

**THE REGIONAL MUNICIPALITY OF YORK**

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**REPORT NO. 1  
OF THE REGIONAL COMMISSIONER OF TRANSPORTATION AND WORKS AND  
THE REGIONAL SOLICITOR**

—————  
**For Consideration by  
The Council of The Regional Municipality of York  
on April 19, 2007**

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**1  
PROPOSED ANNEXATION OF LANDS  
CITY OF VAUGHAN FROM CITY OF BRAMPTON**

**1. RECOMMENDATIONS**

It is recommended that:

1. Regional Council receive the Minutes of the Joint Public Meeting held on January 18, 2007 in Attachment No. 3 to consider the proposed annexation of lands by the City of Vaughan from the City of Brampton.
2. Council enact a by-law confirming its support for the York-Peel Boundary Restructuring Proposal (the “Restructuring Proposal”) as set out in Attachment No. 2.
3. A certified copy of the Regional by-law supporting the Restructuring Proposal be forwarded to the City of Vaughan.

**2. PURPOSE**

The purpose of this report is to seek Regional Council’s support for the Restructuring Proposal made by the City of Vaughan (“Vaughan”) for the annexation from the City of Brampton (“Brampton”) of a small parcel of land left over following the realignment of

Highway 50, now York Regional Road 24 and Peel Region Road 50 (“Regional Road No. 50”)

### **3. BACKGROUND**

The subject lands are currently in public ownership and located north of Highway 407 and east of Regional Road No. 50, consisting of an area of .74 hectares (1.83 acres) with frontage on the east side of Regional Road No. 50. The location of the subject lands are shown in Attachments Nos. 1A and 1B to this Report. The Restructuring Proposal is set out in Attachment No. 2 to this Report.

The original alignment of Region Road No. 50 is the boundary between the Regional Municipality of York (“York”) and the Regional Municipality of Peel (“Peel”) in this area with all lands to the east being within Vaughan and York and all lands to the west being within Brampton and Peel. With the construction of Highway 407 and the realignment of Regional Road No. 50, the subject lands in Brampton and Peel now lie on the east side of Regional Road No. 50.

The realignment has left two Vaughan landowners to the north of Highway 407, the Dobsons and Glen 50 Developments, landlocked from Regional Road No. 50 and required a right-of way in favour of the Dobson property over lands held by the Province to provide access to the property from Regional Road No. 50. This circumstance will also pose difficulties in the future when the provincially owned lands currently in Brampton are transferred to the Dobsons and Glen 50 Developments to restore access to Regional Road 50. Separate property assessments will apply to the lands on the east side of Regional Road No. 50, distinct planning designations and by-laws will affect the development of the lands to the east of Regional Road No. 50, and there will be impacts in the application of other by-laws and services related to the lands on the east side of the road.

Regional Council at its meeting of October 19, 2006 established the Brampton-Vaughan Annexation Committee (the “Committee”) and authorized the holding of a joint public meeting with the corresponding committees of Vaughan, Brampton and Peel to consider the proposed annexation.

Regional Council at its meeting on December 14, 2007 appointed Mayor Linda Jackson, Regional Councilor Joyce Frustaglio and Regional Councilor Mario Ferri to the Committee.

The joint public meeting of the committees of Brampton, Vaughan, Peel and York was held on January 18, 2007 at Ebenezer Hall in Brampton. Notice of the public meeting to consider the proposed restructuring was provided by York through publication in a

newspaper of general circulation in the municipality and by the printed public agenda prepared by Brampton for the Public Meeting. Each of the other municipalities provided notice of the public meeting in accordance with their procedural notice requirements.

No member of the public from any of the affected municipalities appeared at the public meeting to make a deputation on the Restructuring Proposal, nor did any member of the public or any agency deliver written comments to the Regional Clerk or to the Clerk of any of the other municipalities.

The Committee, and its counterparts from Brampton, Vaughan and Peel, voted to support the proposed annexation.

The Minutes of the Joint Public Meeting of January 18, 2007 are contained in Attachment No. 3 to this Report.

#### **4. ANALYSIS AND OPTIONS**

Brampton has confirmed to Vaughan that there are no outstanding tax arrears on the property for the year 2007 and prior years, as the lands were owned by Her Majesty the Queen in Right of Ontario (Management Board Secretariat). The lands were also recently removed by the Minister of Municipal Affairs and Housing from the Parkway Belt West Plan.

In the future, should the minor restructuring be approved and the subject lands transferred to the abutting owners, taxes will be levied by and paid to Vaughan. The realigned Regional Road No. 50 will become the boundary at this location between Brampton and Vaughan and Peel and York. Further, upon approval of the Restructuring Proposal, the subject lands will be deemed to have the official plan designation(s) and zoning currently applicable to the lands in both Brampton and Peel, until those designations are amended by Vaughan and York, respectively.

Regional Council's options are to support or oppose the Restructuring Proposal. If the Restructuring Proposal is opposed by the Region, a number of on-going jurisdictional anomalies would persist regarding the property, including:

- The requirement to register transfers for the property in the Land Registry Offices of both Peel and York.
- That portions of the property in question would be subject to separate municipal assessments by Peel and York.
- The ability of the owners of the properties to have municipal voting rights in both Vaughan and Brampton.

- Uncertainty as to which municipality would be required to respond in the event of an emergency on the properties.

In order to ensure that these anomalies do not continue, it is recommended that Regional Council support the Restructuring Proposal.

The proposed effective date for the Restructuring Proposal, the date on which the lands would cease to be part of Peel and would become part of York, is July 1, 2007.

## **5. FINANCIAL IMPLICATIONS**

There are no financial implications to this report.

## **6. LOCAL MUNICIPAL IMPACT**

The effect of the Restructuring Proposal is that upon approval by the Minister of Municipal Affairs and Housing the subject lands will no longer be part of Brampton and will become part of Vaughan and York. The effective date of this change will be July 1, 2007, provided the necessary approval orders are made.

Vaughan Council has indicated its support for the Restructuring Proposal on occasions in the past.

## **7. CONCLUSION**

In order to avoid the jurisdictional anomalies set out above, it is recommended that Regional Council support the Restructuring Proposal.

*(The attachments referred to in this clause are attached to this report.)*

**Respectfully submitted,**

**April 17, 2007  
Newmarket, Ontario**

**B. Macgregor  
Commissioner of  
Transportation and Works**

**J. Hulton  
Regional Solicitor**

***(Report No. 1 of the Commissioner of Transportation and Works and the Regional Solicitor was adopted, without amendment, by Regional Council at its meeting held on April 19, 2007.)***

# Annexation Lands Near Part of Lots 2 and 3 Concession 9

## LEGEND

Annexation Lands

Parcel

Freeway

Road

Proposed Road

Regional Boundary

River\*



**York Region Geomatics**

Produced by:  
Geomatics and Development Services Department  
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\* Includes © Queen's Printer for Ontario, 2003-2006

Highway 427

Part of Lot 3 Concession 9

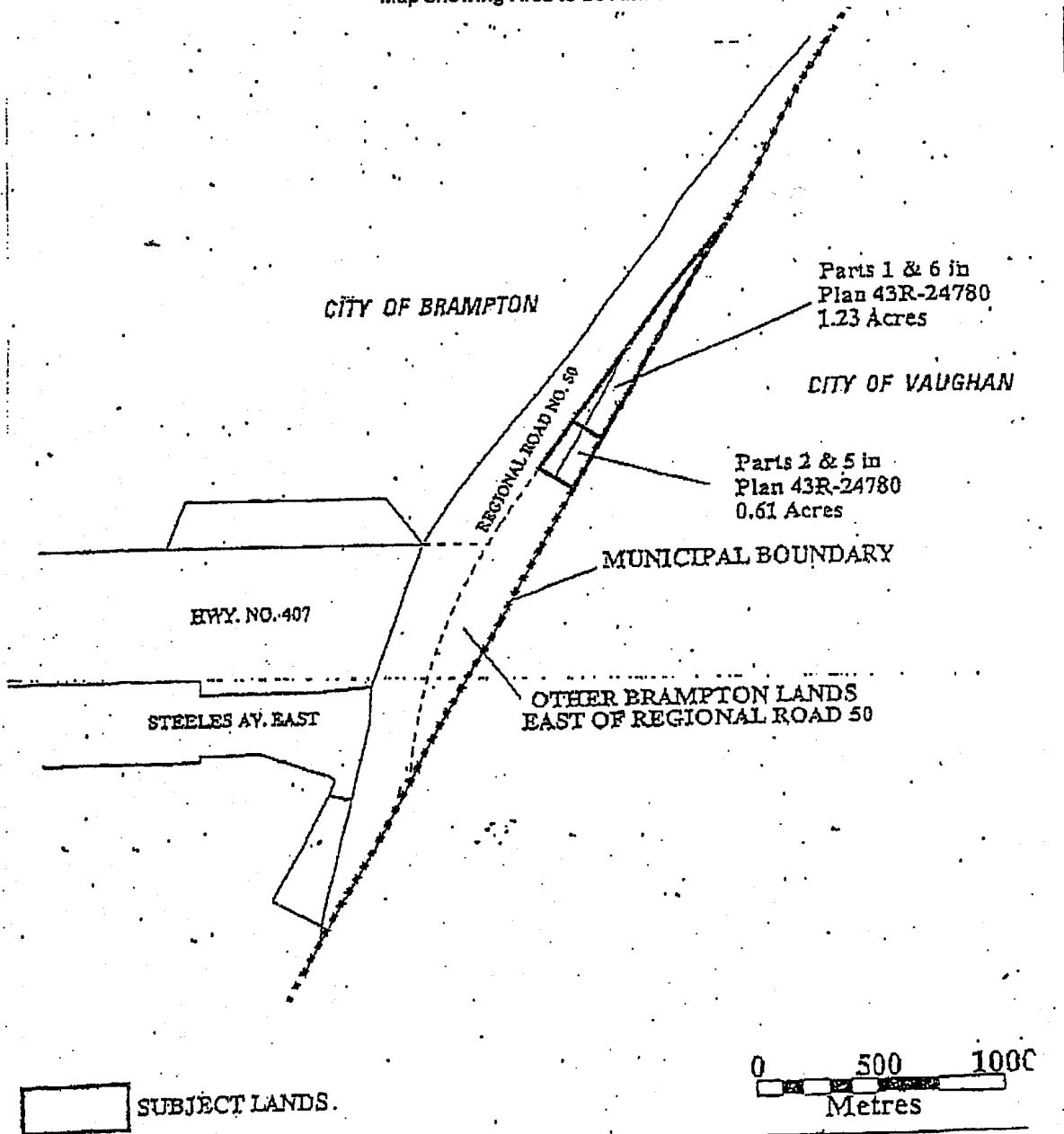
Part of Lot 2 Concession 9

Highway 407

Highway 50



Map showing Area to be Annexed



CITY OF BRAMPTON

Date: April 05, 2006 Drawn By: J. Kennedy  
File name: cwa\_bound.dgn



FIGURE 2  
SUBJECT LANDS

PLANNING, DESIGN & DEVELOPMENT DEPARTMENT

**RESTRUCTURING PROPOSAL**

The Restructuring Proposal of the City of Vaughan, the Region of York, the City of Brampton and the Region of Peel is hereby approved by all four municipal councils for submission to the Minister of Municipal Affairs and Housing under section 173 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**REGIONAL MUNICIPALITY OF YORK, REGIONAL MUNICIPALITY OF PEEL  
CITY OF VAUGHAN, CITY OF BRAMPTON**

**DEFINITIONS**

1. In this proposal:

"annexed area" means the area comprised of the lands described in Schedule "A" to this Proposal and shown on the Map set out in Schedule "B" to this Proposal;

"York" shall mean The Corporation of the Regional Municipality of York;

"Peel" shall mean The Corporation of the Regional Municipality of Peel.

"Vaughan" shall mean The Corporation of the City of Vaughan;

"Brampton" shall mean The Corporation of the City of Brampton;

**ANNEXATION**

2. (1) On July 1, 2007 the portion of the City of Brampton and the Regional Municipality of Peel described in Schedule "A" is annexed to the City of Vaughan and the Regional Municipality of York and shall form part of Ward Two of the City of Vaughan.

(2) All real property including any highway, street, fixture, waterline, easement and restrictive covenant running with the land of the City of Brampton located in the annexed area vests in the City of Vaughan on July 1, 2007.

(3) All real property including any highway, street, fixture, waterline, easement and restrictive covenant running with the land of Peel located in the annexed area vests in York on July 1, 2007.

(4) Subject to subsection (2) all assets and liabilities of the City of Brampton that are located in the annexed area remain the assets or liabilities of the City of Brampton.

(5) Subject to subsection (3) all assets and liabilities of Peel that are located in the annexed area remain the assets or liabilities of Peel.

**ASSESSMENT**

3. For the purposes of the assessment roll to be prepared for the City of Vaughan under the *Assessment Act* for the 2007 taxation year, the annexed area shall be deemed to be part of the City of Vaughan effective July 1, 2007 and the annexed area shall be assessed on the same basis that the assessment roll for the City of Vaughan is prepared.

**BY-LAWS**

4. (1) On July 1, 2007, the by-laws of York and the City of Vaughan extend to the annexed area and the by-laws of Peel and the City of Brampton cease to apply to such area except,

(a) by-laws of the Region of Peel or the City of Brampton as the case may be that apply within the annexed area

(i) that were passed under section 34 or 41 of the *Planning Act* or predecessor or those sections; and

(ii) that were passed under the *Highway Traffic Act* or the *Municipal Act* that regulate the use of highways by vehicles and pedestrians and that regulate the encroachment or projection of buildings or any portion thereof upon or over highways,

which shall remain in force until repealed by the council of York or the City of Vaughan respectively as the case may be;

(b) by-laws of the City of Brampton passed under the *Development Charges Act* which shall remain in force as by-laws of the City of Brampton until amended or repealed by the council of the City of Vaughan or expire under that Act;

(c) by-laws of Peel passed under the *Development Charges Act* which shall remain in force as by-laws of Peel until amended or repealed by the council of York or expire under that Act; and

(d) by-laws conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the council of the City of Brampton.

(2) The Official Plan of the City of Brampton, as it applies to the annexed area, becomes an Official Plan of the City of Vaughan and shall remain in force until amended or repealed.

(3) The Official Plan of Peel, as it applies to the annexed area, becomes an Official Plan of York and shall remain in force until amended or repealed.

(4) If the City of Brampton has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on July 1, 2007, the council of the City of Vaughan may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

(5) If Peel has commenced procedures to enact a by-law under any Act or to adopt an official plan or an amendment thereto under the *Planning Act*, and that by-law, official plan or amendment applies to the annexed area and is not in force on July 1, 2007, the council of York may continue the procedures to enact the by-law or adopt the official plan or amendment to the extent that it applies to the annexed area.

**Dated the 23rd day of April, 2007.**

**Schedule "A" to the Restructuring Proposal**

**Lands constituting Area to be Annexed**

**Part of PIN's 14021-0489 and 14021-0283 (LT)**

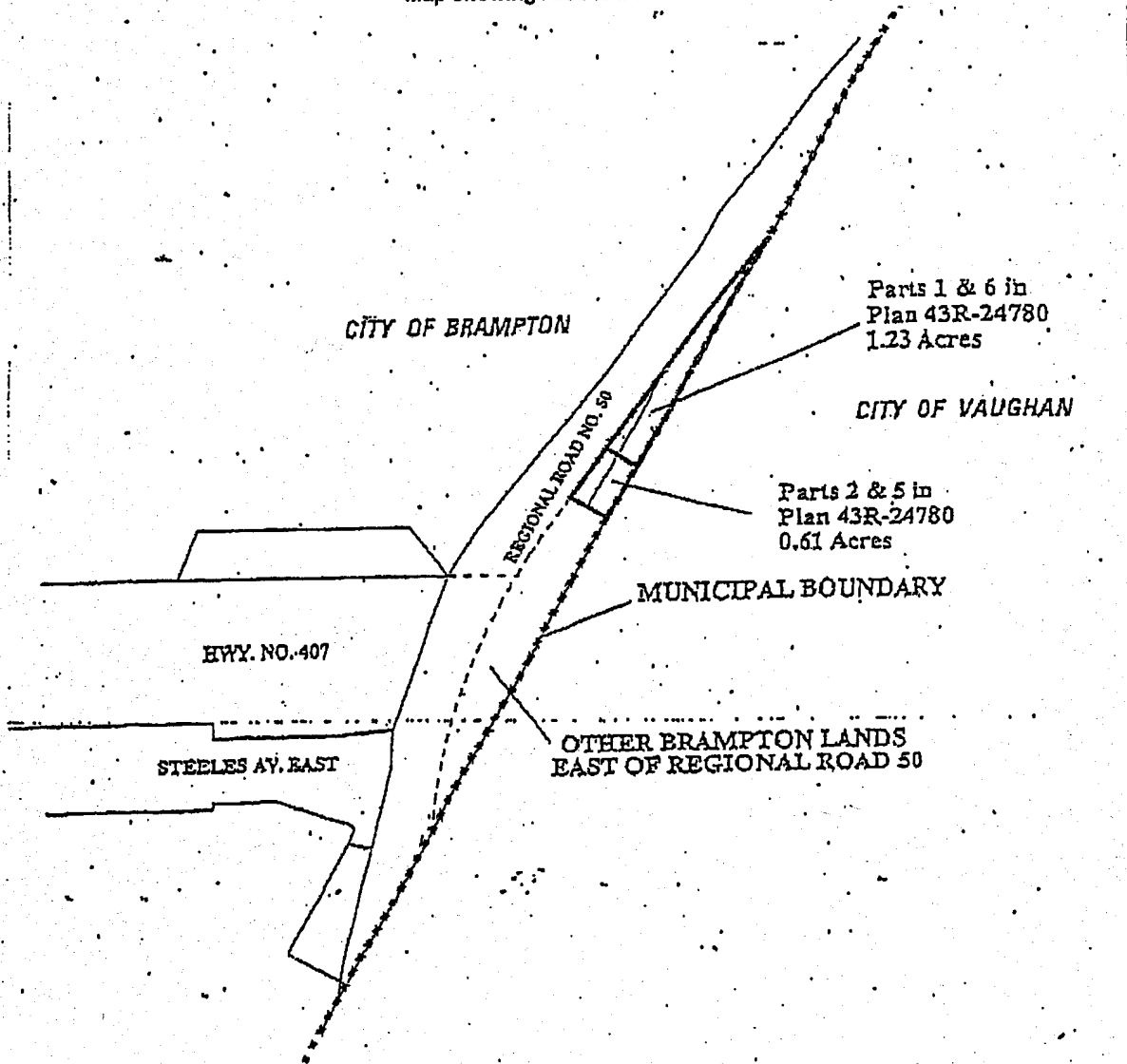
**Part Lot 1, Concession 9, ND TOR. Gore , Parts 1 & 6, Plan 43R-24780, Brampton, Regional Municipality of Peel.**

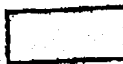
**Part of PIN's 14021-0283 and 14021-0489 (LT)**

**Part Lot 1, Concession 9, ND TOR. Gore , Parts 2 & 5, Plan 43R-24780, Brampton, Regional Municipality of Peel.**

SCHEDULE "B" TO THE RESTRUCTURING PROPOSAL

Map showing Area to be Annexed



 SUBJECT LANDS.



CITY OF BRAMPTON

Date: April 01, 2006 Drawn By: J. Kennedy  
File name: tms\_bound.dgn



FIGURE 2  
SUBJECT LANDS

PLANNING, DESIGN & DEVELOPMENT DEPARTMENT.

**MINUTES OF PUBLIC MEETING**

**Public Meeting  
Joint Meeting of Committees of  
City of Vaughan  
Region of York  
City of Brampton  
Region of Peel**

**Re: Annexation of Lands  
In the City of Brampton to the City of Vaughan  
January 18, 2007 – 7:30 p.m.  
Ebenezer Hall – 4494 The Gore Road – Brampton, ON**

**Representing the City of Vaughan and the Region of York:**

Mayor Linda Jackson (Chair)  
Regional Councillor M. Ferri  
Regional Councillor G. Rosati  
City Councillor T. Carella

**Representing the City of Brampton and the Region of Peel:**

Regional Councillor J. Sanderson  
Regional Councillor J. Sprovieri

**Staff:**

**Region of York:** Mr. B. Miller, Legal Counsel, Legal Services  
**City of Vaughan:** Ms. C. Stobo, Legal Counsel, Legal Services  
**Region of Peel:** Ms. J. Brennan, Outside Legal Counsel  
**City of Brampton:** Mr. C. Connor, Director of Real Property and Commercial Law, Corporate Services  
Ms. K. Zammit, City Clerk and Director of Council and Administrative Services, Management and Administrative Services  
Mr. M. Di Lullo, Legislative Coordinator, Management and Administrative Services

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The meeting commenced at 7:31 p.m.

Mayor Jackson provided an overview of the agenda and program for this Public Meeting and advised that the purpose of the meeting is to allow an opportunity for residents to put forward their comments with respect to the proposed annexation of lands in the City of Brampton to the City of Vaughan, pursuant to the realignment of Highway 50.

**1. Confirmation of Chair of Joint Public Meeting**

Mayor Jackson was appointed to act as Chair of the Public Meeting pursuant to a vote of the members of the Councils of Vaughan, York, Brampton and Peel.

**2. Confirmation of Agenda**

The Agenda was approved, as printed and circulated.

**3. Disclosure of Interest – nil**

#### **4. Recommendation or Other Action**

##### **1) Draft Restructuring Proposal**

Consideration of a proposed municipal restructuring to enable the City of Vaughan in the Region of York to annex a parcel of land now situate within the City of Brampton on the east side of Highway 50, north of Highway 407, due to the realignment of Highway 50 in the course of final construction of Highway 407. The following documentation was appended to the agenda:

##### **Region of York**

Correspondence dated October 20, 2006 from Denis Kelly, Clerk of The Regional Municipality of York, confirming the adoption by York Regional Council of the recommendations of the Finance and Administration Committee on "Proposed Annexation of Lands from the City of Brampton to the City of Vaughan"

##### **Region of Peel**

General Committee Report dated October 4, 2006 on Proposed Annexation of Certain Lands from the Region of Peel (City of Brampton) to the Region of York (City of Vaughan) together with extract from Regional Council Minutes of October 26, 2006.

##### **City of Vaughan**

Staff Report to the Committee of the Whole of June 19, 2006 on Proposed Annexation of Lands by City of Vaughan from City of Brampton.

##### **City of Brampton**

Staff Report dated September 28, 2006 on Proposed Annexation of Lands by the City of Vaughan from the City of Brampton.

##### **2) Public Deputations**

There was 1 member of the public present and he indicated prior to the start of the meeting that he did not require a presentation of the proposal.

#### **5. Adoption of Recommendation**

Moved by Regional Councillor Sprovieri (City of Brampton and Region of Peel)  
Seconded by Regional Councillor Ferri (City of Vaughan and Region of York)

THAT the special committees appointed by the councils of the Regions of York and Peel and the Cities of Vaughan and Brampton recommend to their respective councils that the council support the proposed annexation of land by the City of Vaughan from the City of Brampton as considered at the joint public meeting held on January 18, 2007 at the Ebenezer Community Centre in Brampton:

AND FURTHER that the Council pass a by-law pursuant to section 173 of the *Municipal Act, 2001* evidencing such support.

Carried

#### **6. Adjournment**

Meeting adjourned at 7:34 p.m.