

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015

Item 10, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 20, 2015.

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**KLEINBURG BUSINESS IMPROVEMENT AREA
BY-LAW AMENDMENT, BOARD APPOINTMENTS, BUDGET AND LEVY
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services and the City Clerk, dated October 7, 2015:

Recommendation

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

- 1) That Council approve the Kleinburg Business Improvement Area (KBIA) Board of Management's request to increase the minimum and maximum special charges for four (4) years commencing in 2015, as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum
- 2) That By-law Number 169-84, as amended, be further amended to reflect the increase in the minimum and maximum special charges for four (4) years commencing in 2015.
- 3) That the appointments to the KBIA Management Board and Executive as submitted in Attachment 2 by the KBIA Chair, be approved; and
- 4) That in accordance with the request from the Board of Management, Council approve the 2015 KBIA budget in the amount of \$40,000 and these funds be forwarded accordingly.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

Council's decision will be communicated to the Chair of the KBIA. The City, on behalf of the KBIA, will issue levying invoices to each KBIA member detailing the new minimum and maximum special charges and the amount to be remitted.

Purpose

The purpose of this report is to bring forward for Council's consideration and approval an increase to the minimum and maximum special charges for the KBIA for four (4) years commencing in 2015. As insufficient objections to the proposed increase were received following the Notice and Objection period set out in subsections 210(1) and (3) of the Municipal Act, Council may now pass a By-law to reflect these changes.

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EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015

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This report also brings forward for Council's consideration the appointment of the KBIA Management Board members submitted by the KBIA Chair, approval of the KBIA budget and authorization for staff to remit, levy, and collect the special charge related to the KBIA. The budget will provide funds for promotion and visual enhancement of the area, advertising and special events. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Background - Analysis and Options

In dealing with the request received from the KBIA Board of Management to increase the minimum and maximum special charges for four (4) years commencing 2015, Council directed staff to send out the required notice (Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24).

Pursuant to subsection 210(1) of the Municipal Act (the Act) notices were sent to thirty-eight (38) Kleinburg Business Improvement Area members on July 2, 2015, notifying them of the Board of Management's request, including the conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges.

KBIA members had 60 days from the date the notice was mailed to send in their written objections. Written objections had to be received by the City Clerk by no later than 4:30 p.m. on August 31, 2015. One (1) objection was received by the deadline.

Subsection 210(3) sets out the following conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges:

- written objections are received by the Clerk of the municipality within 60 days after the last day of mailing of notices;
- the objections have been signed by at least one-third of the total number of persons entitled to notice; and
- the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on ratable property in all prescribed business property classes in the improvement area.

In accordance with subsection 210(5) of the Act, the City Clerk has determined that since insufficient objections were received within the 60-day objection period the conditions as set out in subsection 210(3) were not met. The municipality may therefore pass a by-law to increase the minimum and maximum special charges. The amounts proposed by the KBIA Board of Management, as approved in their Annual General Meeting (AGM), as minimum and maximum amounts for the four (4) year period commencing in 2015, are as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum

Each year the KBIA submits a budget for Council's approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

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The KBIA held their AGM in March 2015 at which the Board of Management members were appointed. The KBIA Chair has submitted the names of eleven (11) voting members plus four (4) Executive Members for Council's approval (Attachment 2).

Further, each year the KBIA submits a budget for Council's approval. The 2015 budget amount of \$40,000 was approved by the Board of Management and accepted by the KBIA membership at the AGM (Attachment 3). The amount is levied to all commercial property within the BIA boundary, utilizing the taxable commercial assessment of each property.

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's consideration of the recommendations set out in this report is requested.

Council approval of the proposed budget provides funds to the KBIA and authorizes staff to remit, levy, and collect the funds. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Attachments

Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24

Attachment 2 – 2015 Board of Management Voting Members and Executive

Attachment 3 – KBIA 2015 Budget

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.)

**KLEINBURG BUSINESS IMPROVEMENT AREA
BY-LAW AMENDMENT, BOARD APPOINTMENTS, BUDGET AND LEVY
WARD 1****Recommendation**

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

- 1) That Council approve the Kleinburg Business Improvement Area (KBIA) Board of Management's request to increase the minimum and maximum special charges for four (4) years commencing in 2015, as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum

- 2) That By-law Number 169-84, as amended, be further amended to reflect the increase in the minimum and maximum special charges for four (4) years commencing in 2015.
- 3) That the appointments to the KBIA Management Board and Executive as submitted in Attachment 2 by the KBIA Chair, be approved; and
- 4) That in accordance with the request from the Board of Management, Council approve the 2015 KBIA budget in the amount of \$40,000 and these funds be forwarded accordingly.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

Council's decision will be communicated to the Chair of the KBIA. The City, on behalf of the KBIA, will issue levying invoices to each KBIA member detailing the new minimum and maximum special charges and the amount to be remitted.

Purpose

The purpose of this report is to bring forward for Council's consideration and approval an increase to the minimum and maximum special charges for the KBIA for four (4) years commencing in 2015. As insufficient objections to the proposed increase were received following the Notice and Objection period set out in subsections 210(1) and (3) of the Municipal Act, Council may now pass a By-law to reflect these changes.

This report also brings forward for Council's consideration the appointment of the KBIA Management Board members submitted by the KBIA Chair, approval of the KBIA budget and authorization for staff to remit, levy, and collect the special charge related to the KBIA. The budget will provide funds for promotion and visual enhancement of the area, advertising and special events. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Background - Analysis and Options

In dealing with the request received from the KBIA Board of Management to increase the minimum and maximum special charges for four (4) years commencing 2015, Council directed staff to send out the required notice (Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24).

Pursuant to subsection 210(1) of the Municipal Act (the Act) notices were sent to thirty-eight (38) Kleinburg Business Improvement Area members on July 2, 2015, notifying them of the Board of Management's request, including the conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges.

KBIA members had 60 days from the date the notice was mailed to send in their written objections. Written objections had to be received by the City Clerk by no later than 4:30 p.m. on August 31, 2015. One (1) objection was received by the deadline.

Subsection 210(3) sets out the following conditions for when a municipality cannot pass a by-law such as the proposed by-law amendment to increase the minimum and maximum special charges:

- written objections are received by the Clerk of the municipality within 60 days after the last day of mailing of notices;
- the objections have been signed by at least one-third of the total number of persons entitled to notice; and
- the objectors are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on ratable property in all prescribed business property classes in the improvement area.

In accordance with subsection 210(5) of the Act, the City Clerk has determined that since insufficient objections were received within the 60-day objection period the conditions as set out in subsection 210(3) were not met. The municipality may therefore pass a by-law to increase the minimum and maximum special charges. The amounts proposed by the KBIA Board of Management, as approved in their Annual General Meeting (AGM), as minimum and maximum amounts for the four (4) year period commencing in 2015, are as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum

Each year the KBIA submits a budget for Council's approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

The KBIA held their AGM in March 2015 at which the Board of Management members were appointed. The KBIA Chair has submitted the names of eleven (11) voting members plus four (4) Executive Members for Council's approval (Attachment 2).

Further, each year the KBIA submits a budget for Council's approval. The 2015 budget amount of \$40,000 was approved by the Board of Management and accepted by the KBIA membership at the AGM (Attachment 3). The amount is levied to all commercial property within the BIA boundary, utilizing the taxable commercial assessment of each property.

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's consideration of the recommendations set out in this report is requested.

Council approval of the proposed budget provides funds to the KBIA and authorizes staff to remit, levy, and collect the funds. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Attachments

Attachment 1 – Council Extract, Item 17, Committee of the Whole Report No. 24

Attachment 2 – 2015 Board of Management Voting Members and Executive

Attachment 3 – KBIA 2015 Budget

Report prepared by:

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

Respectfully submitted,

Dean Ferraro, CPA, CA
Director of Financial Services/Deputy City Treasurer

Jeffrey A. Abrams
City Clerk

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

Item 17, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 23, 2015.

**17 KLEINBURG BUSINESS IMPROVEMENT AREA – BY-LAW AMENDMENT
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services and the City Clerk, dated June 2, 2015:

Recommendation

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

1. That Council authorize and direct the City Clerk in accordance with subsection 210(1) of the *Municipal Act, 2001*, as amended, to send out the required notice to all Kleinburg Business Improvement Area (KBIA) Commercial/Industrial owners of the request from the Board of Management of the KBIA to pass a By-law to amend By-law Number 169-84 by increasing the minimum and maximum special charge commencing 2015 as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum"

2. That a report be brought back to Council following the expiry of the time for filing objections (60 days) under subsection 210(3) of the *Municipal Act, 2001*.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

The KBIA Board of Management and every person assessed for rateable property in the prescribed business or commercial class within the improvement area will be notified of the proposed by-law amendment to increase the minimum/maximum charge commencing in 2015.

Purpose

The purpose of this report is to fulfill the request received from the Board of Management of the KBIA to change the special charge by increasing the minimum and maximum amount that is levied to each applicable property within the Kleinburg Business Improvement Area ("KBIA") boundary, according to Section 210(1) of the Act.

Background - Analysis and Options

Each year the KBIA submits a budget for Council's approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**Item 17, CW Report No. 24 – Page 2**

commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

The Board has requested that the levy charged to each property be amended to reflect an increase in the minimum and maximum amounts currently being used. In 2012, By-law number 169-84 was amended to reflect new minimum and maximum charges:

2012	\$400 minimum / \$4000 maximum
2013	\$450 minimum / \$4500 maximum
2014	\$500 minimum / \$5000 maximum

Now that the above noted minimum/maximum charges have expired, the by-law must be amended to reflect a new minimum/maximum structure.

The amounts proposed by the KBIA Board of Management, as approved in their General meeting, as minimum and maximum amounts for the 4 year period commencing in 2015, are as follows:

2015	\$500 minimum / \$5000 maximum
2016	\$525 minimum / \$5250 maximum
2017	\$550 minimum / \$5500 maximum
2018	\$575 minimum / \$5750 maximum

In order for the City to approve the revision, the notice requirements set out in section 210(1) of the Act, as amended, requires notices of the proposed by-law to the Board of Management of the KBIA and to every person assessed for rateable property in the prescribed business or commercial class within the improvement area.

Should no objection be received and should the conditions otherwise set out in subsections 210(3), (4) and (5) be met, the City may proceed to enact the amendment to By-law No. 169-84.

A report will be brought back to Council at the expiration of the period for filing objections, which will be approximately three months from Council's adoption of the recommendations in this report, setting out particulars of objections filed, if any, and the Determination by the Clerk in accordance with subsection 210(5) of the Act. The report will also indicate the amount to be billed to each property owner as applicable and the amount will be levied at that time.

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

After the notification process and the results are known, Council can proceed to enact the By-law to change the minimum and maximum special charge if required and staff can bill the 2015 amount to each KBIA member.

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Attachments

Attachment 1 - Board of Management letter of request

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.)

**Kleinburg Business Improvement Association
Managing Board
Elected Wednesday, March 25th, 2015.**

BIA Board Members: (Max. of 12)

Voting Members: (11)

1. Mary Lento-Degasperis (RBC)	Business
2. Angelo Guido (Cookie Crumble Cafe)	Business & Property Owner
3. Frank Greco (Canadiana Square)	Business & Property Owner
4. Giovanna Luciani-Lamb (BonBons & Brittle)	Business
5. Cinzia Recine	Property Owner
6. Mike Virgilio (Violets & Dahlias)	Business & Property Owner
7. Louise Zembal (Hawthorne House)	Business
8. Toni Viola (Art and Soul Dance)	Business
9. Eric Laichter (Green Apple Dentistry)	Business
10. Natalie Cinquemani (Terra Cotta)	Business
11. Rob Cinquemani (Piques & Valleys)	Business

*** Member of Council: (1 Required):**

12. Marilyn Iafrate	(Member of Council)
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***Non-Voting Members: (4)**

1. Tim Arnott	(Bindertwine Committee)
2. Michael Brown	(McMichael Canadian Art Collection)
3. Dan Ruby	(City of Vaughan)
4. Kathryn Angus	(KARA)

Executive:

Chair:	Louise Zembal
Co-Chair:	Eric Laichter
Treasurer:	Mary Lento-Degasperis
Secretary:	Natalie Cinquemani



KLEINBURG BIA 2015 BUDGET

Date of Approval: April 1st, 2015

The approved BIA Budget 2015 is \$53,674.00

The approved BIA Budget breakdown is as follows:

- * BIA Directors Liability Insurance- \$1,500**
- *Christmas Decoration Replacement- \$8,000**
- * Advertising/ Marketing/ Website- \$37,000**
- *Miscellaneous/ Office- \$1,250**
- *Events Reserve- \$2,860**
- *Contingency & Bank Fees- \$3,064**

Funds to be collected by the City of Vaughan: \$40,000

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 170-2015

A By-law to amend By-law Number 169-84, as amended, to provide for the yearly levy and collection of the Kleinburg Business Improvement Area (KBIA).

NOW THEREFORE the Council of the Corporation of the City of Vaughan enact as follows:

1. That By-law Number 169-84, as amended, be and it is hereby further amended by deleting Section 15 as follows:

15. Maximum and Minimum Charges

Notwithstanding the provisions of Section 14 hereof, all commercial property within the boundary of the Kleinburg Business Improvement Area shall be charged a special charge, based on the property's taxable commercial assessment, the amount of which shall be between the minimum and maximum amount for a 3 year period commencing in 2012 as follows:

2012	\$400 minimum/\$4000 maximum
2013	\$450 minimum/\$4500 maximum
2014	\$500 minimum/\$5000 maximum

and adding a new Section 15 as follows:

15. Maximum and Minimum Charges

Notwithstanding the provisions of Section 14 hereof, all commercial property within the boundary of the Kleinburg Business Improvement Area shall be charged a special charge, based on the property's taxable commercial assessment, the amount of which shall be between the minimum and maximum amount for a 4 year period commencing in 2015 as follows:

2015	\$500 minimum/\$5000 maximum
2016	\$525 minimum/\$5250 maximum
2017	\$550 minimum/\$5500 maximum
2018	\$575 minimum/\$5750 maximum

Enacted by City of Vaughan Council this 20th day of October, 2015.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 10 of Report No. 35
of the Committee of the Whole
Adopted by Vaughan City Council on
October 20, 2015