



**CITY OF VAUGHAN  
COUNCIL MINUTES  
OCTOBER 23, 2019**

**Table of Contents**

<b><u>Minute No.</u></b>		<b><u>Page No.</u></b>
148.	CONFIRMATION OF AGENDA.....	2
149.	DISCLOSURE OF INTEREST.....	2
151.	COMMUNICATIONS.....	3
152.	TAX ADJUSTMENTS PURSUANT TO SECTIONS 354, 357, 358 AND 359 AND SECTION 356 OF THE MUNICIPAL ACT, S.O. 2001.....	3
153.	DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION.....	6
154.	CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION.....	7
155.	BY-LAWS.....	8
156.	CONFIRMING BY-LAW.....	11
157.	ADJOURNMENT.....	11

**CITY OF VAUGHAN**

**COUNCIL MEETING**

**WEDNESDAY, OCTOBER 23, 2019**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:04 p.m.

The following members were present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Mario Ferri  
Regional Councillor Gino Rosati  
Regional Councillor Linda D. Jackson  
Councillor Tony Carella  
Councillor Marilyn Iafrate  
Councillor Alan Shefman

**148. CONFIRMATION OF AGENDA**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Ferri

THAT the agenda be confirmed.

CARRIED

**149. DISCLOSURE OF INTEREST**

The following disclosures of interest were declared:

- Mayor Bevilacqua declared an interest with respect to Item 17, Committee of the Whole Report No. 29, DEPUTATION – MATTHEW BALDASSINI (GENTILE CIRCLE), as he is subject to litigation with respect to this project.
- Councillor Carella declared an interest with respect to Item 17, Committee of the Whole Report No. 29, DEPUTATION – MATTHEW BALDASSINI (GENTILE CIRCLE), as he is subject to litigation with respect to this project.

## **COUNCIL MEETING MINUTES – OCTOBER 23, 2019**

---

### **150. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Regional Councillor Ferri  
seconded by Councillor Iafrate

THAT the minutes of the Council meeting of October 2, 2019 and Special Council meeting of October 7, 2019, be adopted as presented.

CARRIED

### **151. COMMUNICATIONS**

MOVED by Regional Councillor Jackson  
seconded by Regional Councillor Rosati

THAT Communications C1 to C22 inclusive be received and referred to their respective items on the agenda.

CARRIED

### **152. TAX ADJUSTMENTS PURSUANT TO SECTIONS 354, 357, 358 AND 359 AND SECTION 356 OF THE MUNICIPAL ACT, S.O. 2001**

Deputations with respect to this matter were permitted pursuant to Sections 354, 357, 358 and 359 and Section 356 of the Municipal Act.

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

MOVED by Councillor Iafrate  
seconded by Regional Councillor Rosati

THAT the recommendation contained in the following report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer, dated October 23, 2019, be approved.

CARRIED

Report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer, dated October 23, 2019.

#### **Purpose**

To obtain Council's approval for the adjustment of property taxes as permitted under Sections 354, 357, 358 and 359 and approval for the apportionment of property taxes as permitted under Section 356 of the *Municipal Act, 2001*.

## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

### **Report Highlights**

#### Section 354, 357, 358, 359 – increase or cancellation of property taxes:

- Council approval of the recommendations in this report will allow staff to proceed with applicable property tax adjustments.
- 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.
- 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 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 (ARB).

#### Section 356 – Division Into Parcels:

- Council approval of the recommendation under Section 356 will allow staff to bill the separate property owners their proportionate share of property tax and confirm their right to appeal the decision to the Assessment Review Board (ARB) as applicable. If no appeals are filed with the ARB, staff will proceed with the property tax apportionments.

### **Recommendations**

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

### **Background**

The City prepares these reports at least twice a year in accordance with legislation outlined in the *Municipal Act*. There are various reasons for tax adjustments under Section 354, 357, 358 and 359 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.

Under Section 356, *Municipal Act*, taxes that remain outstanding on a property tax account that has been severed into two or more parcels can be apportioned to the newly created lots. 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 ARB for a further hearing.

# COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

## **Previous Reports/Authority**

N/A

## **Analysis and Options**

### **Section 354, 357, 358, 359 – increase or cancellation of property taxes:**

Forty-seven (47) 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, 358 and 359 of the *Municipal Act, 2001*, as amended.

The total cancellation, reduction or refund of taxes, as recommended is \$609,024. The City portion of this amount is approximately \$130,907 including the hospital portion, or approximately 21.5%.

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 ARB.

### **Section 356 – Division Into Parcels:**

One (1) application has been received to sever property that was returned on the roll as one parcel. The Municipal Property Assessment Corporation (MPAC) provided the City with a report outlining the apportioned value of each separate piece, and the outstanding tax balance on the single piece is then 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 ARB for a further hearing.

## **Financial Impact.**

### **Section 354, 357, 358, 359 – increase or cancellation of property taxes:**

The City's share of these property tax adjustments is approximately \$130,907 including the hospital portion.

## **Broader Regional Impacts/Considerations**

### **Section 357, 358, 359 – increase or cancellation of property taxes:**

The Region of York's share of these property tax adjustments is approximately \$222,828 or approximately 36.6%.

## **Conclusion**

The *Municipal Act* allows 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.

## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

**For more information**, please contact:

Dean Ferraro, Director of Financial Services/Deputy Treasurer ext. 8272  
Maureen Zabiuk, Manager Property Tax & Assessment ext. 8268

### **Attachments**

*Attachment 1 – Tax Appeal Report*

*Attachment 2 – Apportionment Report*

### **Prepared by:**

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

### **153. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

#### Committee of the Whole Report No. 29

Item 17

#### Committee of the Whole Report No. 32

Item 3

MOVED by Councillor Iafrate  
seconded by Councillor Shefman

THAT Items 1 to 20 of the Committee of the Whole Report No. 29, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 31, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 7 of the Committee of the Whole Report No. 32, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 2 of the Committee of the Whole (Closed Session) Report No. 33, BE APPROVED and the recommendations therein be adopted.

## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

CARRIED

### 154. **CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

*At this point in the meeting Mayor Bevilacqua relinquished the Chair to Regional Councillor Ferri.*

#### **COMMITTEE OF THE WHOLE REPORT NO. 29**

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

ITEM - 17 DEPUTATION – MATTHEW BALDASSINI (GENTILE  
CIRCLE)

MOVED by Councillor Shefman  
seconded by Regional Councillor Jackson

THAT Item 17, Committee of the Whole Report No. 29 be adopted without amendment.

CARRIED

Having previously declared an interest Mayor Bevilacqua did not take part in the discussion or vote on the foregoing matter.

Having previously declared an interest Councillor Carella did not take part in the discussion or vote on the foregoing matter.

*At this point in the meeting Mayor Bevilacqua reassumed the Chair.*

#### **COMMITTEE OF THE WHOLE REPORT NO. 32**

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

ITEM - 3 FISCAL HEALTH REPORT – FOR THE YEAR TO DATE  
PERIOD ENDING JUNE 30, 2019

MOVED by Councillor Iafrate  
seconded by Councillor Shefman

THAT Item 3, Committee of the Whole Report No. 32 be adopted and amended, as follows:

## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

By approving the following in accordance with Communication C22, from the Deputy City Manager, Corporate Services and Chief Financial Officer, dated October 18, 2019:

- 1) That the following chart contained in the report of the Deputy City Manager, Corporate Services and Chief Financial Officer dated October 16, 2019, be replaced with the following:

### Operating Results – Year to Date Ending June 30, 2019

	<b>Budget</b> \$million	<b>Actual</b> \$million	<b>Variance</b> \$million
<b>Property Tax Based Budget</b>			
Revenues	227.9	217.6	(10.3)
Expenditures	167.3	159.3	8.0
<b>Net</b>	<b>\$60.6</b>	<b>\$58.4</b>	<b>(\$2.2)</b>
<b>Water Rate Based Budget</b>			
Revenues	34.1	31.3	(2.8)
Expenditures	34.1	31.3	2.8
<b>Net</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>
<b>Wastewater Rate Based Budget</b>			
Revenues	39.5	36.7	(2.8)
Expenditures	39.5	36.7	2.8
<b>Net</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>
<b>Stormwater Charge Based Budget</b>			
Revenues	10.3	1.7	(8.6)
Expenditures	10.3	1.7	8.6
<b>Net</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>

Note – numbers may not add due to rounding

CARRIED

### 155. **BY-LAWS**

MOVED by Councillor Carella  
seconded by Regional Councillor Jackson

THAT the following by-laws be enacted:

BY-LAW NUMBER 135-2019      A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal. (LPAT File No. PL170805, Z.15.032, Part of Lot 20 Concession 6, Countrywide Homes Woodend Place Inc.) (LPAT, August 28, 2019, Case No. PL170805)



## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

- BY-LAW NUMBER 136-2019 A By-law to adopt Amendment Number 19 to the Vaughan Official Plan 2010 for the Vaughan Planning Area. as effected by the Local Planning Appeal Tribunal. (LPAT File No. PL170805, OPA# 19 & OP.16.003, Part of Lot 20 Concession 6, Countrywide Homes Woodend Place Inc.) (LPAT, August 28, 2019, Case No. PL170805)
- BY-LAW NUMBER 137-2019 A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal. (LPAT File No. PL160978, Z.16.016, 19T-16V001, Part of Lot 17 Concession 3, Dufferin Vistas Ltd.) (LPAT, September 25, 2019, Case No. PL160978)
- BY-LAW NUMBER 138-2019 A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal. (LPAT File No. PL170640, Z.15.034, Part of Lot 18 Concession 4, Laurier Harbour (Keele) Inc.) (LPAT, October 10, 2019, Case No. PL170640)
- BY-LAW NUMBER 139-2019 A By-law to assume Municipal Services in Majormack Residential Phase 1A Subdivision, 19T-07V06, Registered Plan 65M-4346. (1711479 Ontario Inc. dated May 14, 2012) (Delegation By-law 005-2018)
- BY-LAW NUMBER 140-2019 A By-law to partially assume Municipal Services in Bathurst Contwo Investments Limited Phase 2 Subdivision, 19T-98V11, Registered Plan 65M-3808. (Ner Israel – Joseph (J.T.) Tanenbaum Yeshivah College of Toronto dated December 6, 2004) (Delegation By-law 005-2018)
- BY-LAW NUMBER 141-2019 A By-law to exempt parts of Plan 65M-4491 from the provisions of Part Lot Control. (File PLC.19.009, Part of Lot 21 Concession 2, Perryville Properties Inc.) (Delegation By-law 005-2018)

## COUNCIL MEETING MINUTES – OCTOBER 23, 2019

---

- BY-LAW NUMBER 142-2019      A By-law to amend City of Vaughan By-law 1-88. (Z.17.022, 19T-17V007, Nashville (Barons) Developments Inc. and Nashville (10 Acres) Developments Inc., located on the east side of Huntington Road and south of Nashville Road, in Part of Lot 25, Concession 9.) (Council, June 19, 2018, Item 40, Committee of the Whole, Report No. 21)
- BY-LAW NUMBER 143-2019      A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 41-2009, By-law 206-2009, By-law 9-2012, By-law 98-2012 and By-law 162-2014. (Z.18.016, 19T-18V007, Cal-Crown Homes (Three) Inc., located north of Major Mackenzie Drive and west of Regional Road 27, being Block 203, Registered Plan 65M-4361, Part of Lot 22 Concession 9.) (Council, October 2, 2019, Item 3, Committee of the Whole, Report No. 24)
- BY-LAW NUMBER 144-2019      A By-law to amend City of Vaughan By-law 1-88. (Z.15.023, DA.15.022, Norstar Group of Companies, located on the northeast corner of Dufferin Street and Rutherford Road, in Part of Lot 16, Concession 2.) (Council, October 2, 2019, Item 7, Committee of the Whole, Report No. 24)
- BY-LAW NUMBER 145-2019      A By-law to amend City of Vaughan By-law 1-88. (Z.14.028, DA.18.081, Gabriele Tatangelo, Giuseppe Falletta and Ravinder Singh Minhas, located on the west side of Pine Valley Drive, south of Langstaff Road, on Registered Plan 65M-1776, in Part of Lot 10, Concession 7.) (Item 7, Committee of the Whole, Report No. 29)
- BY-LAW NUMBER 146-2019      A By-law to authorize the sale of lands and interests in lands and to authorize the Mayor and Clerk to execute Agreement(s) of Purchase and Sale between The Corporation of the City of Vaughan and The Regional Municipality of York. (Item 1, Committee of the Whole (Closed Session), Report No. 33)

CARRIED

## **COUNCIL MEETING MINUTES – OCTOBER 23, 2019**

---

### **156. CONFIRMING BY-LAW**

MOVED by Regional Councillor Rosati  
seconded by Regional Councillor Ferri

THAT By-law Number 147-2019, being a by-law to confirm the proceedings of Council at its meeting on October 23, 2019, be enacted.

CARRIED

### **157. ADJOURNMENT**

MOVED by Councillor Carella  
seconded by Regional Councillor Rosati

THAT the meeting adjourn at 1:15 p.m.

CARRIED

---

Hon. Maurizio Bevilacqua, Mayor

---

Todd Coles, City Clerk