

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 22, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

22 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 Chief Financial Officer and City Treasurer, dated June 5, 2018:

Recommendations

1. That Council authorize and direct the City Clerk in accordance with subsection 210(1) of the Municipal Act, 2001, ("the Act"), to send out the required notice to all applicable KBIA Commercial landowners of the request from the KBIA Board of Management to amend By-law #169-84

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 Act.

Item:



Committee of the Whole Report

DATE: Tuesday, June 05, 2018

WARD(S): 1

**TITLE: Kleinburg Business Improvement Area – By-Law Amendment
Ward 1**

FROM:

Laura Mirabella, Chief Financial Officer and City Treasurer

ACTION: DECISION

Purpose

The purpose of this report is to amend City by-law #169-84 in order to fulfill the request received from the Board of Management of the Kleinburg Business Improvement Area (KBIA) to maintain status quo on 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.

Report Highlights

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

Recommendations

1. That Council authorize and direct the City Clerk in accordance with subsection 210(1) of the *Municipal Act, 2001*, (“the Act”), to send out the required notice to all applicable KBIA Commercial landowners of the request from the KBIA Board of Management to amend By-law #169-84
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 Act.

Background

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.

Previous Reports/Authority

https://vol.vgn.cty/departments/OCC/Council%20Secretariat/Extracts%20Library/2015/Council%20Committee/24cw0602_15ex_full.pdf#search=KBIA%20report%20June%202015

Analysis and Options

The KBIA Board has requested that the levy charged to each property be amended to reflect the minimum and maximum amounts that are currently being used for 2018 and that these amounts continue to be utilized going forward until there is another request from the KBIA Board of Management to change:

2018	\$575 minimum / \$5,750 maximum
------	---------------------------------

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

According to the Act, written objections must be received by the City Clerk within 60 days of the date of mailing of the notices. Objections must be received from one-third of the total number of persons entitled to receive notice. Should no objection be received, the City may proceed to enact the amendment to By-law 169.84.

A report will be brought back to Council at the expiration of the period for filing objections, setting out particulars of objections filed if any, and the Determination by the City Clerk in accordance with subsection 210(5) of the Act. The Determination Certificate issued by the City Clerk is final.

Financial Impact

N/A

Broader Regional Impacts/Considerations

N/A

Conclusion

In order for the City to approve an amendment to by-law #169-84, there is a requirement for notices of the proposed by-law be sent to the KBIA Board of Management and to every person assessed for rateable property in the prescribed business or commercial class within the improvement area.

After the notification process and the results are known, Council can proceed to enact the By-law to reflect the minimum and maximum amounts that are currently being used for 2018 and that these amounts continue to be utilized going forward

For more information, please contact: Dean Ferraro, Director, Financial Services/Deputy Treasurer, ext 8272 and Todd Coles, Deputy City Clerk at ext.8628 or Maureen Zabiuk, Manager, Property Tax & Assessment, ext. 8268

Attachments

1. KBIA Board of Management letter of request

Prepared by

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