

**CITY OF VAUGHAN
COUNCIL MINUTES
NOVEMBER 24, 2008**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, NOVEMBER 24, 2008

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:05 p.m.

The following members were present:

Mayor Linda D. Jackson, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Mario F. Ferri
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Sandra Yeung Racco

Also present: Vaughan Youth Councillor Sabrina Bruno

245. PRESENTATION – AWARDS FROM THE RECYCLE COUNCIL OF ONTARIO AND THE ASSOCIATION OF MUNICIPAL COORDINATORS

Mayor Jackson announced that the Recycling Council of Ontario had bestowed the City with the "Waste Minimization Award" in recognition of having diverted a significant percentage of municipal waste, and with the "Silver Municipal Award" for the amount of waste diverted through the Greening Vaughan program. The City also received two awards from the Association of Municipal Recycling Coordinators for the "Best Newsletter" and for the "Best Promotion and Education Tool".

246. PRESENTATION – APPRECIATION AWARD FROM SANTAFEST

Regional Councillor Ferri presented an award to the City from the Santafest Board in appreciation of the City's assistance and support.

247. CONFIRMATION OF AGENDA

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT the agenda be confirmed.

CARRIED

248. DISCLOSURE OF INTEREST

There was no disclosure of interest by any member.

249. TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, S.O. 2001

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

MOVED by Regional Councillor Ferri
seconded by Councillor Carella

That the recommendation contained in the following report of the Director of Financial Services, dated November 24, 2008, be approved:

CARRIED

Recommendation

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

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

Economic Impact

The City's share of these property tax adjustments is approximately \$8,853. 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.

Purpose

To obtain Council's approval for the increase or cancellation of property taxes as permitted under the *Municipal Act, 2001*.

Background - Analysis and Options

Sections 357 and 358 – Cancellation, Reduction or Refunds:

Nine (9) 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 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.

The total cancellation, reduction or refund of taxes, as recommended is \$55,955. The City portion of this amount is \$8,853, or approximately 15%. The tax adjustments relating to commercial and industrial properties are prior to any recalculations resulting from the capping legislation.

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 \$17,194.

Conclusion

Council approval of the recommendations in this report will allow staff to proceed with the property tax adjustments.

Attachments

Attachment 1 – Tax Appeal Report, November 24, 2008

Report prepared by:

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

250. TAX ADJUSTMENTS PURSUANT TO SECTIONS 356 OF THE MUNICIPAL ACT, 2001

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

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

That the recommendation contained in the following report of the Director of Financial Services, dated November 24, 2008, be approved:

CARRIED

Recommendation

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

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

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.

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:

Six (6) 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 levied 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 parcels. 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., AMTC
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.)

251. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Meffe
seconded by Councillor Carella

THAT the minutes of the meeting of November 10, 2008 be adopted as presented.

CARRIED

252. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole (Working Session) Report No. 56

Item 2

Committee of the Whole Report No. 57

Item 5

Committee of the Whole (Closed Session) Report No. 58

Item 1

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Items 1 and 2 of the Committee of the Whole (Working Session) Report No. 56, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 18 of the Committee of the Whole Report No. 57, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Closed Session) Report No. 58, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 59, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Strategic Planning Committee Report No. 5, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 7 of the Budget Committee Report No. 8, BE APPROVED and the recommendations therein be adopted.

CARRIED

253. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 56

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

ITEM - 2 WARD BOUNDARY REVIEW PUBLIC CONSULTATION PROCESS AND REVIEW TIMETABLE

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT Item 2, Committee of the Whole (Working Session) Report No. 56 be adopted and amended, as follows:

By approving the following in accordance with the memorandum from the City Clerk, dated November 20, 2008:

1. That Council endorse the following timetable for the Ward Boundary Review Public Consultation Process:

January 23, 2009	Deadline for Public Comments
February 2, 2009	Staff Report to Committee of the Whole (Working Session) summarizing the results of questionnaire and public comments
February 24, 2009	Report to Council outlining survey results and ward boundary options
March 9, 2009	Public Meeting to outline Ward Boundary options
March 31, 2009	Report to Committee of the Whole with recommended Ward Boundary Configuration
April 14, 2009	Final approval by Council.

2. That at the conclusion of the public consultations, the City Clerk submit to the February 2, 2009 meeting of Committee of the Whole (Working Session) a summary of comments received, and options for five and six ward configurations, and options on such other feasible configurations brought forward during the public consultation process.
3. That the attached Ward Boundary Review Questionnaire be made widely available, particularly by posting it to a web page dedicated to the Ward Boundary Review; and

By receiving the report of the City Clerk, dated November 11, 2008.

CARRIED

COMMITTEE OF THE WHOLE REPORT NO. 57

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

ITEM - 5 METROLINX
 DRAFT REGIONAL TRANSPORTATION PLAN
 AND INVESTMENT STRATEGY

MOVED by Councillor Carella
seconded by Councillor Meffe

THAT Item 5, Committee of the Whole Report No. 57 be adopted and amended, as follows:

By approving that the phrase “and this view be communicated to the Region of York and Metrolinx” be inserted following the word “transportation” in Clause 2 of the Committee of the Whole recommendation;

By approving the following resolution:

Whereas Metrolinx has developed an integrated and comprehensive Regional Transportation Plan for the Greater Toronto and Hamilton Area with a focus on rapid transit;

And Whereas the estimated capital infrastructure cost of the transit component of the 25-year Regional Transportation Plan is approximately \$50 billion in 2008 dollars;

And Whereas \$11.5 billion of provincial funding for the Regional Transportation Plan has been identified from the \$17.5 billion *MoveOntario 2020* program, which proposes that the remaining \$6.0 billion be funded by the federal government;

And Whereas Metrolinx is proposing to undertake a comprehensive review to identify sources of funding to allow for the build-out of the Regional Transportation Plan past 2015, when it is expected that the initial \$11.5 billion will be expended;

And Whereas given the current revenue sources available to Ontario municipalities, primarily the property tax, they do not have the capacity to participate in the funding of the Regional Transportation Plan;

And Whereas public rapid transit systems in cities around the world are generally funded by state and federal governments;

Therefore it is hereby resolved that the Council of the Corporation of the City of Vaughan supports the development of a long-term investment strategy for the implementation of the Metrolinx Regional Transportation Plan that does not rely on

funding from municipal governments and that such funding be sourced primarily from the provincial and federal governments. A copy of this resolution shall be forwarded to Metrolinx, the Region of York, the appropriate Provincial and Federal Ministers, the local MPP and MP's, and the City of Toronto; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated November 20, 2008.

CARRIED

COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 58

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

ITEM - 1 ACCESSIBILITY ADVISORY COMMITTEE
APPOINTMENT OF A MEMBER

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Ferri

THAT Item 1, Committee of the Whole (Closed Session) Report No. 58 be adopted without amendment.

CARRIED

254. BY-LAW 298-2008 FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Ferri
seconded by Councillor Yeung Racco

That the following recommendation contained in the memorandum from the Commissioner of Planning, dated November 20, 2008, regarding By-law 298-2008, be approved:

1. That a by-law be enacted to delete Subparagraph (ii) (ei) in Exception 9(1218) to By-law 1-88 and replace it with the following: "a maximum of seven (7) townhouse units may be constructed in a row on Block 2, Block 3 and Block 373"; and

THAT the following by-law be read a First, Second and Third time and enacted:

By-Law Number 298-2008	A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 126-2005. (Z.00.047, (19T-00V10), Vellore Park Holdings Inc., located west of Highway 400, south of Teston Road, east of Weston Road and north of Major Mackenzie Drive, specifically Block 373 on approved Subdivision 19T-00V10 in Part of Lot 24, Concession 5) (Administrative Correction) (Council, May 9, 2005, Item 68, Committee of the Whole, Report No. 55)
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CARRIED

255. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Regional Councillor Frustaglio
seconded by Regional Councillor Rosati

COUNCIL MEETING MINUTES – NOVEMBER 24, 2008

That the memorandum from the Director of Legal Services, dated November 20, 2008, regarding By-law 299-2008, be received.

CARRIED

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT the following by-laws be read a First, Second and Third time and enacted:

- By-Law Number 287-2008 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.06.051 / Related File No. 19T-00V21(R) - Royal Empress Gardens Ltd.) (OMB File No. Z070073 / Case No. PL070587)
- By-Law Number 288-2008 A By-law to exempt parts of Plan 65M-4070 from the provisions of Part Lot Control. (PLC.08.030, Primont Homes (Major Mac) Inc., south of Major Mackenzie Drive and west of Peter Rupert Avenue, specifically on Black Maple Crescent being Lots 31 and 32 on Registered Plan 65M-4070, in Part of Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 289-2008 A By-law to repeal By-law 288-2008. (PLC.08.030, Primont Homes (Major Mac) Inc., south of Major Mackenzie Drive and west of Peter Rupert Avenue, specifically on Black Maple Crescent being Lots 31 and 32 on Registered Plan 65M-4070, in Part of Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 290-2008 A By-law to exempt parts of Plan 65M-4069 from the provisions of Part Lot Control. (PLC.08.029, Fernbrook Homes (Major Mac) Limited, south of Major Mackenzie Drive and located east of Peter Rupert Avenue, specifically on Freedom Trail (Lots 1-3 inclusive), Brunel Street (Lots 5 - 29 inclusive), and White Beach Crescent (Lots 59 - 62 inclusive) on Registered Plan 65M-4069, in Part of Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 291-2008 A By-law to repeal By-law 290-2008. (PLC.08.029, Fernbrook Homes (Major Mac) Limited, south of Major Mackenzie Drive and located east of Peter Rupert Avenue, specifically on Freedom Trail (Lots 1-3 inclusive), Brunel Street (Lots 5 - 29 inclusive), and White Beach Crescent (Lots 59 - 62 inclusive) on Registered Plan 65M-4069, in Part of Lot 20, Concession 3) (Delegation By-law 333-98)
- By-Law Number 292-2008 A By-law to exempt parts of Plan 65M-4059 from the provisions of Part Lot Control. (PLC.08.026, Morenci Home Builders Inc., (Greenpark), located south of Summeridge Drive on the east and west side of Shalom Aleichem Court, being Lots 1 to 25 on Registered Plan 65M-4059, in Part of Lot 12, Concession 2) (Delegation By-law 333-98)
- By-Law Number 293-2008 A By-law to repeal By-law 292-2008. (PLC.08.026, Morenci Home Builders Inc., (Greenpark), located south of Summeridge Drive on the east and west side of Shalom Aleichem Court, being Lots 1 to 25 on Registered Plan 65M-4059, in Part of Lot 12, Concession 2) (Delegation By-law 333-98)
- By-Law Number 294-2008 A By-law to exempt parts of Plan 65M-3973 from the provisions of Part Lot Control. (PLC.08.028, Nine-Ten West Ltd., located north of Rutherford Road, west of Grand Trunk Avenue, south of District

Avenue and west of Peter Rupert Avenue being Lots 1-5 inclusive; 20-42 inclusive; 59, 81, 82, 83 and 101 – 110 inclusive on Registered Plan 65M-3973, in Part of Lots 16 and 17, Concession 3) (Delegation By-law 333-98)

- By-Law Number 295-2008 A By-law to repeal By-law 294-2008. (PLC.08.028, Nine-Ten West Ltd., located north of Rutherford Road, west of Grand Trunk Avenue, south of District Avenue and west of Peter Rupert Avenue being Lots 1-5 inclusive; 20-42 inclusive; 59, 81, 82, 83 and 101 – 110 inclusive on Registered Plan 65M-3973, in Part of Lots 16 and 17, Concession 3) (Delegation By-law 333-98)
- By-Law Number 296-2008 A By-law to exempt parts of Plan 65M-4020 from the provisions of Part Lot Control. (PLC.08.031, Countrywide Homes (Thornhill Estates) Inc., south of Teston Road west of Lady Nadia Drive being Lots 25-36 inclusive on Registered Plan 65M-4020, in Part of Lot 25, Concession 2) (Delegation By-law 333-98)
- By-Law Number 297-2008 A By-law to repeal By-law 296-2008. (PLC.08.031, Countrywide Homes (Thornhill Estates) Inc., south of Teston Road west of Lady Nadia Drive being Lots 25-36 inclusive on Registered Plan 65M-4020, in Part of Lot 25, Concession 2) (Delegation By-law 333-98)
- By-Law Number 299-2008 A By-law to repeal By-law 149-2007 and to authorize the acquisition of an easement for a Stormwater Management Pond and easement and conveyance of maintenance road from Ontario Realty Corporation. (Additional Information Memo from Director of Legal Services dated November 20, 2008)

CARRIED

256. CONFIRMING BY-LAW

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

THAT By-law Number 300-2008, being a by-law to confirm the proceedings of Council at its meeting on November 24, 2008, be read a First, Second and Third time and enacted.

CARRIED

257. ADJOURNMENT

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Rosati

THAT the meeting adjourn at 2:02 p.m.

CARRIED

Linda D. Jackson, Mayor

Jeffrey A. Abrams, City Clerk