

CITY OF VAUGHAN COUNCIL MINUTES JANUARY 28, 2013

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, JANUARY 28, 2014

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:07 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

7. CONFIRMATION OF AGENDA

MOVED by Councillor DeFrancesca seconded by Councillor lafrate

THAT the agenda be confirmed.

CARRIED

8. DISCLOSURE OF INTEREST

Councillor Carella declared an interest with respect to Item 2, Committee of the Whole (Closed Session), Report No. 2, as he has a pecuniary interest as defined by the Municipal Conflict of Interest Act in one of the properties which is the subject of this closed session report, and did not take part in the discussion or vote on the matter.

Regional Councillor Di Biase declared an interest with respect to Item 6, Committee of the Whole (Closed Session), Report No. 2, as he has been advised that the topic involves a litigation matter in which he has a potential conflict of interest, and was not present when the matter was under consideration.

Councillor Carella declared an interest with respect to Item 19, Committee of the Whole, Report No. 1, as his wife is the Executive Director of one of the organizations which received proceeds and did not take part in the discussion or vote on the matter.

9. CEREMONIAL PRESENTATIONS

 Mayor Bevilacqua, Councillor lafrate and Members of Council congratulated Mrs. Norma Curtis as the Ward 1 Civic Hero Award. Mayor Bevilacqua, Councillor Racco and Members of Council congratulated Mr. Kaz Chomko as the Ward 4 Civic Hero Award.

10. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Schulte seconded by Councillor Racco

THAT the minutes of the meeting of December 10, 2013 and Special Council meeting of January 14, 2014, be adopted as presented.

CARRIED

11. COMMUNICATIONS

MOVED by Regional Councillor Di Biase seconded by Councillor lafrate

THAT Communications C1 to C10 inclusive be received and referred to their respective items on the agenda.

CARRIED

12. TAX ADJUSTMENTS PURSUANT TO SECTION 356 OF THE MUNICIPAL ACT, 2001 – ALL WARDS

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

MOVED by Councillor Carella seconded by Regional Councillor Di Biase

That the recommendation contained in the following report of the Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, dated January 28, 2014, be approved:

CARRIED

Recommendation

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

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

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

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

Purpose

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

Background - Analysis and Options

Section 356 - Division Into Parcels:

Fifteen (15) applications have been received to sever property that was returned on the roll as one parcel. The Municipal Property Assessment Corporation (MPAC) provides the City with a report outlining the value of each separate piece, and the taxes on the single piece are apportioned to the various parts in accordance with the assessment.

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

Relationship to Vaughan Vision 2020

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

Regional Implications

There are no Regional Implications in this Report.

Conclusion

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

Attachments

Attachment 1 – Severance Report

Report prepared by:

Maureen E. Zabiuk, A.I.M.A, 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.)

13. 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 Councillor Carella seconded by Councillor lafrate

That the recommendation contained in the following report of the Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, dated January 28, 2014, be approved:

CARRIED

Recommendation

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

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

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

The City's share of these property tax adjustments is approximately \$55,165. 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

Twenty-four (24) 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.

Two (2) 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 \$368,501. The City portion of this amount is approximately \$55,165, or approximately 15%.

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 \$98,722 or approx. 27%.

Conclusion

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

Attachments

Attachment 1 - Tax Appeal Report

Report prepared by:

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

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

14. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 1

Items 4, 14, 15 and 19

Committee of the Whole (Closed Session) Report No. 2

Items 1, 2, 3, 4, 5 and 6

Finance, Administration and Audit Committee Report No. 2

Items 3 and 6

Committee of the Whole (Working Session) Report No. 4

Item 1

COUNCIL MEETING MINUTES – JANUARY 28. 2014

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Items 1 to 26 of the Committee of the Whole Report No. 1, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Committee of the Whole (Public Hearing) Report No. 3, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Finance, Administration and Audit Committee Report No. 1, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 6 of the Finance, Administration and Audit Committee Report No. 2, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 and 2 of the Committee of the Whole (Working Session) Report No. 4, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

15. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 1

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

ITEM - 4 ZONING BY-LAW AMENDMENT FILE Z.11.030
SITE DEVELOPMENT FILE DA.12.106
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, C/O
INFRASTRUCTURE ONTARIO
WARD 4 - VICINITY OF JANE STREET AND HIGHWAY #407

MOVED by Regional Councillor Rosati seconded by Regional Councillor Schulte

THAT Item 4, Committee of the Whole Report No. 1 be adopted and amended, as follows:

By approving the following as set out in Communication C3 from the Commissioner of Planning, dated January 23, 2014:

That this Communication, be received, as information.

CARRIED

ITEM - 14 PRESERVING COMMUNITY IDENTITY FOR KLEINBURG

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 14, Committee of the Whole Report No. 1 be adopted and amended, as follows:

By approving the following:

That Communication C10, a location map, submitted by Councillor lafrate, be included with

the letter being sent to Canada Post and that the letter be sent expeditiously; and

That the following Communications be received:

- C1. Mr. Aaron Hershoff, TACC, Applewood Crescent, Vaughan, dated January 14, 2014; and
- C6. Mr. Wayne Magro, dated January 27, 2014.

ITEM - 15 TELECOMMUNICATION FACILITY SITING PROTOCOL TASK FORCE FINDINGS REPORT

MOVED by Regional Councillor Schulte seconded by Councillor DeFrancesca

THAT Item 15, Committee of the Whole Report No. 1, be adopted without amendment.

CARRIED

ITEM - 19 2011-2013 CITY OF VAUGHAN MAYOR'S GALA AND 2011-2013 MAYOR MAURIZIO BEVILACQUA CHARITY GOLF CLASSIC – RECIPIENT ORGANIZATIONS TO DECEMBER 31, 2013

MOVED by Councillor lafrate seconded by Regional Councillor Di Biase

THAT Item 19, Committee of the Whole Report No. 1 be adopted and amended, as follows:

By approving the following:

That the revised attachments as set out in Communication C5 from Mayor Bevilacqua, dated January 17, 2014, be approved.

Councillor Carella declared an interest with respect to the foregoing matter as his wife is the Executive Director of one of the organizations which received proceeds and did not take part in the discussion or vote on the matter.

FINANCE, ADMINISTRATION AND AUDIT COMMITTEE REPORT NO. 2

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

ITEM - 3 IMPROVED CONFLICT OF INTEREST PROVISIONS FOR CITY CONTRACTS

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 3, Finance, Administration and Audit Committee Report No. 2 be adopted and amended, as follows:

By approving the following:

That staff be directed to prepare a supplemental report for Council recommending other measures to mitigate against the potential for actual and perceived conflicts of interest, preferential treatment or undue influence in the acquisition of goods and services by the City; and

That Confidential Communication C8 from Legal Counsel, dated January 28, 2014, be received.

CARRIED

16. **RECONSIDERATION**

DRAFT 2014 BUDGET AND 2015-2017 PLAN UPDATE

(Referred)

(Finance, Administration and Audit Committee, Report No. 2, Item 5)

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

That the foregoing matter be reconsidered.

CARRIED

Refer to Minute No. 17 for disposition regarding this matter.

17. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

FINANCE, ADMINISTRATION AND AUDIT COMMITTEE REPORT NO. 2

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

ITEM - 5 DRAFT 2014 BUDGET AND 2015-2017 PLAN UPDATE (Referred)

MOVED by Regional Councillor Schulte seconded by Councillor Racco

THAT Item 5, Finance, Administration and Audit Committee Report No. 2 be adopted without amendment.

CARRIED

ITEM - 6 OTHER MATTERS CONSIDERED BY THE COMMITTEE

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 6, Finance, Administration and Audit Committee Report No. 2 be adopted without amendment.

CARRIED

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 4

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

ITEM - 1 VAUGHAN ANIMAL SERVICES BY-LAW REVIEW & COMMUNICATION <u>STRATEGY</u>

MOVED by Councillor Carella seconded by Regional Councillor Schulte

THAT Item 1, Committee of the Whole (Working Session) Report No. 4 be adopted and amended, as follows:

By approving the following:

1) That the following recommendation, as set out in Communication C9 from the Commissioner of Legal & Administrative Service/City Solicitor and the Director of Bylaw & Compliance, dated January 27, 2014, be approved:

That consideration of including constrictor snakes in Prohibited Species Schedule 'B' of the Vaughan Animal Control By-law # 53-2002 be deferred, maintaining the existing size restriction of not larger than 3 metres, pending further review and consultation with Reptilia Inc., and other pet industry stakeholders as required.; and

That Communication C7 from Mr. Andre Ngo, Reptile Zoo and Education Facility, Rutherford Road, Vaughan, dated January 26, 2014, be received.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 2

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

ITEM - 2 ONTARIO MUNICIPAL BOARD HEARING
CITY OF VAUGHAN OFFICIAL PLAN 2010
WEST VAUGHAN EMPLOYMENT AREA SECONDARY PLAN
WARDS 1 AND 2

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 2, Committee of the Whole (Closed Session) Report No. 2 be adopted without amendment.

CARRIED

Councillor Carella declared an interest with respect to the foregoing matter, as he has a pecuniary interest as defined by the Municipal Conflict of Interest Act in one of the properties which is the subject of this closed session report, and did not take part in the discussion or vote on the matter.

ITEM - 6 LEGAL ADVICE RESPECTING INDEMNIFICATION MATTERS

MOVED by Councillor DeFrancesca seconded by Regional Councillor Rosati

THAT Item 6, Committee of the Whole (Closed Session) Report No. 2 be adopted without amendment.

CARRIED

Regional Councillor Di Biase declared an interest with respect to the foregoing matter, as he has been advised that the topic involves a litigation matter in which he has a potential conflict of interest, and was not present when the matter was under consideration.

18. RESOLUTION TO RESOLVE INTO CLOSED SESSION

MOVED by Councillor lafrate seconded by Councillor DeFrancesca

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

 ONTARIO MUNICIPAL BOARD HEARING CITY OF VAUGHAN OFFICIAL PLAN 2010 (Report No. 2, Item 1)

(litigation or potential litigation)

2. PROPERTY MATTER
CITY LANDS
NORTHWEST QUADRANT
JANE STREET AND MAJOR MACKENZIE DRIVE
WARD 1
(Report No. 2, Item 3)

(acquisition or disposition of land)

3. PERSONNEL MATTER – RECRUITMENT UPDATE (Report No. 2, Item 4)

(personal matters about an identifiable individual)

5. LEGAL OBLIGATIONS REGARDING PROCUREMENT MATTER (Report No. 2, Item 5)

(solicitor/client privilege)

CARRIED

Council recessed at 1:54 p.m.

MOVED by Councillor Shefman seconded by Regional Councillor Schulte

THAT Council reconvene at 7:21 p.m.

CARRIED

Council reconvened at 7:21 p.m. with the following members present:

COUNCIL MEETING MINUTES – JANUARY 28, 2014

Regional Councillor Gino Rosati, Chair Regional Councillor Di Biase Regional Councillor Deb Schulte Councillor Rosanna DeFrancesca Councillor Marilyn Iafrate Councillor Shefman

19. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 2

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

ITEM - 1 ONTARIO MUNICIPAL BOARD HEARING
CITY OF VAUGHAN OFFICIAL PLAN 2010

MOVED by Councillor Shefman seconded by Councillor lafrate

THAT Item 1, Committee of the Whole (Closed Session) Report No. 2 be adopted and amended, as follows, and the confidential recommendations made public:

By approving the following recommendation of the Council (Closed Session) meeting of January 28, 2014:

- That the resourcing plan identified within this report and economic impact section amounting to \$2.16m over two years be funded by a special one-time dividend from Vaughan Holdings Inc.;
- 2) That these amounts be incorporated in the City's proposed 2014 budget and 2015-2017 plan;
- 3) That Vaughan Holdings Inc. be requested to declare a special dividend in the amount specified in recommendation 1); and
- 4) That Confidential Communication C4, from the Interim City Manager and the Senior Management Team, dated January 28, 2014, be received.

CARRIED

ITEM - 3 PROPERTY MATTER
CITY LANDS
NORTHWEST QUADRANT
JANE STREET AND MAJOR MACKENZIE DRIVE
WARD 1

MOVED by Councillor DeFrancesca seconded by Councillor lafrate

THAT Item 3, Committee of the Whole (Closed Session) Report No. 2 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of January 28, 2014.

CARRIED

ITEM - 4 PERSONNEL MATTER – RECRUITMENT UPDATE

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT Item 4, Committee of the Whole (Closed Session) Report No. 2 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of January 28, 2014.

CARRIED

ITEM - 5 LEGAL OBLIGATIONS REGARDING PROCUREMENT MATTER

MOVED by Regional Councillor Schutle seconded by Councillor Shefman

THAT Item 5, Committee of the Whole (Closed Session) Report No. 2 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of January 28, 2014.

CARRIED

20. BY-LAWS

MOVED by Councillor lafrate seconded by Regional Councillor Schulte

THAT the following by-laws be enacted:

By-Law Number 002-2014	A By-law to amend the Consolidated Traffic By-law 284-94, as
	amended, to govern and control traffic in the City of Vaughan.
	(Council, December 10, 2013, Item 3, Committee of the Whole,
	Report No. 52)

By-Law Number 003-2014	A By-law to amend the Consolidated Traffic By-law 284-94, as
	amended, to govern and control traffic in the City of Vaughan.
	(Council, December 10, 2013, Item 4, Committee of the Whole,
	Report No. 52)

By-Law Number 004-2014	A By-law to amend the Consolidated Traffic By-law 284-94, as
	amended, to govern and control traffic in the City of Vaughan.
	(Council, December 10, 2013, Item 5, Committee of the Whole,
	Report No. 52)

By-Law Number 005-2014	A By-law to amend the Consolidated Traffic By-law 284-94, as
•	amended, to govern and control traffic in the City of Vaughan.
	(Council, December 10, 2013, Item 6, Committee of the Whole,
	Report No. 52)

By-Law Number 006-2014	A By-law to amend the Consolidated Traffic By-law 284-94, as
	amended, to govern and control traffic in the City of Vaughan.
	(Council, December 10, 2013, Item 41, Committee of the Whole,
	Report No. 52)

By-Law Number 007-2014 A By-law to assume Municipal Services in Morenci Homes Subdivision, 19T-06V08, Registered Plan 65M-4059. (Thornhill Woods Centre Inc. dated February 27, 2008). (Item 9, Committee of the Whole, Report No. 1) By-Law Number 008-2014 A By-law to assume Municipal Services in Weston Woods Subdivision, Phase 3, 19T-04V01, Registered Plan 65M-4136. (1307180 Ontario Inc. dated January 21, 2009). (Item 10, Committee of the Whole, Report No. 1) By-Law Number 009-2014 A By-law to assume Municipal Services in Woodvalley Subdivision, Phase 2 and Phase 3, 19T-95062, Registered Plan 65M-4057 and 65M-4130. (Woodvalley Developments Inc., Phase 2 dated April 9, 2008 and Phase 3 dated March 24, 2009) (Item 11, Committee of the Whole, Report No. 1) By-Law Number 010-2014 A By-law to assume Municipal Services in Johnswood Crescent Servicing Agreement. (Roybridge Holdings Limited dated May 14, 2004) (Item 12, Committee of the Whole, Report No. 1) A By-law to provide for the issuance of the 2014 interim property tax By-Law Number 011-2014 billing. (Item 2, Finance, Administration and Audit Committee, Report No. 2) By-Law Number 012-2014 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.11.044 / OP.11.013 & DA.12.079, FCHT Holdings (Ontario) Corporation - OMB File No. PL130527) (Council, November 19, 2013, Item 15, Committee of the Whole, Report No. 47) By-Law Number 013-2014 A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 19-2008. (Z.13.026, 1801402 Ontario Inc., located on the west side of Regional Road 27, north of Milani Boulevard, known municipally as 8290 Regional Road 27) (Council, December 10, 2013, Item 29, Committee of the Whole, Report No. 52) By-Law Number 014-2014 A By-law to amend City of Vaughan By-law 1-88. (Z.12.042, DA.13.033, Empire Pace (Maple) Ltd., located on the east side of Keele Street, south of Major Mackenzie Drive, municipally known as 9869 and 9891 Keele Street) (Council, December 10, 2013, Item 38, Committee of the Whole, Report No. 52) By-Law Number 015-2014 A By-law to adopt Amendment Number 1 to the Official Plan of the Vaughan Planning Area. (Maple GO Station Secondary Plan File 26.8, OP.12.018, York Major Holdings Inc., located in the Maple Community, north of Major Mackenzie Drive (along the north side of Hill Street), south of McNaughton Road East, west of Troon Avenue and east of the Maple GO Station being Pat of Lot 22, Concession 3) (Council, November 19, 2013, Item 3, Committee of the Whole, Report No. 47) A By-law to further amend City of Vaughan By-law 1-88. (File: By-Law Number 016-2014 15.101, Vaughan Metropolitan Centre, located Vaughan Metropolitan Centre (VMC), bound by Portage Road to the north, Highway #407 to the south, Highway #400 to the west, and the most eastern boundary being Creditstone Road, in Ward 4) (Council, December 10, 2013, Item 42, Committee of the Whole, Report No. 52)

CARRIED

21. CONFIRMING BY-LAW

MOVED by Councillor DeFrancesca seconded by Councillor lafrate

THAT By-law Number 017-2014, being a by-law to confirm the proceedings of Council at its meeting on January 28, 2014, be enacted.

CARRIED

22. ADJOURNMENT

MOVED by Regional Councillor Schulte seconded by Regional Councillor Di Biase

THAT the meeting adjourn at 7:25 p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk