



CITY OF VAUGHAN
COUNCIL MINUTES
MARCH 24, 2015

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CITY OF VAUGHAN

COUNCIL MEETING

TUESDAY, MARCH 24, 2015

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:03 p.m.

The following members were present:

Hon. Maurizio Bevilacqua, Mayor
Regional Councillor Michael Di Biase
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Marilyn Iafrate
Councillor Alan Shefman
Councillor Sandra Yeung Racco

35. CONFIRMATION OF AGENDA

MOVED by Councillor Iafrate
seconded by Councillor Carella

THAT the agenda be confirmed.

CARRIED

36. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

37. ADOPTION OR CORRECTION OF MINUTES

MOVED by Regional Councillor Di Biase
seconded by Regional Councillor Rosati

THAT the minutes of the meeting of February 17, 2015 be adopted as presented.

CARRIED

38. COMMUNICATIONS

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT Communications C1 to C6 inclusive be received and referred to their respective items on the agenda.

CARRIED

39. **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 Regional Councillor Di Biase
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Commissioner of Finance & City Treasurer and the Director of Financial Services & Deputy Treasurer, dated March 24, 2015, be approved:

CARRIED

Recommendation

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

That the tax adjustments as outlined on the attached 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:

Thirty-three (33) 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 Zabiuk, A.I.M.A, CMTF
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.)

40. 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 Iafrate
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Commissioner of Finance & City Treasurer and the Director of Financial Services & Deputy Treasurer, dated March 24, 2015, be approved:

CARRIED

Recommendation

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

That the tax adjustments as outlined on the attached schedule be approved.

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

The City's share of these property tax adjustments is approximately \$24,695. 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

Forty-five (45) 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.

Seven (7) 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 \$145,536. The City portion of this amount is approximately \$24,695, or approximately 17%.

Approval of these adjustments will allow the applicant the right to appeal the decision to the Assessment Review Board.

Relationship to Vaughan Vision 2020/Strategic Plan

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 \$42,536 or approx. 29%.

Conclusion

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

Attachments

Attachment 1 - Tax Appeal Report

Report prepared by:

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

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

41. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Closed Session) Report No. 11

Items 3 and 6

Committee of the Whole Report No. 12

Items 6 and 24

Finance, Administration and Audit Committee Report No. 7

Items 1, 2 and 3

Priorities and Key Initiatives Committee Report No. 2

Item 3

MOVED by Councillor Iafrate
seconded by Councillor Carella

THAT Items 1 to 7 of the Committee of the Whole (Closed Session) Report No. 11, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Finance, Administration and Audit Committee Report No. 6, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 25 of the Committee of the Whole Report No. 12, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Committee of the Whole (Public Hearing) Report No. 13, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 13 of the Finance, Administration and Audit Committee Report No. 7, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Committee of the Whole (Working Session) Report No. 14, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 3 of the Priorities and Key Initiatives Committee Report No. 2, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

CARRIED

42. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 12

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

ITEM - 6 PROPOSED DEMOLITION OF PART IV DESIGNATED BUILDING
GEORGE MUNSHAW HOUSE
WARD 4 - VICINITY OF BATHURST STREET AND
MAJOR MACKENZIE DRIVE

MOVED by Councillor Yeung Racco
seconded by Councillor Iafrate

THAT Item 6, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, Director of Development Planning, and Manager of Urban Design and Cultural Heritage, dated March 3, 2015; and

By receiving Communication C6 confidential communication from the Commissioner of Planning and the Interim Commissioner of Legal and Administrative Services/City Solicitor, dated March 23, 2015.

CARRIED

ITEM - 24 CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

MOVED by Regional Councillor Rosati
seconded by Councillor Iafrate

THAT Item 24, Committee of the Whole Report No. 12 be adopted and amended, as follows:

By approving the recommendation set out in Communication C4 from the City Clerk, dated March 23, 2015, as follows:

That the attached revised Terms of Reference for the Council Budgets Task Force be approved.

CARRIED

FINANCE, ADMINISTRATION AND AUDIT COMMITTEE REPORT NO. 7

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

ITEM - 1 DRAFT 2015 BUDGET AND 2016-2018 PLAN
(Referred)

MOVED by Regional Councillor Di Biase
seconded by Regional Councillor Rosati

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

By approving that the positions of Project Manager and Property Manager be deferred and be included in a full review of all positions to be conducted by the Budget Task Force later this year for inclusion in the 2016 budget.

MOTION NOT VOTED UPON

MOVED by Councillor Shefman
seconded by Councillor Iafrate

By approving that the foregoing motion be amended so that the positions of Project Manager and Property Manager are reviewed during the 2016 budget process and not by the Budget Task Force.

MOTION NOT VOTED UPON

MOVED by Regional Councillor Di Biase
seconded by Regional Councillor Rosati

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

By approving that the approval of the positions of Project Manager and Property Manager in the Building and Facilities 2015 Operating Budget be deferred pending a review of budget processes and policies for 2016 by the Budget Task Force, with the two positions to form part of the discussion.

CARRIED

PRIORITIES AND KEY INITIATIVES COMMITTEE REPORT NO. 2

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

ITEM - 3 VAUGHAN METROPOLITAN CENTRE SUB-COMMITTEE

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

THAT Item 3, Priorities and Key Initiatives Committee Report No. 2 be adopted without amendment.

CARRIED

FINANCE, ADMINISTRATION AND AUDIT COMMITTEE REPORT NO. 7

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

ITEM - 2 INTERNAL AUDIT REPORT – MTO DRIVER CERTIFICATION PROGRAM
BENCHMARK AUDIT – VAUGHAN FIRE AND RESCUE SERVICE

MOVED by Regional Councillor Di Biase
seconded by Councillor Carella

THAT Item 2, Finance, Administration and Audit Committee Report No. 7 be adopted and amended, as follows:

By approving that an update be provided to the Finance, Administration and Audit Committee in June 2015 regarding the implementation of the recommendations noted in the benchmark audit.

CARRIED

ITEM - 3 STATUS OF MANAGEMENT ACTION PLANS

MOVED by Regional Councillor Di Biase
seconded by Councillor Iafrate

THAT Item 3, Finance, Administration and Audit Committee Report No. 7 be adopted and amended, as follows:

By approving that a status update be provided at the Finance, Administration and Audit Committee in September 2015 regarding the 14 outstanding recommendations from the completed audit reports between the year 2012 and 2014.

CARRIED

43. RESOLUTION TO RESOLVE INTO CLOSED SESSION

MOVED by Councillor Iafrate
seconded by Councillor Carella

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

1. ONTARIO MUNICIPAL BOARD HEARING
VOP 2010 VOLUME 2
VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN
WARD 4
(Report No. 11, Item 3, Committee of the Whole (Closed Session)
(litigation or potential litigation)
2. PROPERTY MATTER
LONG TERM GROUND LEASE - MACKENZIE HEALTH
JANE STREET AND MAJOR MACKENZIE DRIVE
WARD 1
(Report No. 11, Item 6, Committee of the Whole (Closed Session)
(acquisition or disposition of land)

CARRIED

Council recessed at 2:21 p.m.

Upon reconvening the meeting Regional Councillor Di Biase assumed the Chair.

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Council reconvene at 3:44 p.m.

CARRIED

Council reconvened at 3:44 p.m. with the following members present:

Regional Councillor Michael Di Biase
Regional Councillor Gino Rosati
Councillor Marilyn Iafrate
Councillor Alan Shefman
Councillor Sandra Yeung Racco

44. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 11

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

ITEM - 3 ONTARIO MUNICIPAL BOARD HEARING
 VOP 2010 VOLUME 2
 VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN
 WARD 4

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

THAT Item 3, Committee of the Whole (Closed Session) Report No. 11 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of March 24, 2015; and

By receiving Confidential Communication C5, from the Interim Commissioner of Legal & Administrative Services/City Solicitor, the Commissioner of Planning, the Commissioner of Public Works, and the Executive Director, Office of the City Manager, dated March 24, 2015.

CARRIED

ITEM - 6 PROPERTY MATTER
 LONG TERM GROUND LEASE – MACKENZIE HEALTH
 JANE STREET AND MAJOR MACKENZIE DRIVE
 WARD 1

MOVED by Councillor Iafrate
seconded by Councillor Shefman

THAT Item 6, Committee of the Whole (Closed Session) Report No. 11 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of March 24, 2015; and

By receiving Confidential Communication C7, from the Interim City Manager and the Interim Commissioner of Legal & Administrative Services/City Solicitor, dated March 24, 2015.

CARRIED

45. BY-LAWS

MOVED by Councillor Shefman
seconded by Regional Councillor Rosati

THAT the following by-laws be enacted:

- | | |
|------------------------|--|
| By-Law Number 044-2015 | A By-law under the Building Code Act, 1992, respecting permits and related matters. (Council, February 17, 2015, Item 3, Finance, Administration and Audit Committee, Report No. 4) |
| By-Law Number 045-2015 | A By law to appoint a Chief Building Official, Deputy Chief Building Officials, and Inspectors, for the enforcement of the Building Code Act, 1992, as amended, for the City of Vaughan. And being a By-law to repeal By-law 295-2005, as amended. (Item 16, Committee of the Whole, Report No. 12) |
| By-Law Number 046-2015 | A By-law to assume Municipal Services in Upper Thornhill Estates Subdivision, Phase 1, 19T-03V16, Registered Plan 65M-3916. (City of Vaughan and Midvale Estates Limited dated July 18, 2006) (Item 2, Committee of the Whole, Report No. 12) |
| By-Law Number 047-2015 | A By law to authorize the temporary borrowing of a sum that shall not exceed \$50,000,000 during the year 2015. (Item 9, Finance, Administration and Audit Committee, Report No. 7) |
| By-Law Number 048-2015 | A By-law to amend City of Vaughan By-law 1-88. (Z.10.034, 19T-10V005, Pinestaff Developments Inc., located on the east side of Huntington Road and north of East's Corners Boulevard, being in Part of Lot 24, Concession 9). (Council, June 25, 2013, Item 22, Committee of the Whole, Report No. 32) |
| By-Law Number 049-2015 | A By-law to amend City of Vaughan By-law 1-88. (Z.12.030, 19T-12V005, Block 33 West Properties Inc., located on the southwest corner of Retreat Boulevard and Vellore Park Avenue, being Block 271 on Registered Plan 65M-3898 and Block 63 on Registered Plan 65M-3885, in Lot 21, Concession 5). (Council, December 9, 2014, Item 17, Committee of the Whole, Report No. 41) |
| By-Law Number 050-2015 | A By-law to amend City of Vaughan By-law 1-88. (Z.13.027, Clarzan Developments Inc., located east of Clarence Street, south of Rutherford Road, in Part of Lot 15, Concession 7). (Council, February 17, 2015, Item 16, Committee of the Whole, Report No. 7) |
| By-Law Number 051-2015 | A By-law to amend City of Vaughan By-law 1-88. (Z.14.022, 19T-14V005, DA.14.044, 19CDM-14V006, Andrin Bathurst Homes Limited, located on the west side of Bathurst Street, north of Lady Dolores Avenue, in Part of Lot 25, Concession 2). (Item 14, Committee of the Whole, Report No. 12) |

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By-Law Number 052-2015

A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 107-2014. (Z.15.002, DA.14.079, DA.15.006, York Major Holdings Inc., bounded by McNaughton Road East to the north, Troon Avenue to the east, Hill Street to the south, and the Maple GO parking lot to the west, being Blocks 1, 2, 3 and 6, on Plan 65M-4061, Part of Lot 21, Concession 3) (Lifting "H" Symbol). (Council, September 9, 2014, Item 32, Committee of the Whole, Report No. 36)

CARRIED

46. **CONFIRMING BY-LAW**

MOVED by Councillor Yeung Racco
seconded by Councillor Iafrate

THAT By-law Number 053-2015, being a by-law to confirm the proceedings of Council at its meeting on March 24, 2015, be enacted.

CARRIED

47. **ADJOURNMENT**

MOVED by Regional Councillor Rosati
seconded by Councillor Shefman

THAT the meeting adjourn at 3:46 p.m.

CARRIED

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk