

King doesn't have authority to change an MPAC assessment, CAO says

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He added he couldn't believe his is the only home in the area with an in-law suite. "Should I be punished for reporting mine?" he demanded.

Fortin also pointed out the connection charge was based on residential equivalent formula. He said he has only one service pipe connection, meaning he should be subject to just one charge.

He added he has obtained

legal advice and has been told that in a case like this, if there is confusion in the way the bylaw is worded, it's the responsibility of those who wrote it and the issue should be settled in his favour.

Fortin also defended the idea of taking care of family members. He said his mother-in-law has been feeling guilty, considering her self to be a burden and has suggested she wouldn't have been invited to stay had these problems been known ahead of time. Not

so, Fortin said, adding she would have been invited regardless. "It's the right thing to do," he declared, adding it shows his sons a lesson about families looking after each other.

Somerville commented the Township set the charges according to assessment information provided by MPAC, which listed the property as being occupied by Fortin and a tenant. He added the Township doesn't have the authority to change an MPAC assessment.

He also suggested Fortin provide a copy of the legal opinion he received so staff can study it.

Anne Rouillard, MPAC's municipal relations representative for York Region, told councillors the property was inspected May 18, and the person conducting the inspection concluded it was a duplex. She added they would be willing to reconsider, also pointing out that possibly taking down the wall could lead to the house being considered a one-unit dwelling.

Councillor Linda Pabst wondered if just putting a doorway in that wall would be sufficient. Rouillard said it might be, although Fortin later said the person who conducted the May 18 inspection had indicated it

would not.

Councillor Cleve Mortelliti said he's viewed the property. "I don't see a duplex, I see a house," he remarked, adding there is just one driveway.

He also said there's difficulty with interpretation and suggested a site-specific analysis is needed.

Mortelliti added he had understood the residential equivalent model was based on the amount of water being used (Somerville later told him that was not the case).

Councillor Bill Cober suggested some modifications might be all that's needed to settle the issue, and said MPAC should provide details on what's needed to change the duplex designation.

Somerville repeated that

Fortin was given a year to try and sort out his difficulties with MPAC, adding it's the corporation's interpretation that a second connection is needed.

"Where do I put that other pipe?" Fortin demanded.

Director of Operations Jody LaPlante couldn't say if two connections are expected for this house, but he added he didn't recall such a requirement.

Pabst suggested Fortin and Rouillard work one-on-one to try and settle the issue. "MPAC, as we know, has been wrong," she said, commenting there are people still on voting lists who have been dead for 12 years.

"We realize a mistake's been made," she added, suggesting the two of them work together.

"That's all I want the Township to do," Fortin replied, adding the bylaw, as he reads it, is clear that he only needs one connection.

He also said he's not willing to work with MPAC, based on his interpretation of the bylaw.

"I have one home," he declared. "I have only one family in my home."

But Cober urged him to work with MPAC, pointing out MPAC seemed willing to work with him.

"We want you to get what you need," Cober told Fortin, but stated there's a process that needs to be followed. He also liked the idea of lawyers for Fortin and the municipality sharing their information and opinions. "I think we're on the right track here."

Rouillard agreed she would be willing to review the situation with Fortin.

Fortin was not very pleased as he left the council chambers.

"I think they're missing the point," he remarked. "The point is what the bylaw says."

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