

CITY OF VAUGHAN COUNCIL MINUTES SEPTEMBER 27, 2011

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, SEPTEMBER 27, 2011

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:09 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

161. CONFIRMATION OF AGENDA

MOVED by Councillor Carella seconded by Regional Councillor Di Biase

THAT the agenda be confirmed.

AMENDMENT

MOVED by Councillor Carella seconded by Councillor Shefman

That the following Addendum be added to the agenda:

1) PROCLAMATION REQUEST AUTISM AWARENESS MONTH

Report of the City Clerk with respect to the above.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

162. DISCLOSURE OF INTEREST

Regional Councillor Di Biase declared an interest with respect to Item 4, Committee of the Whole (Closed Session) Report No. 41 LITIGATION MATTER – ROSSI v. CITY OF VAUGHAN, as he is a party to the matter at issue.

Regional Councillor Di Biase declared an interest with respect to the Block 27 portion of Item 1, Special Committee of the Whole Report No. 39, MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1) RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS FILE 25.1, as his children have had a long standing interest in a parcel of land in the area within Block 27.

Councillor DeFrancesca declared an interest with respect to Item 1, Special Committee of the Whole Report No. 39, MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1) RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS FILE 25.1, insofar as it relates to Rizmi Milani lands, particularly 135YR and 154YR, in that she is a respondent to an application brought by Mrs. Milani.

163. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Di Biase seconded by Regional Councillor Schulte

THAT the minutes of the Council meeting of June 28, 2011, Special Council meeting minutes of July 6, 2011, Special Council (2) meeting minutes of July 6, 2011 and Special Council meeting minutes of July 11, 2011, be adopted as presented.

CARRIED

164. COMMUNICATIONS

MOVED by Councillor lafrate seconded by Regional Councillor Di Biase

THAT the City Clerk review the deadline for receipt of communications on a meeting day; and

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

CARRIED

165. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Special Committee of the Whole Report No. 39

Item 1

Committee of the Whole Report No. 40

Items 1, 22, 33, 37, 38, 42, 43 and 44

Committee of the Whole (Closed Session) Report No. 41

Items 1, 2 and 4

Finance and Administration Committee Report No. 16

Items 2, 4 and 5

Addendum

1

MOVED by Councillor lafrate seconded by Regional Councillor Di Biase

THAT Items 1 to 51 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;

THAT Items 1 to 6 of the Committee of the Whole (Closed Session) Report No. 41, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 42, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 7 of the Finance and Administration Committee Report No. 16, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

166. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

SPECIAL COMMITTEE OF THE WHOLE REPORT NO. 39

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

ITEM - 1 MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1) RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS FILE 25.1

MOVED by Councillor lafrate seconded by Regional Councillor Di Biase

THAT Item 1, Special Committee of the Whole Report No. 39 be adopted and amended, as follows:

By approving:

- 1) That the recommendation contained in Item 70YR to Attachment 1, Part B: Vaughan Official Plan 2010 (Volume 1) Summary of Respondents Requests/Staff Comments and Recommendations, (Item 1, Special Committee of the Whole Report No. 39), be amended by deleting recommendation 1 and replacing it with the following:
 - 1.a) Schedule 14-C "Areas Subject to Site Specific Plans" of VOP 2010 be amended to show the subject lands, recognizing that it is subject to site specific policies; and
 - b) That the site specific Official Plan policies recommended in the Special Committee of the Whole Report 39 of September 12, 2011, be further reviewed and amended as appropriate, for addition to Section 13 of Volume 2 (VOP 2010) for consideration by Council as part of the forthcoming report to Council on Volume 2 of the Vaughan Official Plan."

CARRIED

MOVED by Councillor DeFrancesca seconded by Regional Councillor Di Biase

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That recommendation 1m) be replaced with the following:

City staff be directed to report back to the Committee of the Whole meeting of October 25, 2011, on which lands they deem appropriate for re-designation to "Commercial Mixed Use" for the properties fronting on the east side of Weston Road between Chrislea Road and the south boundary of the Vaughan Mills Secondary Plan area.

CARRIED

MOVED by Councillor DeFrancesca seconded by Regional Councillor Di Biase

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That the recommendation contained in Item 83YR to Attachment 1, Part B "Vaughan Official Plan 2010 (Volume 1) – Summary of Respondents Requests/Staff Comments and Recommendations, (Item 1, Special Committee of the Whole Report No. 39), be amended by deleting "no change is recommended" and substituting the following recommendation:

- 1.a) Schedule 14-C "Areas Subject to Site Specific Plans" of VOP 2010 be amended to show the Block 40 lands currently being considered for an Official Plan Amendment; and
- b) That the following site specific Official Plan policy be added to Section 13 of Volume 2 (VOP 2010), subject to consideration by Council as part of the forthcoming report to Council on Volume 2 of the Vaughan Official Plan:

With respect to a land feature identified as the "Peninsula Lands" within the Block 40 proposed Block Plan, the precise limits of the valley land, and development land, in proximity of and inclusive of the "Peninsula Lands" will be established to the satisfaction of the City and the TRCA through the Block Plan process based on studies and criteria as established by the City in conjunction with the TRCA. If it is determined by the City in conjunction with the TRCA that developable land is identified through these studies and in accordance with the criteria prescribed by the City and the TRCA, then the Low-Rise Residential designation will be incorporated as part of the Official Plan Amendment currently being considered for Block 40.

CARRIED

MOVED by Regional Councillor Di Biase seconded by Councillor Carella

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That with respect to recommendation 1g), Section 3.2.3.7 on Modifications to Vaughan Official Plan "Planning-Environmental", it is recommended that a definition be added for the term, "significant", in s. 10.2.2 of the VOP as modified from the PPS definition, as follows:

Significant means:

- a) In regard to "wetlands" and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) In regard to the "habitat of endangered and threatened species", means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) In regard to "woodlands", an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; economically important due to site quality, species composition, or past management history; or an area that meets any one of the criteria in policy 2.2.40 of the York Region Official Plan; and
- d) In regard to other features and areas in policy 2.1 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.
- e) It is recommended that all appropriate instances of the term, significant, be italicized.
 - (i) That policy 3.3.1.1.a be modified, as follows:
 - replace the reference to policy "3.2.3.7.c" with "3.2.3.7"; and
 - add "and policy 3.3.1.4, and to the satisfaction of the Toronto and Region Conservation Authority".
 - (ii) That policy 3.3.2.1 be modified by adding the following at the end of subparagraph (a):

except as permitted per the provisions of policy 3.2.3.7 and in accordance with Provincial requirements;

- (iii) That policy 3.3.3.1 be modified by adding the following text at the end of subparagraph (a):
 - except as permitted per the provisions of policy 3.2.3.7 and, in the case
 of significant woodlands and their vegetation protection zones, the
 appropriate Regional or Provincial policies shall apply.
- (iv) That policy 3.3.4.1be modified by italicizing the term "significant", but otherwise maintain the text as provided in the September 12th, 2011 Report to Council.
- (v) That the last sentence in the first paragraph of the second text box in s. 3.2.3 be modified as follows:

Except as specifically set out in this Plan, development or site alteration will not be permitted in such areas. Significant alteration or expansion of any existing development in such areas will not be permitted except as specifically set out in this Plan.

CARRIED

MOVED by Councillor lafrate seconded by Councillor Racco

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That recommendation 1h) dealing with Item 21 YR, be replaced with the following:

"That the recommendation contained in Item 21YR (pertaining to the Ahmadiyya Campus on Schedule 14C), be amended by deleting recommendation 3 of Item 21YR and replacing it with the following:

- 3.1) Notwithstanding Policy 9.2.2.11 "Major Institutional" the following uses shall be permitted and such uses shall be associated with and be in support of the primary Place of Worship use, its activities and its community:
 - Schools and other Educational Facilities including lecture halls and meeting rooms;
 - b) Libraries:
 - c) Cultural facilities including a community hall;
 - d) Community Centres;
 - e) Recreation Facilities;
 - f) Day Care;
 - g) Media, Broadcasting and Communications Facilities;
 - h) Non-Commercial Hospitality Facilities;
 - i) Residential Units or other Residential Accommodation for Students, Staff, Volunteers and Visitors;
 - j) Offices;
 - k) An Apartment Building;
 - I) A Nursing Home and a Retirement Home;
 - m) Portable buildings for temporary use as offices and classrooms.
- 2) In consideration of all implementing development approvals it is the objective of the City to provide for the long-term evolution of the subject lands as a major institutional use, while ensuring compatibility with the adjacent low-rise, low density residential community, including but not limited to the consideration of building heights and massing, setbacks, landscaping and screening and building placement;"

CARRIED

MOVED by Councillor lafrate seconded by Councillor Racco

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That with respect to recommendation 1i), the Spadina Subway, Schedule 10 "Transit Network" be modified by:

- Showing the "Subway Extension" as extending north of Highway 7 to correspond with the end of track as defined by the tail track;
- Adding a dashed red-line, representing the "Conceptual Subway Extension" extending northeast from the end of track to Jane Street and then heading north parallel to Jane Street;
- Terminating the dashed red-line at Pennsylvania Avenue with an arrow pointing to the north; and
- That Policy 4.2.2.7 be modified to read: "To support the possible further extension of the Toronto-York Spadina Subway in the Jane Street right-of-way and adjacent properties."

CARRIED

MOVED by Regional Councillor Schulte seconded by Councillor Carella

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That Council's previous resolution of January 25, 2011 (Item 16, Committee of the Whole Report No. 1) with respect to Section 10.1.1 of VOP 2010, be reaffirmed, by replacing recommendation 1j) with the following:

In order to achieve orderly, managed growth and development, it is the policy of Council that the preparation of the New Community Areas Secondary Plan will only proceed: After five of the required secondary plans identified under the heading "Required Secondary Plan Areas", as shown on Schedule 14-A, "Areas Subject to Secondary Plans" have been substantially advanced; and the Natural Heritage Network Study has been completed. For the purposes of this policy, "substantially advanced" means that the secondary plans have proceeded to a statutory public hearing under the Planning Act.

CARRIED

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

MOVED by Councillor Carella seconded by Regional Councillor Schulte

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That recommendation 1f), dealing with Item 124YR, be replaced with the following:

"That the report on the site-specific policy in relation to the property located at 8151 Highway 50, in Ward 2, Item 124YR, be received and the site specific policy for this property be approved to recognize the commercial, retail warehouse and other uses permitted by By-law 171-2010 and that such policy be addressed in the Volume 2 report."

CARRIED

MOVED by Councillor Racco seconded by Councillor Shefman

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That consideration be given to the redesignation of the lands on the south east side of Jane Street from Rutherford Road to Riverock Gate from "Prestige Employment" to "Commercial Mixed Use", and that these lands be included as part of the Vaughan Mills Secondary Plan Study.

CARRIED

MOVED by Councillor Carella seconded by Councillor lafrate

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That recommendation 1c), be replaced, as follows:

That Item 522YR (west side of Islington Avenue north of Hwy. 407, Ward 2) be deferred to the Committee of the Whole meeting of November 15, 2011, to permit further consultation by staff, the applicant, and any required consultants of the most appropriate land use designation whether low, medium or high rise residential, particularly in light of the proposed Hwy. 407 GO Station immediately to the south.

CARRIED

MOVED by Regional Councillor Rosati seconded by Regional Councillor Schulte

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That recommendation 1l), with respect to lands located near the Steeles Avenue and Islington Avenue intersection, be amended, as follows:

(i) That the subject lands be redesignated from "Prestige Employment" to "Mid-Rise Mixed-Use" with a maximum height of 8 stories and a maximum density of 2.5 FSI; and, that a policy be added to Volume 2 of VOP 2010 that require a services review of the northwest quadrant of the intersection of Steeles Avenue and Islington Avenue, to address such matters as the availability of Parkland and other services as may be determined, prior to the development of the first site for residential purposes in this quadrant, and be considered in the review of all development applications in this area and that this area be identified on Schedule 14-C of VOP 2010, excluding the parcel of land west of Islington Avenue south of the railway track with an existing residential designation.

CARRIED

At this point in the meeting Mayor Bevilacqua relinquished the Chair and Regional Councillor Rosati assumed the Chair.

MOVED by Regional Councillor Schulte seconded by Councillor lafrate

THAT Item 1, Special Committee of the Whole Report No. 39 be further amended, as follows:

That Part 2 and Part 3 contained in the Follow-up Report of the Commissioner of Planning, dated September 27, 2011, be approved, as follows:

PART 2

- 1. The Vaughan Official Plan 2010, (Volume 1) be modified by adding the following policies to Section 2.2.4 "Employment Areas" by inserting the following after policy 2.2.4.1 and renumbering the remaining Section 2.2.4 accordingly:
 - 2.2.4.2.1.1 The lands designated "General Employment", "Prestige Employment" and "Commercial Mixed-Use" together constitute the City's "employment area" land supply as defined in the Growth Plan and the PPS.
 - 2.2.4.2.1.2 The City's employment area land supply is subject to the conversion policies of the Growth Plan and PPS.
 - 2.2.4.2.1.3 Any proposal for additional retail permissions that would exceed the 70/30 percent mix of 'retail' to 'non-retail commercial' or the addition of residential uses would be considered a conversion under the Growth Plan and could only be permitted through a municipal comprehensive review conducted by the City in coordination with the Region of York.
- The following actions be taken with respect to the sites and corridors discussed above:

- The lands at the southeast corner of the Langstaff Road and Weston Road Intersection be redesignated in VOP 2010 from "General Industrial" to "Commercial Mixed-Use";
- b) The lands on the north side of Rutherford Road south of the CN Rail Pull-Back Track, flanking west of Melville Road be redesignated in VOP 2010 from "Commercial Mixed-Use" to "Prestige Employment";
- c) The lands on the west side of the Highway 7 and Highway 27 Intersection be redesignated in VOP 2010 from "Prestige Employment" to "Commercial Mixed-Use" as per paragraph 1 of Part 1;
- d) The lands south of Highway 407, east side of Dufferin Street along Caraway Drive and Rocco Parkway retain the VOP 2010 designation of "Commercial Mixed-Use";
- e) The Jane Street Corridor: from Portage Parkway to Rutherford Road on the east side; and from Portage Parkway to Bass Pro Mills Drive on the west side, be redesignated in VOP 2010 from "Commercial Mixed-Use" to "Prestige Employment";
- f) The Steeles Avenue Corridor from Islington Avenue to Jane Street maintain the VOP 2010 designation of "Commercial Mixed-Use";
- g) The Steeles Avenue Corridor from Keele Street to Dufferin Street maintain the VOP 2010 designation of "Commercial Mixed-Use";
- 3. The lands located north of Major Mackenzie Drive, south and west of McNaughton Road, east of the Maple GO Station, be subject to the following land use designations and secondary plan requirements:
 - The westerly portion of the site between the existing retail uses and the GO Rail Station be redesignated to "Mid-Rise Mixed-Use";
 - That the easterly portion of the site containing the retail uses, maintain the Commercial Mixed-Use" designation as shown in the adopted VOP 2010;
 - That Schedule 14-A be amended to show the lands designated Mid-Rise Mixed-Use as a "Required Secondary Plan Area".

PART 3

a) Reference Correction

Special Committee of the Whole Report, September 12, 2011 Modifications to the Vaughan Official Plan – 2010 (Volume 1) Attachment 1, Part B, Summary of Respondents Requests/Staff Comments and Recommendations, Item 159 (Solmar), pp 58-59

That the term "Schedule 13-J" in the last paragraph of the Comments column be replaced by "Schedule 13-Q" to properly reflect the location of the subject property.

b) <u>Further Discussions in Respect of Industry Concerns: Gas Stations and Drive-</u> Through Facilities

Following the September 12, 2011 Special Committee of the Whole Meeting, Policy Planning staff met with representatives from the restaurant industry, interested landowners, and the

Region of York in regard to the VOP 2010 policies respecting car oriented uses including drive-through facilities. The concerns of the restaurant industry were discussed, focusing on the regulations, guidelines and prohibitions placed on drive-through facilities. Staff are of the opinion that progress was made towards reaching a resolution on this matter and will continue to work with industry representatives. In addition, staff will also engage the gas station interests in the process.

Both the current policies in VOP 2010 and those recommended in paragraph p) of the September 12, 2011 report on the proposed modifications may play a role in developing the new policy regime. However, at this point introducing the new policies recommended in paragraph p) of the September 12 report would not advance discussions.

That Recommendation No. 2 of the Commissioner of Planning be amended by adding the following after "Recommended Modifications":

"; save and except for the policies recommended in paragraph p) "Regulation of Automobile Oriented Uses: Gas Stations and Drive-Through Facilities".

That Staff pursue a resolution and report back to Council prior to the Region of York's approval of the modified VOP 2010."

THAT the following recommendation contained in Communication C18 from the Commissioner of Planning, dated September 27, 2011, be approved:

"That the following recommendation added to the Recommendation section of the September 27, 2011 "Follow-Up Report" to Council under Part 3: Other Issues, Modifications and Clarifications:

3.3 Paragraph c) in respect of potential changes to Section 3 "Environment"

That the implementing policies and schedules changes be prepared to reflect the modifications to VOP 2010 Volume 1 identified in the Commissioner of Planning's memorandum dated September 27, 2011 (Further Modifications to Chapter 3 of the Vaughan Official Plan-2010) and that such policies be forwarded to the Region of York for approval as part of the VOP 2010 Volume 1 approval process."

CARRIED

Mayor Bevilacqua resumed the Chair at this point.

MOVED by Councillor Carella seconded by Regional Councillor Rosati

THAT Item 1, Special Committee of the Whole Report No. 39, with the exception of the portions dealing with Block 27 and the Rizmi Lands, be adopted as amended; and

THAT the following Communications be received:

- C9 Report of the Commissioner of Planning, dated September 27, 2011;
- C10 Mr. Attilio Lio, Zodiac Developments Inc., 7501 Keele Street, Suite 401, Vaughan, L4K 1Y2, dated September 24, 2011;
- C12 Mr. Michael Melling, Davies Howe Partners LLP, 5th Floor, 99 Spadina Avenue, Toronto, M5V 3P8, dated September 26, 2011;
- C13 Ms. Carolyn Woodland, Toronto and Region Conservation Authority, 5 Shoreham Drive, Downsview, M3N 1S4, dated September 27, 2011;
- C14 Mr. Joel D. Farber, Fogler, Rubinoff LLP, 95 Wellington Street West, Suite 1200,

Toronto-Dominion Centre, Toronto, M5J 2Z9, dated September 27, 2011; and C16 Mr. Mark Yarranton, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, dated September 27, 2011.

CARRIED

MOVED by Regional Councillor Rosati seconded by Councillor lafrate

THAT Item 1, Special Committee of the Whole Report No. 39, dealing insofar as it relates to Block 27, be adopted as amended.

CARRIED

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

MOVED by Regional Councillor Rosati seconded by Councillor lafrate

THAT Item 1, Special Committee of the Whole Report No. 39, insofar as it relates to Rizmi Milani lands, be adopted as amended.

CARRIED

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

COMMITTEE OF THE WHOLE REPORT NO. 40

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

ITEM - 37 ZONING BY-LAW AMENDMENT FILE Z.03.008 DRAFT PLAN OF SUBDIVISION FILE 19T-03V02 1321362 ONTARIO INC. WARD 1

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 37, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving:

That should the linear park be developed as shown on Draft Plan of Subdivision 19T08V06 (1422174 Ontario Ltd. Lea Vivot) rather than the proposed alternate park location as shown on Lots 11 and 12 Draft Plan of Subdivision 19T-03V02 and lots 32 to 38 Draft Plan of Subdivision 19T-08V04; and

That playground amenities be included in the design of the linear park as requested by the Hedgerow Estates Ratepayers Association.

CARRIED

ITEM - 38 ZONING BY-LAW AMENDMENT FILE Z.08.035

DRAFT PLAN OF SUBDIVISION FILE 19T-08V04 11336 HIGHWAY 27 LIMITED PARTNERSHIP WARD 1

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 38, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving:

That should the linear park be developed as shown on Draft Plan of Subdivision 19T08V06 (1422174 Ontario Ltd. Lea Vivot) rather than the proposed alternate park location as shown on Lots 11 and 12 Draft Plan of Subdivision 19T-03V02 and lots 32 to 38 Draft Plan of Subdivision 19T-08V04; and

That playground amenities be included in the design of the linear park as requested by the Hedgerow Estates Ratepayers Association.

CARRIED

Addendum

167. PROCLAMATION REQUEST AUTISM AWARENESS MONTH

(Addendum No. 1)

MOVED by Councillor Racco seconded by Regional Councillor Schulte

That the recommendation contained in the following report of the City Clerk, dated September 27, 2011, be approved.

CARRIED

Report of the City Clerk, dated September 27, 2011

Recommendation

The City Clerk recommends:

- That October 2011 be proclaimed as "Autism Awareness Month" in the City of Vaughan;
 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 "Events – Proclamations" and on the City Page Online.

Purpose

To respond to the request received from the Chapter Manager, Autism Ontario – York Region Chapter.

Background - Analysis and Options

The correspondence received from the Chapter Manager, Autism Ontario – York Region Chapter, dated September 15, 2011, is attached. (Attachment 1) This request was received too late to be placed on the last Committee of the Whole meeting Agenda. Due to the time-sensitivity of the proclamation request to proclaim October as Autism Awareness Month, we respectfully request that Council ratify the action taken.

The proclamation request meets 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"

Autism Ontario was established in 1973 and has been providing support to many families across York Region and Ontario to help them cope with this devastating disorder. They are a leading source of information and referral on autism and their mandate is to ensure that each individual with autism is provided the means to achieve a better quality of life in the community. The proclamation would raise awareness as well as much needed support.

Relationship to Vaughan Vision 2020/Strategic Plan

This report supports the strategic priorities established by Vaughan Vision 2020, in particular "Enhance and Ensure Community Safety, Health and Wellness".

Regional Implications

This report supports the promotion of awareness throughout the Region about autism.

Conclusion

Staff is recommending that October 2011 be proclaimed as "Autism Awareness Month" in the City of Vaughan, and that the proclamation be posted on the City's website and on the City Page Online. Given that the next meeting of Council is on October 18, 2011, this report recommends that Council ratify the decision at its meeting of September 27, 2011.

<u>Attachments</u>

Attachment 1 Correspondence from the Chapter Manager, Autism Ontario – York Region Chapter dated September 15, 2011

Report prepared by

Connie Bonsignore, Administrative Assistant to the City Clerk

COMMITTEE OF THE WHOLE REPORT NO. 40

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

ITEM - 22 STOPPING PROHIBITION REVIEW EAGLE ROCK WAY WARD 4

MOVED by Councillor Racco seconded by Regional Councillor Schulte

That consideration of this matter be deferred to the Committee of the Whole meeting of October 4, 2011 to allow staff to review the matter with GO Transit, in accordance with Communication C4 from the Commissioner of Engineering and Public Works, dated September 21, 2011.

CARRIED

ITEM - 33 CONCORD GO CENTRE SECONDARY PLAN STUDY APPROVAL OF TERMS OF REFERENCE

DIRECTION TO ISSUE A REQUEST FOR PROPOSAL FOR

CONSULTING SERVICES

FILE: 26.3 WARDS 4 & 5

MOVED by Councillor Racco seconded by Regional Councillor Schulte

THAT Item 33, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving:

That the following be included in Section ii) under "Goals and Objectives" of the Terms of Reference:

"The Study needs to examine the ecology of protected species in this area;"

By approving that staff be directed to revise the draft Terms of Reference to reflect the input arising from the discussions with the Concord West Ratepayers Association, in accordance with Communication C15 from the Commissioner of Planning, dated September 27, 2011; and

By receiving the following report of the Commissioner of Planning, dated September 13, 2011.

CARRIED

ITEM - 1 <u>GENERAL LICENSING BY-LAW REVIEW</u> (Deferred)

MOVED by Councillor Carella seconded by Regional Councillor Rosati

THAT Item 1, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving that representatives of the taxicab industry be invited to attend a Committee of the Whole (Working Session) meeting no sooner than February 1, 2012, to discuss their concerns with respect to By-law Enforcement as it applies to the taxicab industry; and

By receiving Communication C20 from Mr. Nathan Asare, dated September 13, 2011, submitted by Councillor Carella.

CARRIED

ITEM - 42 AWARD OF TENDER T11-029
MAJOR MACKENZIE DRIVE WATERMAIN REPLACEMENT
FROM KEELE STREET TO CNR UNDERPASS
WARDS 1 AND 4

MOVED by Councillor lafrate seconded by Councillor Racco

THAT Item 42, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving the following in accordance with Communication C1 from the Commissioner of Engineering and Public Works, dated September 19, 2011:

- 1. That Tender T11-029, Major Mackenzie Drive Watermain Replacement, Keele Street to CNR Underpass be awarded to STG Construction Ltd. in the amount of \$861,380.00, plus applicable taxes;
- 2. That a contingency allowance in the amount of \$90,000.00, plus applicable taxes be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
- 3. That a Geotechnical and Material Testing amount of \$15,000.00, plus applicable taxes be approved to ensure compliance with all applicable standards; and
- 4. That the Mayor and City Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 43 AWARD OF TENDER T11-290
INTERSECTION IMPROVEMENTS AT BATHURST STREET AND ATKINSON AVENUE
WARD 5

MOVED by Councillor Shefman seconded by Councillor Carella

THAT Item 43, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving the following in accordance with Communication C2 from the Commissioner of Engineering and Public Works, dated September 19, 2011:

- 1. That Tender T11-290 for the Intersection Improvements at Bathurst Street and Atkinson Avenue be awarded to Vaughan Paving Ltd. in the amount of \$156,430.98, plus applicable taxes:
- 2. That a contingency allowance in the amount of \$16,000.00, plus applicable taxes be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;
- 3. That a Geotechnical and Material Testing amount of \$3,000.00, plus applicable taxes be approved to ensure compliance with all applicable standards; and
- 4. That the Mayor and City Clerk be authorized to sign the appropriate documents.

CARRIED

ITEM - 44 DISTRICT ENERGY

MOVED by Councillor Racco seconded by Regional Councillor Rosati

THAT Item 44, Committee of the Whole Report No. 40 be adopted and amended, as follows:

By approving the following resolution, in accordance with Communication C5 of the City Manager, dated September 22, 2011:

WHEREAS The Municipality of the City of Vaughan ("Vaughan") is the sole shareholder of Vaughan Holdings Inc. ("VHI");

AND WHEREAS VHI has undertaken a feasibility study with respect to opportunities for the development of planned energy systems for distribution of thermal energy, and efficient and environmentally superior methods of producing electricity and heating and cooling energy, and the distribution thereof (collectively, "District Energy");

AND WHEREAS Vaughan therefore desires to proceed with the District Energy business, either through its subsidiary VHI, or, as determined in the discretion of VHI through a separate wholly-owned subsidiary of VHI;

AND WHEREAS VHI is subject to a Unanimous Shareholder Declaration in favour of Vaughan dated June 11, 2004, which limits the business which may be conducted by VHI, and also precludes the establishment of any subsidiary of VHI, without the approval of Vaughan;

AND WHEREAS Vaughan has today received a recommendation with respect to District Energy from the City Manager, the Commissioner of Finance and the City Solicitor (the "district Energy Report");

NOW THEREFORE BE IT RESOLVED that:

- 1. The District Energy Report is hereby approved;
- 2. The business of VHI be expanded to permit the carrying on of District Energy'
- Such District Energy may be carried on by VHI, either directly or through a whollyowned subsidiary of VHI, as determined in the discretion of the Board of Directors of VHI; and
- 4. The Mayor, together with the City Clerk, are hereby authorized and directed for and on behalf of Vaughan to execute and deliver all documents in form and content satisfactory to such signing officers, as may be required to more effectively give effect to these resolutions.

CARRIED

FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 16

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

ITEM - 2 REGION OF YORK – AUTHORIZATION TO ISSUE LONG TERM DEBT THROUGH INFRASTRUCTURE ONTARIO

MOVED by Councillor lafrate seconded by Councillor Racco

THAT Item 2, Finance and Administration Committee Report No. 16 be adopted and amended, as follows:

By approving the following in accordance with Communication C17 from the Commissioner of Finance and City Treasurer, dated September 27, 2011:

- 1) That Council authorize the Regional Municipality of York to issue debt through Infrastructure Ontario in the amount of \$14,017,000 on behalf of the City of Vaughan repayable over a term not exceeding ten (10) years to fund capital work completed and previously authorized by Council to be financed from long term debt and listed on Attachment 1; and
- 2) That the attached revised By-law 159-2011 be adopted; and

By receiving Communication C19 of the Commissioner of Finance & City Treasurer, dated September 26, 2011.

CARRIED

ITEM - 4 AMENDMENT TO THE CITY'S 2011 CAPITAL BUDGET ENTRANCEWAY FEATURE IMPROVEMENT AT THE INTERSECTION OF ISLINGTON AVENUE AND KILORAN AVENUE WARD 2

MOVED by Councillor Carella seconded by Councillor Shefman

THAT Item 4, Finance and Administration Committee Report No. 16 be adopted without amendment.

CARRIED

ITEM - 5 SALARIES OF PART-TIME COUNCIL ASSISTANTS

MOVED by Regional Councillor Di Biase seconded by Councillor Racco

THAT Item 5, Finance and Administration Committee Report No. 16 be adopted without amendment.

CARRIED

MOVED by Councillor lafrate seconded by Regional Councillor Rosati

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

 i) Item 1, Report No. 41 of the Committee of the Whole (Closed Session) APPOINTMENTS TO TASK FORCES

(personal matters about identifiable individuals)

ii) Item 2, Report No. 41 of the Committee of the Whole (Closed Session) ONTARIO MUNICIPAL BOARD APPEAL, 1678573 ONTARIO INC., FILES OP.08.016 AND Z.08.062, 77 EAGLEVIEW HEIGHTS – WARD 3

(litigation or potential litigation)

iii) Item 4, Report No. 41 of the Committee of the Whole (Closed Session) LITIGATION MATTER – ROSSI v. CITY OF VAUGHAN

(litigation or potential litigation)

CARRIED

Council recessed at 4:28 p.m.

MOVED by Councillor lafrate seconded by Regional Councillor Rosati

That Council reconvene at 7:00 p.m.

CARRIED

MOVED by Councillor Carella seconded by Councillor Racco

THAT the Rules of Procedure be waived to permit the meeting to continue past 6:00 p.m.

CARRIED

Council reconvened at 7:00 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 Marilyn Iafrate Councillor Alan Shefman Councillor Sandra Yeung Racco

168. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 41

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

ITEM - 1 APPOINTMENTS TO TASK FORCES

MOVED by Councillor Racco seconded by Councillor Carella

THAT Item 1, Committee of the Whole (Closed Session) Report No. 41 be adopted and amended, as follows:

By approving the following recommendation of the Council (Closed Session) meeting of September 27, 2011:

 That the following appointments be made to the Pierre Berton Artifacts and Memorabilia Task Force:

Representing City Council

Regional Councillor Rosati

Regional Councillor Di Biase

Councillor lafrate

Representing the Community

Robert Klein

David Rutherford

Scott Somerville

2) That the following appointments be made to the Task Force on the City's Role in Festivals and Community Events:

Representing City Council

Councillor Shefman

Regional Councillor Schulte

Councillor DeFrancesca

Representing Established Festivals

Dale McClease, representing Maplefest

Sylvia McClease, representing Pancake Festival

Jamie Maynard, representing the Woodbridge Fair

Robert Stitt, representing the Thornhill Festival

Representing the Community

Sandi Folkes

Jacky Odish

Renata Pahcihi

Nancy Payne

That the following appointments be made to the Telecommunication Facility Siting Protocol Task Force:

Representing City Council

Regional Councillor Schulte

Councillor DeFrancesca

Representing the Public

Mubarak Ahmed

Tina Catalano

Von Chaleunsouk

Mark Goldberg

Christina Sgro

Representing the Telecommunication Industry

Azeem Ahmed

Stephen D'Agostino

Colin Lavery

- 4) That the City Clerk recruit members for appointment to the Task Force on the City's Role in Festivals and Community Events to represent Bindertwine, Woodbridge Italian Festival and Santafest:
- 5) That the Terms of Reference for the Pierre Berton Artifacts and Memorabilia Task Force and the Task Force on the City's Role in Festivals and Community Events be

amended accordingly to reflect changes made to the membership by Members of Council during the appointment process; and

6) That the confidential report of the City Clerk, dated September 13, 2011, be received.

CARRIED

ITEM - 2 ONTARIO MUNICIPAL BOARD APPEAL 1678573 ONTARIO INC. FILES OP.08.016 AND Z.08.062 77 EAGLEVIEW HEIGHTS – WARD 3

MOVED by Regional Councillor Di Biase seconded by Councillor Carella

THAT Item 2, Committee of the Whole (Closed Session) Report No. 41 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of September 27, 2011.

CARRIED

ITEM - 4 <u>LITIGATION MATTER - ROSSI v. CITY OF VAUGHAN</u>

MOVED by Councillor DeFrancesca seconded by Councillor Carella

THAT Item 4, Committee of the Whole (Closed Session) Report No. 41 be adopted without amendment.

CARRIED

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

169. BY-LAWS

MOVED by Councillor Shefman seconded by Regional Councillor Schulte

That the following Communications be received:

- By-law 176-2011 C6 Memorandum from the Commissioner of Planning, dated September 22, 2011; and
- 2) By-law 159-2011 C17 Memorandum from the Commissioner of Finance and City Treasurer, dated September 27, 2011; and

THAT the following by-laws be enacted:

By-Law Number 157-2011

A By-law to assume Municipal Services in Rose Valley Homes Subdivision, 19T-97V24, Registered Plan 65M-3609. (Subdivision Agreement – 1200755 Ontario Limited dated June 10, 2002) (Item 20, Committee of the Whole, Report No. 40)

By-Law Number 158-2011	A By-law to assume Municipal Services in Imperial Oil Development Agreement. (Development Agreement – Imperial Oil Limited dated January 15, 2004. (Item 21, Committee of the Whole, Report No. 40)
By-Law Number 159-2011 (Amended)	A By-Law to authorize certain capital works of the Corporation of the City of Vaughan (the "Lower-tier Municipality"); to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation ("OILC") for financing such works and certain other ongoing works; to authorize temporary borrowing from OILC to meet expenditures made in connection with such works; and to authorize long term borrowing for such works through the issue of debentures by the Regional Municipality of York (the "Upper-tier Municipality") to OILC(Item 2, Finance and Administration Committee, Report No. 16)
By-Law Number 160-2011	A By-law to amend Appointment By-Law 73-2007. (Appointment of By-law Officers, Security Companies) (Delegation By-law 196-2010)
By-Law Number 161-2011	A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board (Z.09.030, 2123659 Ontario Inc. & Joe Wade). (Council, January 25, 2011, Item 17, Committee of the Whole, Report No. 1)
By-Law Number 162-2011	A By-law to dedicate certain lands as part of the public highway. (Golden Orchard Road, Jack Pine Road, Lauderdale Drive, Coral Acres Drive, Ivy Glen Drive, Peter Rupert Avenue and Grand Trunk Avenue, Ivyglen Developments Inc. 19T-00V14, Phase 1, 2 & 2A, Block 18) (65M-3935/65M-4073/65M-4202) (Delegation By-law 196-2010)
By-Law Number 163-2011	A By-law to dedicate certain lands as part of the public highway. (Jack Pine Road, Chayna Crescent, Ascalon Drive, Sand Valley Street, Barletta Drive, Peter Rupert Avenue and Grand Trunk Avenue. East Maple Creek Lands Ltd.) (19T-00V15, Phase 1, 2 & 2A, Block 18) (65M-3936/65M-4046/65M-4259) (Delegation By-law 196-2010)
By-Law Number 164-2011	A By-law to dedicate certain lands as part of the public highway. (Golden Forest Road and Peter Rupert Avenue, Medallion Developments (South Maple) Limited/Dufferin Rutherford Holdings Limited, 19T-00V19, Phase 1, 2 & 2A, Block 18) (65M-3941/65M-4113/65M-/4253) (Delegation By-law 196-2010)
By-Law Number 165-2011	A By-law to dedicate certain lands as part of the public highway. (Lauderdale Drive, Coral Acres Drive, Margarita Road, Mahogany Forest Drive and Peter Rupert Avenue, Milescove Holdings Inc., 19T-01V01, Phase 1, 2 & 2A Block 18) (65M-3940/65M-4041/65M-4214) (Delegation By-law 196-2010)
By-Law Number 166-2011	A By-law to dedicate certain lands as part of the public highway. (Grand Trunk Avenue and Princess Isabella Court, 1275620 Ontario Inc., 19T-02V10, Phase 1 & 2, Block 18) (65M-3984/65M-4068) (Delegation By-law 196-2010)
By-Law Number 167-2011	A By-law to dedicate certain lands as part of the public highway. (Lealinds Road and Black Maple Crescent, Honeyvale Glade Estates Inc.19T-03V15 & 19T-03V18, Phase 1, 2 & 2A Block 18) (65M-3933/65M-4042/65M-4203) (Delegation By-law 196-2010)

By-Law Number 168-2011

A By-law to exempt parts of Plan 65M-4251 from the provisions of Part Lot Control. (PLC.11.011, Greenbrooke Developments Inc., located north of Major Mackenzie Drive and west of Weston Road, more specifically Lots 44 - 49 inclusive, (33, 35, 37, 39, 43, 45, 47, 49, 53, 55, 57 and 59 Ostrovsky Road) and Lots 58 – 74 inclusive (6 – 9 inclusive, 11, 12, 14, 15, 17 – 20 inclusive, 22 -25 inclusive, 27 – 30 inclusive, 33 – 40 inclusive, 43, 45, 47, 49, 51 and 53 Hansard Drive) on Registered Plan 65M-4251, in Part of Lot 23, Concession 6) (Delegation By-law 196-2010)

By-Law Number 169-2011

A By-law to repeal By-law 168-2011. (PLC.11.011, Greenbrooke Developments Inc., located north of Major Mackenzie Drive and west of Weston Road, more specifically Lots 44 - 49 inclusive, (33, 35, 37, 39, 43, 45, 47, 49, 53, 55, 57 and 59 Ostrovsky Road) and Lots 58 - 74 inclusive (6 - 9 inclusive, 11, 12, 14, 15, 17 - 20 inclusive, 22 -25 inclusive, 27 - 30 inclusive, 33 - 40 inclusive, 43, 45, 47, 49, 51 and 53 Hansard Drive) on Registered Plan 65M-4251, in Part of Lot 23, Concession 6) (Delegation By-law 196-2010)

By-Law Number 170-2011

A By-law to exempt parts of Plan 65M-4051 from the provisions of Part Lot Control. (PLC.11.012, 2255484 Ontario Limited, located on the west side of Islington Avenue, south of Langstaff Road, more specifically Lots 7 - 12 inclusive on Plan 65M-4051 (8450 - 8472 Islington Avenue inclusive), in Part of Lot 10, Concession 7) (Delegation By-law 196-2010)

By-Law Number 171-2011

A By-law to repeal By-law 170-2011. (PLC.11.012, 2255484 Ontario Limited, located on the west side of Islington Avenue, south of Langstaff Road, more specifically Lots 7 - 12 inclusive on Plan 65M-4051 (8450 - 8472 Islington Avenue inclusive), in Part of Lot 10, Concession 7) (Delegation By-law 196-2010)

By-Law Number 172-2011

A By-law to exempt parts of Plan 65M-4213 from the provisions of Part Lot Control. (PLC.11.014, Melina Holdings Ltd., located north of Canada Drive, west of Vellore Park Avenue, more specifically Lot 32 on Registered Plan 65M-4213 (56 Corner Brook Crescent), in Part of Lot 24, Concession 5) (Delegation By-law 196-2010)

By-Law Number 173-2011

A By-law to repeal By-law 172-2011. (PLC.11.014, Melina Holdings Ltd., located north of Canada Drive, west of Vellore Park Avenue, more specifically Lot 32 on Registered Plan 65M-4213 (56 Corner Brook Crescent), in Part of Lot 24, Concession 5) (Delegation Bylaw 196-2010)

By-Law Number 174-2011

A By-law to exempt parts of Plan 65M-4283 from the provisions of Part Lot Control. (PLC.11.015, Ozner Corporation (South), located North of Major Mackenzie Drive, and east of Vellore Park Avenue with frontage onto Manordale Crescent, specifically Lot 1 on Registered Plan 65M-4283, in Part of Lot 22, Concession 5) (Delegation By-law 196-2010)

By-Law Number 175-2011

A By-law to repeal By-law 174-2011. (PLC.11.015, Ozner Corporation (South), located North of Major Mackenzie Drive, and east of Vellore Park Avenue with frontage onto Manordale Crescent, specifically Lot 1 on Registered Plan 65M-4283, in Part of Lot 22, Concession 5) (Delegation By-law 196-2010)

COUNCIL MEETING MINUTES – SEPTEMBER 27, 2011

By-Law Number 176-2011 A By-law to amend City of Vaughan By-law 1-88 as amended by By-

law 185-2008. (Removal of the Holding Symbol "(H)"(Z.10.016, 2088756 Ontario Limited, located on the east side of Islington Avenue, south of Langstaff Road, in Part of Lot 10, Concession 7, and 8441 Islington Avenue. (Council, June 29, 2010, Item 15,

Committee of the Whole, Report No. 31)

By-Law Number 177-2011 A By-law to amend By-law 315-2005, as amended, being a By-law

to provide for the licensing, regulating and governing of certain businesses, activities and undertakings in the City of Vaughan. (Item

1, Committee of the Whole, Report No. 40)

By-Law Number 178-2011 A By-law to exempt parts of Plan 65M–3992 from the provisions of

Part Lot Control. (PLC.11.013, Zzen Developments Limited, located at 7911 Huntington Road (Block 23 on Registered Plan 65M-3992), north of Regional Road 7, east of Huntington Road, in Lot 7,

Concession 8) (Delegation By-law 196-2010)

By-Law Number 179-2011 A By-law to repeal By-law 178-2011. (PLC.11.013, Zzen

Developments Limited, located at 7911 Huntington Road (Block 23 on Registered Plan 65M-3992), north of Regional Road 7, east of Huntington Road, in Lot 7, Concession 8) (Delegation By-law 196-

2010)

CARRIED

170. CONFIRMING BY-LAW

MOVED by Councillor Carella seconded by Councillor lafrate

THAT By-law Number 180-2011, being a by-law to confirm the proceedings of Council at its meeting on September 27, 2011, be enacted.

CARRIED

171. ADJOURNMENT

MOVED by Regional Councillor Di Biase seconded by Councillor lafrate

THAT the meeting adjourn at 7:04 p.m.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS NAYS

Councillor Shefman
Councillor Racco
Regional Councillor Schulte
Regional Councillor Rosati
Mayor Bevilacqua
Regional Councillor Di Biase
Councillor DeFrancesca
Councillor Carella

Councillor lafrate

COUNCIL MEETING MINUTES – SEPTEMBER 27, 2011				
Hon. Maurizio Bevilacqua, Mayor	Jeffrey A. Abrams, City Clerk			