



STAFF REPORT ACTION REQUIRED

Establishment of a Committee of Revision

Date:	April 21, 2008
To:	Executive Committee
From:	City Solicitor
Wards:	All Wards
Reference Number:	

SUMMARY

The purpose of this report is to recommend that City Council establish a Committee of Revision in accordance with Regulation 596/06 under the *City of Toronto Act, 2006* to hear objections regarding proposed local improvement charges.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council establish a five-member Committee of Revision composed of the Community Council chairs and the Deputy Mayor.
2. City Council approve the terms of reference for the Committee of Revision as outlined in Appendix A.
3. All previous Courts of Revision be dissolved and the following by-laws and code chapters be repealed:

By-law No. 111-70 of the former City of Toronto.

Chapter 213, Improvements, Local, of the Former City of Toronto Municipal Code.

Chapter 59, Local Improvement Assessments, of the Former City of Etobiocke Municipal Code.

Chapter 50, Court of Revision, of the former City of York Municipal Code.

By-law No. 23023 of the former Borough of North York.

By-law No. 1355 of the former Township of Scarborough.

By-law No. 2945 of the former Municipality of Metropolitan Toronto.

4. The City Solicitor be authorized to introduce the necessary bills to give effect to these recommendations.

FINANCIAL IMPACT

There are no financial impacts arising from this report.

ISSUE BACKGROUND

In accordance with Regulation 596/06 under the *City of Toronto Act, 2006*, the City is required to establish a Committee of Revision consisting of three or five members appointed by Council and qualified to be elected as Members of Council to hear objections to proposed local improvement charges.

COMMENTS

1. Requirement to Establish a Committee of Revision

The Committee of Revision is a quasi-judicial body, appointed by Council under the authority of the *City of Toronto Act, 2006* and Regulation 596/06 to hear objections before imposing local improvement charges. Local improvements constructed by a municipality may be charged to property owners whose lands abut the constructed work and property owners whose lands do not abut the work but will be immediately benefited by it. The local improvement charge or “special assessment” is added to the property tax bill.

In July 2006 City Council appointed a court of revision (now known as a committee of revision under the *City of Toronto Act, 2006*), consisting of three members of Council for the sole purpose of hearing objections with respect to a special assessment for construction of sanitary sewers on Pine Ridge Drive. The term of office for the court expires upon completion of that hearing.

The City currently has a number of local improvement projects underway that will require committee of revision hearings but are outside the mandate of the existing Court

of Revision given that it was established solely for the purposes of hearing the Pine Ridge Drive matter. It is therefore recommended that the current and any previous Courts of Revision be dissolved and that a committee of revision be established in accordance with regulation 596/06 under the *City of Toronto Act, 2006* with a city-wide mandate to hear objections related to all local improvement charges. This new committee will also take carriage of the Pine Ridge Drive hearing as that matter has not yet been heard.

2. Terms of Reference for the Committee of Revision

The mandate of the committee of revision is prescribed by Regulation 596/06 under the *City of Toronto Act, 2006* and includes hearing objections against proposed charges and special assessments for local improvements; reviewing proposed charges and special assessments for local improvements; making corrections in certain circumstances; and other matters as described in the regulation.

Regulation 596/06 prescribes the membership as three or five members appointed by Council and qualified to be elected as members of Council. To ensure city-wide input and geographic representation, a five-member committee of revision composed of the Community Council chairs and Deputy Mayor is recommended. The inclusion of Community Council chairs in the membership will ensure local knowledge is applied in the hearing process.

The terms of reference outlining the mandate, composition, term, meetings and quorum, etc. for the committee of revision are attached as Appendix A.

CONTACT

Jasmine Stein
Solicitor, Municipal Law
Phone: 416-392-7226
Fax: 416-302-1017
E-mail jstein@toronto.ca

SIGNATURE

Anna Kinastowski
City Solicitor

ATTACHMENTS

Appendix A – Terms of Reference

Terms of Reference Committee of Revision

Background

The committee of revision is a quasi-judicial body, appointed by Council under the authority of the *City of Toronto Act, 2006* and Regulation 596/06 to hear objections before imposing local improvement charges. Local improvements constructed by a municipality may be charged to property owners whose lands abut the constructed work and property owners whose lands do not abut the work but are immediately benefited by it. The local improvement charge or “special assessment” is added to the property tax bill.

Mandate

The committee of revision is responsible for the following:

- hearing objections against proposed charges and special assessments for local improvements;
- reviewing proposed charges and special assessments for local improvements and making corrections in certain circumstances; and
- other matters as described in regulation 596/06 under the *City of Toronto Act, 2006*.

Composition

The committee of revision consists of 5 members:

- the Deputy Mayor
- the four Community Council Chairs

The committee of revision appoints a Chair from among its members.

Term of Appointment

Committee members serve by virtue of their positions as Deputy Mayor or Community Council Chairs or until their successors are appointed.

Meetings

The committee of revision will hold hearings about objections against local improvement charges as required.

Quorum

The majority of committee members constitute a quorum.

Procedures

The committee of revision is a quasi-judicial body that conducts itself in accordance with the Statutory Powers Procedure Act.

Remuneration

No remuneration is paid to committee members.

Staff Support

The City Clerk provides meeting management support to the committee of revision.