



**COUNCIL MEETING – MAY 14, 2019
COMMUNICATIONS**

Distributed May 10, 2019

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C1	Deputy City Manager, Planning & Growth Management, dated May 10, 2019	17	2	Committee of the Whole

Distributed May 13, 2019

C2	Director & Chief Licensing Officer, By-law & Compliance Licensing & permit Services, dated May 10, 2019			Addendum 2 By-law 075-2019
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Distributed May 14, 2019

C3	Mr. Daniel Tiberini, Rainbow's End, Kleinburg, dated May 13, 2019	17	27 & 28	Committee of the Whole
C4	Mr. Claudio D'Uva, Wishing Well Court, Kleinburg, dated May 13, 2019	17	27 & 28	Committee of the Whole
C5	Fabio and Sulamith Fata, Autumn Wind Court, Kleinburg, dated May 13, 2019	17	27 & 28	Committee of the Whole
C6	Mr. Enzo Di Iorio, Practice Chair, Litigation, Miller Thompson LLP, New Park Place, Vaughan, and Vera Di Iorio, dated May 13, 2019	17	27 & 28	Committee of the Whole
C7	Mr. Nicholas C. Tibollo, Professional Corporation, Litigation Lawyers, Milani Boulevard, Vaughan, dated May 14, 2019	17	27 & 28	Committee of the Whole

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Please note there may be further Communications.

DATE: MAY 10, 2019

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM: JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER, PLANNING & GROWTH MANAGEMENT

RE: COMMUNICATION – ITEM 2, REPORT NO. 17
OFFICIAL PLAN AMENDMENT FILE OP.18.018, ZONING BY-LAW AMENDMENT
FILE Z.18.030 AND SITE DEVELOPMENT FILE DA.18.074
PENGUIN-CALLOWAY (VAUGHAN) LTD.
WARD 4 – VICINITY OF JANE STREET AND PORTAGE PARKWAY

Recommendation

The Deputy City Manager, Planning & Growth Management and the Director, Vaughan Metropolitan Centre (VMC), recommend:

1. THAT the Recommendation No. 9 a) viii) identified in the Technical Report dated May 7, 2019 (Item 2 of Report 17) from the Deputy City Manager, Planning & Growth Management, Director of Vaughan Metropolitan Centre (VMC), be amended as follows:
 - deleting the text “The Owner should note that the certification date of the RSC should occur only after the last day of use as a commercial parking lot.”

Background

The Committee of the Whole on May 7, 2019, considered a Technical Report (Item 2 of Report 17) regarding Official Plan and Zoning By-law Amendment Files OP.18.018 and Z.18.030 (Penguin-Calloway (Vaughan) Ltd.) to permit a mixed-use development consisting of three residential towers of varying heights, being 45-storeys (Building B1), 36-storeys (Building B2, which the Owner proposes to be rental housing) and 50-storeys (Building B3), with six storey podiums with integrated retail at grade, and three levels of underground parking.

Proposal

The amendment to Recommendation No. 9 a) viii) will no longer require the Owner to provide a Record of Site Condition (‘RSC’) with a certification date occurring prior to all current commercial activities ceasing on the Subject Lands. The RSC that is filed in support of the proposed land use is filed and accepted by the Ministry of Environment (“MOE”) regardless of the current land use. The Development Engineering Department has reviewed the proposed amendment and has no objection to the deletion of the text “The Owner should note that the certification date of the RSC should occur only after the last day of use as a commercial parking lot.”

Conclusion

The Development Planning Department supports the amendments to Recommendation 9 a) viii) as the amendment is technical in nature and required to implement the development proposal.

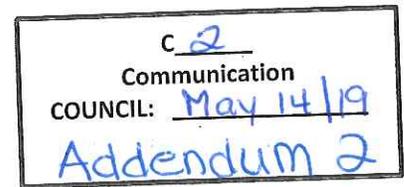
Respectfully submitted,

 Christina Bruce, per

JASON SCHMIDT-SHOUKRI,
Deputy City Manager,
Planning & Growth Management

Copy to: Tim Simmonds, Interim City Manager
Christina Bruce, Director, VMC Program
Andrew Pearce, Director, Development Engineering

NW/cm



(ByLaw 075-2019)

DATE: May 10, 2019

TO: Hon. Mayor & Members of Council

CC: Tim Simmonds, Interim City Manager
Mary Reali, Deputy City Manager, Community Services
Todd Coles, City Clerk

FROM: Gus Michaels, Director & Chief Licensing Officer, By-law & Compliance,
Licensing & Permit Services

Re: **Parking By-law – Minor Revisions**

Purpose

On May 1, 2019, By-law & Compliance, Licensing & Permit Services (BCLPS) brought forward a consolidated Parking By-law which brought together over 240 amending by-laws dating back to 1996; after enactment, staff identified a handful of required minor technical amendments, including section references in Schedule 10, which provides for administrative monetary penalty amounts.

Recommendations

Staff recommend the following:

1. Amend Parking By-law 064-2019, Section 7.0(5) to state, “If the signs under 7.0(4) are not erected within ten (10) business days of the delivery of the notice from the *City*, the *City* may enter the lands in question and erect the required signs at the expense of the *Owner*, which may be recovered by action in like manner as municipal taxes;”.
2. Amend Parking By-law 064-2019, Subsection 5.0(11)(h) to state, “on the inside or outside curve portion of an angle bend from the beginning of the curve to the end of the curve;”.

3. Replace the Table in Schedule 10 – Offences and Corresponding Administrative Monetary Penalties with the following:

Section	Description	Fine Amount
5.0(1)(a)	Park on highway, left wheels to curb	\$ 50
5.0(1)(b)	Park more than 0.15 metres from curb	\$ 50
5.0(4)	Park on or outside of designated angle-parking space	\$ 50
5.0(6)(a)	Stop so as to obstruct footpath or crosswalk	\$ 75
5.0(6)(b)	Stop on highway within an intersection	\$ 50
5.0(6)(c)	Stop so as to obstruct pedestrian crossover	\$ 75
5.0(6)(d)	Stop within 9 metres of pedestrian crossover	\$ 75
5.0(6)(e)	Stop alongside excavation/obstruction, to impede	\$ 75
5.0(6)(f)	Stop on a highway beside stopped or parked vehicle	\$ 75
5.0(6)(g)	Stop on a bridge of tunnel/underpass	\$ 50
5.0(6)(h)	Stop on a centre strip	\$ 50
5.0(6)(i)	Stop on boulevard	\$ 50
5.0(6)(j)	Stop on a dedicated cycling facility	\$ 75
5.0(7)	Park so as to obstruct sidewalk	\$ 75
5.0(8)	Park within 3 metres of fire hydrant	\$ 200
5.0(9)(a)	Park longer than 3 hours between 6:00 am & 6:00 p.m.	\$ 50
5.0(9)(b)	Park on highway between 2:00 a.m. & 6:00 a.m.	\$ 50
5.0(9)(c)	Park in front of or within 0.6 metres of a private roadway	\$ 60
5.0(9)(d)	Park on highway, within 9 metres of intersection	\$ 50
5.0(9)(e)	Park within 15 metres of level railway crossing	\$ 50
5.0(9)(f)	Park on a street that is less than 6 metres	\$ 50
5.0(9)(g)	Park on a highway within 6 metres of a hotel, theatre or public hall entrance	\$ 50
5.0(9)(h)	Park in a position preventing another parked vehicle leaving	\$ 75
5.0(9)(i)	Park on a highway to wash, grease, or repair	\$ 50

Section	Description	Fine Amount
5.0(9)(j)	Park for the purpose of displaying vehicle for sale	\$ 50
5.0(9)(k)	Park so as to interfere with snow clearing	\$ 75
5.0(9)(l)	Park so as to interfere with movement of traffic	\$ 75
5.0(9)(m)	Park opposite a vehicle where the roadway is less than 9 metres	\$ 75
5.0(9)(n)	Park on highway, within 6 metres of a bus stop	\$ 50
5.0(9)(o)	Park within 150 metres of an engaged fire fighting apparatus	\$ 75
5.0(9)(p)	Park within 7 metres of fire hall driveway, same side of street	\$ 50
5.0(9)(p)	Park within 30 metres of fire hall driveway, opposite side of street	\$ 50
5.0(9)(q)	Park on boulevard	\$ 50
5.0(9)(r)	Park on a dedicated cycling facility	\$ 75
5.0(11)(a)	Park on highway, within 30 metres of intersection	\$ 50
5.0(11)(b)	Park on highway, within 25 metres of a bus stop	\$ 50
5.0(11)(c)	Park on side of highway contiguous to school property between 8:00 a.m. and 6:00 p.m.	\$ 50
5.0(11)(d)	Park in an area designated "Police Vehicles Only"	\$ 75
5.0(11)(e)	Park in an area designated taxi cab stand	\$ 50
5.0(11)(f)	Park in an area designated "Emergency No Parking"	\$ 75
5.0(11)(g)	Park within 15 metres of a crosswalk	\$ 50
5.0(11)(h)	Park on the inside or outside curve of an angle bend	\$ 50
5.0(11)(i)	Park on a designated fire route	\$ 200
5.0(12)	Stop within 15 metres of a signed school crossing	\$ 50
5.0(13)(a)	Park without authorization in visitor parking	\$ 50
5.0(13)(b)	Park in a reserved parking space	\$ 50
5.0(13)(c)	Park in a non-designated space	\$ 50
5.0(14)	Park a commercial vehicle on a residential lot	\$ 60
6.0(1)	Park on a highway during a prohibited time	\$ 50
6.0(2)	Park on a scenic route during a prohibited time	\$ 50

Section	Description	Fine Amount
6.0(5)	Park in a school bus loading zone	\$ 50
6.0(6)	Stand on a highway during a prohibited time	\$ 50
6.0(7)	Park or stop longer than 10 minutes in a designated area	\$ 75
7.0(3)	Park in a fire route	\$ 200
7.0(6)	Park within 3 metres of a Fire Department Connection	\$ 75
8.0(1)	Park on private/municipal property	\$ 60
9.0(2)	Park in a designated accessible space	\$ 400
13.0(3)	Hinder or obstruct	\$ 100

Respectfully Submitted,



Gus Michaels

Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services

Britto, John

From: Daniel Tiberini [REDACTED]
Sent: Monday, May 13, 2019 6:24 PM
To: Clerks@vaughan.ca
Subject: FW: Boulevard/Humberplex Petition

c 3		
Communication		
COUNCIL: MAY 14/19		
CW	Rpt. No. 17	Item 27 & 28

To Whom It May Concern:

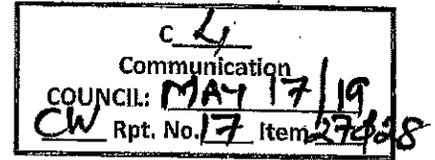
I am the owner and resident of [REDACTED] Rainbow's End, Kleinburg, Ontario and recently signed a petition regarding the completion of landscaping works in my subdivision. I was misinformed as to content of this petition and subsequently became aware that my signature was also attached to materials which I had not seen or had a chance to review.

I kindly request that my name is removed from this petition. Please contact me if you have questions.

Regards,
Daniel Tiberini

Britto, John

From: Claudio D'Uva [REDACTED]
Sent: Monday, May 13, 2019 7:32 PM
To: Clerks@vaughan.ca
Cc: Claudio D'Uva
Subject: Humberplex Petition



Mayor and members of council,

I am a resident of the Boulevard in Kleinburg. My address is [REDACTED] Wishing Well Court. I am writing to advise that I recently signed a petition but was misinformed of its contents. I signed ONE petition but was not fully informed of what was regarding. My only concern was the completion of the Grand Boulevard landscaping. I have no other concerns nor was anything else brought to my attention when I signed this petition. It has come to my attention that there has been a second petition submitted that I had no knowledge off and did not sign myself.

I would like to have my name removed from BOTH petitions immediately.

Please confirm receipt of this email and that my name had been removed from BOTH petitions.

Thank you,

Claudio D'Uva
Downsview Kitchens

Britto, John

c 5		
Communication		
COUNCIL: MAY 14/19		
CW	Rpt. No. 17	Item 27-828

From: Fabio [REDACTED]
Sent: Monday, May 13, 2019 9:55 PM
To: Clerks@vaughan.ca
Subject: Withdrawal of our names from Humber Plex petition

My name is Fabio Fata, my wife , Sulamith and I are the owners of the property municipally known as [REDACTED] Autumn Wind Court, Kleinburg.

We were misled into executing a petition with respect to the Boulevard community. I wish to advise that we take no issue with maintenance water pressure , park construction, road conditions etc We were told that the petition only dealt with landscaping the Boulevard. We did not review the petition and relied on the information provided by the person that presented the petition. I have now reviewed same and do not agree with its content.

I have now been advised that two books were put before council. I had at no time reviewed these materials and at no time retained either Nicolas Tibollo or Francis Tibollo.

I respectfully ask that my name and that of my wife be removed from any petitions put before Council.

Please advise council that we do not support the position put forward by Mr. Tibollo or Ms. Tibollo. They are not our lawyers.

Thank you.

Sent from my iPhone

Britto, John

c 6		
Communication		
COUNCIL: MAY 14/19		
CW	Rpt. No. 17	Item 27/28

From: Di Iorio, Enzo <ediiorio@millerthomson.com>
Sent: Monday, May 13, 2019 10:22 PM
To: Clerks@vaughan.ca
Cc: ntibollo@tibollolaw.com; Vera Di Iorio
Subject: Humberplex Developments Inc. On The Boulevard Community

It has come to my attention that a petition has been included in a Presentation Brief dated May 7, 2019 delivered to the City of Vaughan Committee as a Whole containing the names of my wife, Vera Di Iorio (copied) and the undersigned. The Brief appears to be authored by a lawyer named, Nicholas Tibollo.

Neither my wife nor I have ever retained Mr. Tibollo to act on our behalf in connection with any issues relating to the community development. Nor did we authorize Mr. Tibollo to communicate with the City of Vaughan Counsel or the Mayor on our behalf with respect to any of the issues raised in his correspondence dated March 6, 2019 contained in the Presentation Brief.

With respect to the inclusion of our names in the petition, I can advise that at no time was it disclosed to either my wife or I that this petition was for anything other than to ensure that the landscaped Boulevard would be completed. If it had been explained to us that the petition would be included as part of the Presentation Brief to the City, we would not have authorized our names to be included in the petition.

Please treat this email as confirmation of the withdrawal of our names from the petition. Under no circumstances should the City of Vaughan or Mr. Tibollo rely upon our signatures on the petition as supportive of the requests made by Mr. Tibollo.

I have copied Mr. Tibollo with this email as well.

Thank you.

ENZO DI IORIO

Providing services on behalf of a Professional Corporation
Practice Chair, Litigation

Miller Thomson LLP

100 New Park Place, Suite 700

Vaughan, Ontario L4K 0H9

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NICHOLAS C. TIBOLLO
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133 Milani Blvd., SUITE 100
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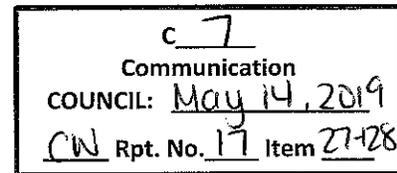
TELEPHONE: (416) 975-0002
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NICHOLAS C. TIBOLLO
EXTENSION: 100
EMAIL: NTIBOLLO@TIBOLLOLAW.COM

14 May 2019

VIA EMAIL: clerks@vaughan.ca

OFFICE OF THE CITY CLERK
City of Vaughan
2141 Major MacKenzie Drive, 4th Floor
Vaughan, Ontario
L6A 1T1



Dear Sir/Madam:

RE: Humberplex Developments Inc. -“On the Boulevard Community”

I am responding to an email sent to you by Enzo Di Iorio on Miller Thomson’s email account yesterday evening at 10:20 p.m., a copy of which was brought to my attention this morning.

Firstly, at no time was any representation made that I act for Enzo Di Iorio or his wife, Vera Di Iorio.

Enzo Di Iorio’s allegation is false.

Neither Enzo nor Vera are referenced in my letter dated March 6, 2019.

At the time that the March 6 letter was sent, neither he nor his wife had signed a Petition.

It was not until early May, 2019 that Enzo and Vera voluntarily signed the Petition, a copy of which is attached hereto.

The Petition states:

We the undersigned, who are residents of the Boulevard Community request that the City of Vaughan undertake the following actions with respect to our community:

- 1) **Require the developer- Humberplex- to finish the community, including all landscaping, fencing, paving and sidewalks as per the approved Community Information Plans included in our Offers of Purchase and Sale;**
- 2) **That the City of Vaughan Not assume or allow any other phases to go on maintenance until all the outstanding works have been completed, regardless of what phase they may be located in;**

- 3) That the City of Vaughan undertake a comprehensive review of water pressure within our community.
- 4) Request a community meeting, were all residents of the Boulevard can attend and speak to our Local and Regional Councillors and City staff with respect to our concerns related to:
 - a. Parkland Construction
 - b. Landscaping of Boulevard Area
 - c. Road conditions-Repave all substandard Roads.

Respectfully signed by the residents of the Boulevard Community:

Vera Di Iorio	█ Summer Breeze Court	"Vera Di Iorio"
Enzo Di Iorio	█ Summer Breeze Court	"Enzo Di Iorio"

Surely, Enzo Di Iorio, as a lawyer, read the Petition, understood its clear meaning and purpose and explained it to his wife before they both placed their names and address on it and then signed it.

Clearly, Enzo and Vera Di Iorio, knew that the Petition would be provided to the City of Vaughan for consideration and action. Why else would they have signed it? After all, the Petition is directed to the City of Vaughan and requests that the City of Vaughan undertake action.

Lastly, my clients have no objection to Enzo and Vera's names being withdrawn from the Petition they freely signed. In addition, my clients have no objection in the City of Vaughan not compelling the developer to complete any works in front of █ Summer Breeze Court, the residence owned by Enzo and Vera Di Iorio.

I trust this clarifies any misunderstanding that may have been caused by Enzo Di Iorio's email.

Yours very truly,

NICHOLAS C. TIBOLLO
PROFESSIONAL CORPORATION

Per:


Nicholas C. Tibollo

Ncl
Encl.

cc. ediorio@millerthomson.com
█