 4, Committee of the Whole (Closed Session), Report No. 39, insofar as it relates to Di Poce Management lands, as he is a named defendant in a lawsuit by Di Poce Management;
Item 6, Committee of the Whole (Closed Session), Report No. 39, in that it pertains to an investigation being conducted by the Ontario Provincial Police with which he is involved;

Regional Councillor Ferri declared an interest with respect to the following items:

Item 4, Committee of the Whole (Closed Session), Report No. 39, as his son is employed by a legal firm representing one or more of the parties;

Item 5, Committee of the Whole (Closed Session), Report No. 39, insofar as it relates to CN Rail and OMEGA as his son works for the legal firm representing the appellants; and

Regional Councillor Rosati declared an interest with respect to Item 4, Committee of the Whole (Closed Session), Report No. 39, insofar as it relates to Di Poce Management lands, as he is a named defendant in a lawsuit by Di Poce Management.

150. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor DeFrancesca
seconded by Councillor Carella

THAT the minutes of the meeting of October 20, 2015 be adopted as presented.

CARRIED

151. COMMUNICATIONS

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

THAT Communications C1 to C5 inclusive be received and referred to their respective items on the agenda.

CARRIED

152. TAX ADJUSTMENTS PURSUANT TO SECTIONS 354, 357 AND 358 OF THE MUNICIPAL ACT, S.O. 2001 - ALL WARDS

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

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

That the recommendation contained in the following report of the Chief Financial Officer and City Treasurer and the Director of Financial Services & Deputy Treasurer, dated November 17, 2015, be approved:

CARRIED

Recommendation

The Chief Financial Officer and City Treasurer and the Director of Financial Services & Deputy Treasurer, in consultation with the Manager of Property Tax & Assessment, recommends:
That the tax adjustments as outlined on the attached schedule 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 \$135,732. 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 354, 357 and 358 of the *Municipal Act, 2001*.

Background - Analysis and Options

One hundred and forty-two (142) 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 354, 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 354, 357 and 358 of the *Municipal Act, 2001, as amended*.

The total cancellation, reduction or refund of taxes, as recommended is \$801,862. The City portion of this amount is approximately \$135,732, or approximately 17%.

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 \$234,179 or approx. 29%.

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

1. Tax Appeal Report

Report prepared by:

Maureen 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.)

153. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Closed Session) Report No. 39

Items 3, 4, 5 and 6

Committee of the Whole Report No. 40

Items 4 and 6

Committee of the Whole (Working Session) Report No. 42

Items 1 and 2

Addendum

Item 1

MOVED by Councillor DeFrancesca
seconded by Regional Councillor Rosati

THAT Items 1 to 5 of the Finance, Administration and Audit Committee Report No. 12, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 6 of the Committee of the Whole (Closed Session) Report No. 39, 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 Finance, Administration and Audit Committee Report No. 13, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 18 of the Committee of the Whole Report No. 40, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 41, BE APPROVED and the recommendations therein be adopted

CARRIED

154. RESOLUTION TO RESOLVE INTO CLOSED SESSION

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

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

1. PROPERTY MATTER
SOUTH SIDE OF MAJOR MACKENZIE DRIVE, WEST OF JANE STREET
YRT/VIVA FUTURE TRANSIT TERMINAL
WARD 1
(Report No. 39, Item 3, Committee of the Whole (Closed Session)
(acquisition or disposition of land)
2. ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN VOP2010
INSTRUCTIONS/SETTLEMENTS
ALL WARDS
(Report No. 39, Item 4, Committee of the Whole (Closed Session)
(litigation or potential litigation)
3. ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN 2010
VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN
WARD 4
(Report No. 39, Item 5, Committee of the Whole (Closed Session)
(litigation or potential litigation)
4. FORMER EMPLOYEE MATTER
(Report No. 39, Item 6, Committee of the Whole (Closed Session)
(solicitor/client privilege)

CARRIED

Council recessed at 1:17 p.m.

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Council reconvene at 2:48 p.m.

CARRIED

At this point in the meeting Councillor Yeung Racco assumed the Chair.

Council reconvened at 2:48 p.m. with the following members present:

Regional Councillor Michael Di Biase
Regional Councillor Gino Rosati
Regional Councillor Mario Ferri
Councillor Tony Carella
Councillor Rosanna DeFrancesca
Councillor Marilyn Iafrate
Councillor Sandra Yeung Racco

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

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 39

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

ITEM - 3 PROPERTY MATTER
SOUTH SIDE OF MAJOR MACKENZIE DRIVE, WEST OF JANE STREET
YRT/VIVA FUTURE TRANSIT TERMINAL
WARD 1

MOVED by Councillor Iafrate
seconded by Councillor Carella

THAT Item 3, Committee of the Whole (Closed Session) Report No. be adopted and amended, as follows:

By approving the following in accordance with Communication C4, from the Deputy City Manager, Public Works, dated November 13, 2015:

- 1) That Council pass the following resolution:

Whereas, the Region's introduction of a VIVANext Silver Rapid Transit service on Major Mackenzie Drive between Yonge Street and Jane Street as programmed in the Region's 2015 Roads Capital Program for implementation in 2017, will result in increased frequency bus service operating in the existing mixed use traffic lanes on Major Mackenzie Drive between Yonge Street and the planned transit terminal on the lands south of Major Mackenzie Drive between Jane Street and Highway 400; and

Whereas, a high level of traffic congestion already exists in the existing Major Mackenzie Drive mixed use traffic lanes between Keele Street and Melville Avenue, and that the free flow of vehicles travelling in the through lanes is frequently disrupted with left-turning traffic from and into the inside lanes resulting in operational difficulties and many citizen and community concerns; and

Whereas, York Regional Council will soon be considering the 2016 proposed Capital Program as part of the upcoming yearly budget and business plan considerations;

It is therefore resolved:

That the Regional Municipality of York be requested to include a capital project for the addition of through travel capacity on Major Mackenzie Drive between Keele Street and the vicinity of Melville Avenue and/or Jane Street, potentially in the form of a continuous left-turn lane, to alleviate the current and future operational and congestion issues in this corridor; and

- 2) That staff forward the above resolution to the Regional Municipality of York.

CARRIED

ITEM - 4 ONTARIO MUNICIPAL BOARD HEARING
 VAUGHAN OFFICIAL PLAN VOP2010
 INSTRUCTIONS/SETTLEMENTS
 ALL WARDS

MOVED by Councillor Carella
seconded by Councillor DeFrancesca

THAT Item 4, Committee of the Whole (Closed Session) Report No. be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 17, 2015; and

By receiving the following Confidential Communications:

- C2. Legal Counsel and the City Solicitor, dated November 13, 2015; and
- C5. Legal Counsel and the City Solicitor, dated November 17, 2015.

CARRIED

Regional Councillor Ferri declared an interest with respect to this matter, as his son is employed by a legal firm representing one or more of the parties, and did not take part in the discussion or vote on the matter.

Regional Councillor Di Biase declared an interest with respect to this matter insofar as it relates to Di Poce Management lands, as he is a named defendant in a lawsuit by Di Poce Management, and did not take part in the discussion or vote on the matter.

Regional Councillor Rosati declared an interest with respect to this matter insofar as it relates to Di Poce Management lands, as he is a named defendant in a lawsuit by Di Poce Management, and did not take part in the discussion or vote on the matter.

ITEM - 5 ONTARIO MUNICIPAL BOARD HEARING
 VAUGHAN OFFICIAL PLAN 2010
 VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN
 WARD 4

MOVED by Regional Councillor Di Biase
seconded by Regional Councillor Rosati

THAT Item 5, Committee of the Whole (Closed Session) Report No. be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 17, 2015.

CARRIED

Regional Councillor Ferri declared an interest with respect to this matter, insofar as it relates to CN Rail and OMEGA as his son works for the legal firm representing the appellants, and was not present when those matters were under consideration.

ITEM - 6 LEGAL ADVICE
FORMER EMPLOYEE MATTER

MOVED by Councillor Carella
seconded by Councillor DeFrancesca

THAT Item 6, Committee of the Whole (Closed Session) Report No. be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 17, 2015; and

By receiving Communication C3, from the City Solicitor, dated November 13, 2015.

CARRIED

Regional Councillor Di Biase declared an interest with respect to this matter, in that it pertains to an investigation being conducted by the Ontario Provincial Police with which he is involved, and was not present when the matter was under consideration.

At this point in the meeting Regional Councillor Di Biase assumed the Chair.

COMMITTEE OF THE WHOLE REPORT NO. 40

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

ITEM - 4 NORTH MAPLE REGIONAL PARK
PHASE 1 PARK DEVELOPMENT
AWARD OF RFP15-394 CONSULTING SERVICES
WARD 1

MOVED by Councillor DeFrancesca
seconded by Regional Councillor Ferri

THAT Item 4, Committee of the Whole Report No. be adopted without amendment.

CARRIED

ITEM - 6 SITE DEVELOPMENT FILE DA.14.031
ST. PAUL'S PRESBYTERIAN CHURCH
WARD 1 - VICINITY OF MAJOR MACKENZIE DRIVE AND PINE VALLEY
DRIVE

MOVED by Councillor Iafrate
seconded by Councillor Carella

THAT Item 6, Committee of the Whole Report No. be adopted and amended, as follows:

By approving that the applicant meet with the Ward 1 Councillor to finalize the colour of the pole and design of the base of the cell tower to better compliment the adjacent historical Church.

CARRIED

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 42

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

ITEM - 1 DIRECTION TO PROCEED
 UPDATING OF THE CITY'S GROWTH MANAGEMENT STRATEGY
 MUNICIPAL COMPREHENSIVE REVIEW
 FIVE-YEAR OFFICIAL PLAN REVIEW
 CITY WIDE
 FILE #27.0

MOVED by Regional Councillor Rosati
seconded by Councillor Carella

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

By approving that the workplan, as outlined in Attachment 2 of the report of the Deputy City Manager, Planning & Growth Management and the Director of Policy Planning & Environmental Sustainability, dated November 10, 2015, be completed for Council consideration by Q1 2018.

CARRIED

ITEM - 2 NEW BUSINESS - REQUEST FOR A REPORT
 ON COSTS ASSOCIATED WITH OFFICIAL PLAN 2010

MOVED by Councillor Yeung Racco
seconded by Councillor Iafrate

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

By approving the following:

That staff report back to Council by February 2016 on the total monies spent to date on the Official Plan 2010, including the Official Plan process itself which concluded September 2010, all legal costs for appeals to the Official Plan, all costs to conduct secondary plans that came out of the Official Plan 2010, legal and OMB costs to defend these and any other costs related to such, whether internal or externally spent; and

That these expenses be categorized with explanations; and

By receiving Communication C1 from the Deputy City Manager, Planning & Growth Management, the Chief Financial Officer/City Treasurer and the City Solicitor, dated November 13, 2015.

CARRIED

Addendum

156. PROCLAMATION REQUEST
WORLD AIDS DAY
(Addendum 1)

MOVED by Councillor Yeung Racco
seconded by Councillor DeFrancesca

That the recommendation contained in the following report of the City Clerk, dated November 17, 2015, be approved:

CARRIED

Recommendation

The City Clerk recommends:

1. That December 1, 2015 be proclaimed as “World AIDS Day”, and;
2. That the proclamation be posted on the City’s website and published on the City Page online.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Council – Proclamations” and on the City Page Online.

Purpose

To respond to the request received by the Executive Director of the AIDS Committee of York region.

Background - Analysis and Options

Correspondence was received from the Executive Director of the AIDS Committee of York Region on October 28, 2015.

The proclamation request meets the requirements of the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

It is estimated that more than 27,000 people in Ontario are living with HIV, with over 400 of them residing in York Region. World AIDS Day provides an opportunity for people around the world to unite and show support for people living with HIV/AIDS, while also raising awareness about HIV/AIDS and helping to diminish the stigma and discrimination that may be attached HIV/AIDS.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the Term of Council priorities, as outlined in the Service Excellence Strategy Map:

- Continue to ensure the safety and well-being of citizens

Regional Implications

N/A

Conclusion

Staff is recommending that December 1, 2015 be proclaimed as World AIDS Day, and that the proclamation be posted on the City's website and the City Page Online.

Attachments

Attachment 1 Correspondence from the Executive Director, AIDS Committee of York Region

Report prepared by:

Julia Bartolomeo, Administrative Assistant to the City Clerk

(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.)

157. BY-LAWS

MOVED by Councillor Iafrate
seconded by Regional Councillor Ferri

THAT the following by-laws be enacted:

By-Law Number 172-2015	A By-law to assume Municipal Services in Kortright Ravines Subdivision (Block 50 and Canada Company Ave), 19T-99V11, Registered Plan 65M-3532. (Lakeview Homes (Woodbridge) Inc. dated March 16, 2005) (Item 1, Committee of the Whole, Report No. 40)
By-Law Number 173-2015	A By-law to assume Municipal Services in Mayvon Investments Subdivision Phase 2, 19T-00V02, Registered Plan 65M-4058 and 65M-4157. (E. Manson Investments Limited/Zureit Holdings Limited dated March 18, 2008) (Item 2, Committee of the Whole, Report No. 40)
By-Law Number 174-2015	A By-law to assume Municipal Services in Camarvale Subdivision, 19T-03V03, Registered Plan 65M-4313. (Camarvale Holdings Inc. dated December 14, 2010) (Item 3, Committee of the Whole, Report No. 40)
By-Law Number 175-2015	A By-law to restrict the weight of vehicles passing over a bridge. (Humber River (West Branch) Bridge (Bridge No. 008601), located on Humber Bridge Trail, 0.4 km east of Highway 27) (Council, October 20, 2015, Item 19, Committee of the Whole, Report No. 35)

COUNCIL MEETING MINUTES – NOVEMBER 17, 2015

By-Law Number 176-2015	A By-law to designate two areas covered by the Official Plan for the City of Vaughan as the “Vaughan Metropolitan Centre” and “Weston Road and Highway 7” Community Improvement Project Areas. (Item 11, Committee of the Whole, Report No. 40)
By-Law Number 177-2015	A By-law to designate the general terms and conditions for the implementation of the Community Improvement Project with respect to the two areas covered by the Official Plan for the City of Vaughan as the “Vaughan Metropolitan Centre” and “Weston Road and Highway 7” Community Improvement Project Areas. (Item 11, Committee of the Whole, Report No. 40)
By-Law Number 178-2015	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 147-2006. (Z.15.010, Innovation Commercial Centre Inc., located south of Langstaff Road, west of Highway 27, municipally known as 133 Innovation Drive, being Block 11 and 12 on Registered Plan 65M-4044, in Part of Lot 10, Concession 9) (Council, June 25, 2001, Item 37, Committee of the Whole, Report No. 49)
By-Law Number 179-2015	A By-law to adopt Amendment Number 748 to the Official Plan of the Vaughan Planning Area. (OP.12.019, Z.12.047, Baif Developments Limited, located on the northwest corner of Bathurst Street and Beverley Glen Boulevard (2 Beverley Glen Boulevard), being Part of Lot 7, Concession 2) (Lifting “H” Symbol). (Council, January 20, 2015, Item 1, Committee of the Whole, Report No. 2)
By-Law Number 180-2015	A By-law to amend City of Vaughan By-law 1-88. (Z.12.047, OP.12.019, Baif Developments Limited, located at the northwest corner of Bathurst Street and Beverley Glen Boulevard, known municipally as 2 Beverley Glen Boulevard, in Part of Lot 7, Concession 2) (Council, January 20, 2015, Item 1, Committee of the Whole, Report No. 2)
By-Law Number 181-2015	A By-law to adopt Amendment Number 11 to the Vaughan Official Plan 2010 for the Vaughan Planning Area. (OP.14.004, Z.14.025, Pebble Creek Developments Inc., located on the north side of Regional Road 7, west of Pine Valley Drive, municipally known as 4650 Regional Road 7, being Part of Lot 6, Concession 7) (Council, October 20, 2015, Item 13, Committee of the Whole, Report No. 35)
By-Law Number 182-2015	A By-law to amend City of Vaughan By-law 1-88. (Z.14.025, OP.14.004, 19T-14V006, DA.15.034, Pebble Creek Developments Inc., located on the north side of Regional Road 7, west of Pine Valley Drive, being Part of Lot 6, Concession 7) (Council, October 20, 2015, Item 13, Committee of the Whole, Report No. 35)
By-Law Number 183-2015	A By-law to amend City of Vaughan By-law 1-88. (Z.14.009, 19T-15V001, Silverpoint (Peninsula) Inc., located east of Dufferin Street and south of Teston Road, being part of Lots 24 and 25, Concession 2) Council, October 20, 2015, (Item 15, Committee of the Whole, Report No. 35)

COUNCIL MEETING MINUTES – NOVEMBER 17, 2015

By-Law Number 184-2015 A By-law to authorize the Mayor and Clerk to execute a Lease Renewal Agreement between the Society for the Preservation of Historic Thornhill (SPOHT) and the City of Vaughan. (Item 1, Committee of the Whole (Closed Session), Report No. 39)

CARRIED

158. CONFIRMING BY-LAW

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT By-law Number 185 -2015, being a by-law to confirm the proceedings of Council at its meeting on November 17, 2015, be enacted.

CARRIED

159. ADJOURNMENT

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT the meeting adjourn at 3:01 p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk