MARCH 9, 2010

TAX ADJUSTMENTS PURSUANT TO SECTIONS 357 AND 358 OF THE MUNICIPAL ACT, S.O. 2001

Recommendation

The Director of Financial Services, in consultation with the Manager of Property Tax & Assessment recommends:

That the tax adjustments as outlined on the attached report be approved in accordance with the requirements under the *Municipal Act*.

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

The City's share of these property tax adjustments is approximately \$139,893. A provision for tax adjustments has been budgeted.

Communications Plan

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 detailing the total amount of the adjustment and the right of the applicant to appeal the decision to the Assessment Review Board.

Purpose

To obtain Council's approval for the increase or cancellation of property taxes as permitted under Section 357 and 358 of the *Municipal Act, 2001.*

Background - Analysis and Options

Ninety-five (95) 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 357 and 358 of the *Municipal Act, 2001, as amended.* 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.

Included in the ninety-five (95) applications are fifty-seven (57) properties affected by the August 20, 2009 Tornado. Given the magnitude and extent of damage caused by the storm, and in order to assist with the volume of properties involved, staff immediately responded to the situation by attending the affected areas with representatives from MPAC (Municipal Property Assessment Corporation) in order to assess the damages, take pictures and provide high priority assistance to those affected, as applicable. The tax appeal applications were then filled out on behalf of the property owner at the same time and expedited to the MPAC office for valuation. The applications were reviewed and returned expeditiously from the MPAC office.

The adjustment of taxes for these properties is based on an adjusted assessment value as provided by MPAC. Based on MPAC's calculations, the assessment values have been adjusted in accordance to the amount of damage sustained. This can vary from partial assessment value reductions to adjusting to a land assessment only. The time frame of these adjustments is 134 days, from the day of the actual tornado to December 31, 2009. There are seven (7) applications that will not be adjusted. As determined by MPAC, these properties have not qualified for any adjustment as the damage sustained was either minor in nature or was simply not assessed in the first place.

The total cancellation, reduction or refund of taxes, as recommended is \$929,059. The City portion of this amount is \$139,893, or approximately 15%. The tax adjustments relating to commercial and industrial properties are prior to any recalculations resulting from the capping legislation.

Approval of these adjustments will allow the applicant the right to appeal the decision to the Assessment Review Board.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

The Region's share of these property tax adjustments is approximately \$269,581 or approx. 29%.

Conclusion

Council approval of the applications in this report will allow staff to proceed with the property tax adjustments as applicable. The applicant also has the right to appeal the decision to the Assessment Review Board if so desired.

Attachments

Attachment 1 - Tax Appeal Report

Report prepared by:

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

Respectfully submitted,

Barry E. Jackson, CGA Director of Financial Services

ECTION 2	PPEAL RE 157, 358, MUNICIPA		N1	COUNCIL MARCH 9, 2010				
SECTION 3	37, 358, MUNICIPA	L AC1, 3.0. 20						
APPL.#	<u>ROL]_</u> #	TAX YEAR	AMOUNT ADJUSTED	CITY PORTION	REGION PORTION	EDUCATION PORTION	REASON	
4150	000,290,90000	2006	(864.77)		(417.00)	(232.53)	EXEMPT - C	
3891	000.210.61000	2007	(3,778.56)		(1,845.83)	(982.80)	EXEMPT - C EXEMPT - C	
3894	000.214.57000	2007	(2,179.45)		(543.55) (25.21)	(1,356,27) (13,42)	DEMOLITI	
4012 4149	000.290.77132 000.290.80000	2007	(51.60) (8,321.18)			(2,164.34)	EXEMPT - C	
4151	000.290.92000	2007	(3,261.53)		(1,593.26)	(848,32)	EXEMPT - C	
4195	000.390.40500	2007	(162.38)	(40.82)	(79.32)	(42.24)	MPAC ERR	
4455	000.300.66500	2007	(1,238.11)	(311.26)	(604.82)	(322.03)	EXEMPT - PLACE OF WORS	
4458	000.061.50156	2007	(184.21)		(89.99)	(47,91)	LAND ASSESSMENT ERF	
4612	000.321.55000	2007	(15,904.59)		(7,769.39) (233.14)	(4,136.78) (119.42)	EXEMPT - CONSERVAT DEMOLIT	
4005	000.050,42500	2008	(472.52) (100.71)		(49.69)	(25,45)	DEMOLIT	
4008 4013	000.010.36000 000,290.77132	2008	(302.96)	(76.92)	(149.48)	(76.56)	DEMOLIT	
4015	000.021.08000	2008	(17.57)	(4.46)	(8.67)	(4.44)	DEMOLIT	
4016	000.020.82000	2008	(33,96)		(16.76)	(8.58)	DEMOLIT	
4029	000,280,83100	2008	(56,936.17)	(7,487.11)	(14,547.19)	(34,901.87)	MPAC SUPP ERF	
4030	000.280.83100	2008	(418,981.15)		(107,049.69)	(256,835,44)	MPAC SUPP ERF	
4145	000.300.67000	2008	(1,423.19)		(702.20)	(359.64)	EXEMPT - PLACE OF WORS	
4146	000,300,66500	2008	(1,541.96)		(760.81) (344.23)	(389.65) (176.30)	EXEMPT - PLACE OF WORS	
4166	000.360.10500	2008	(697.67) (4,221.20)	(177.14) (563.53)	(1,094.98)	(2,562.69)	CLASS CHAN	
4167 4170	000.230.34120 000.214.57000	2008	(4,928.84)		(1,259.32)	(3,021.38)	EXEMPT - 0	
4192	000.214.37000	2008	(53,761.40)		(26,525.87)	(13,585.51)	LAND ASSESSMENT ERI	
4196	000.390.40500	2008	(167.15)	(42.44)	(82.47)	(42.24)	MPAC ERI	
4388	000.213.66576	2008	(212.71)	(54.01)	(104.95)	(53.75)	MPAC ERI	
4459	000.061.50156	2008	(1,305.90)	(331.57)	(644.33)	(330.00)	LAND ASSESSMENT ERI	
1460	000.321,36511	2008	(532.23)	(71.05)	(138.06)	(323.12)	MPAC ERI	
1021	000.214.90500	2009	(3,83 <u>4.66)</u>	(993.56)	(1,888.95)	(952.15)	EXEMPT - (
1037	000.010,36000	2009	0.00	0.00	0.00	0.00	NO ADJUSTM	
4197	000.390.40500	2009	(162.42)	(42.08)	(80.01) (73,953.71)	(40.33) (169,816.50)	MPAC ERI EXEMPT - (
4391	000.270.11000	2009	(282,697.68) (20,415.85)	(38,927.47)	(5,340.79)	(12,263.80)	EXEMPT - 0	
4392 4393	000.233.46500 000.233.52260	2009	(1,699.58)	(236.07)	(449.03)	(1,014.48)	CLASS CHAN	
4429	000.233.32200	2009	(1,106.14)	(286.60)	(544.89)	(274.65)	MPAC ERI	
4430	000.230.34120	2009	(4,358.82)	(605.44)	(1,151.60)	(2,601.78)	CLASS CHAN	
4447	000.050.42500	2009	(1,042,24)	(270.04)	(513.41)	(258.79)	DEMOLIT	
4693	000,260.90000	2009	(4,014,24)	(552.76)	(1,050.13)	(2.411.35)	EXEMPT - 0	
		Sub Total	(900,915.30)	(132,601.16)	(255,717.63)	(512,596.51)	**************************************	
4323	000,271,41410	2009	(272.55)	(\$70.62)	(\$134.26)	(\$67.67)	TORNADO DAM	
4324	000.320.28124	2009	(174.62)	(\$45.24)	(\$86.02) (\$94.79)	(\$43.36) (\$47.78)	TORNADO DAM TORNADO DAM	
4325	000,320,28125	2009 2009	(192.43 <u>)</u> (336.34)	(\$49.86) (\$87.15)	(\$165.68)	(\$83.51)	TORNADO DAM	
4326 4327	000.320.28267 000.320.28266	2009	(276.72)	(\$71.70)	(\$136.31)	(\$68.71)	TORNADO DAM	
4328	000.320.28287	2009	(345.67)	(\$89.56)	(\$170.28)	(\$85.83)	TORNADO DAM	
4329	000.320.28288	2009	(431.38)	(\$111.77)	(\$212.50)	(\$107.11)	TORNADO DAM	
4330	000.320.28297	2009	(408.08)		(\$201.02)	(\$101.33)	TORNADO DAM	
4331	000.320.28296	2009	(302.80)		(\$149.16)	(\$75.19)	TORNADO DAM	
4332	000.320.28272	2009	(349.39)			(\$86.75)	TORNADO DAM	
4333	000.320.28269	2009	(328.89)		(\$162.01)	(\$81.66)	TORNADO DAM	
4334	000.320.28268	2009	(368.95)			(\$91.61) (\$63.15)	TORNADO DAM TORNADO DAM	
4335	000.320.28285 000.320.28286	2009	(254,34) (344,73)			(\$85.60)	TORNADO DAM	
4336 4337	000.320.28286	2009	(406.22)			(\$100.86)	TORNADO DAM	
4338	000.320.29005	2009	(531.06)			(\$131.86)	TORNADO DAM	
4339	000.320.29004	2009	(466.79)		(\$229.94)	(\$115.90)	TORNADO DAM	
4340	000.320.29003	2009	(376.41)	(\$97.53)		(\$93.46)	TORNADO DAM	
4341	000,320,29002	2009	(545.04)			(\$135.33)	TORNADO DAM	
4342	000.320.29001	2009	(545.04)		(\$268.49)	(\$135.33)	TORNADO DAM	
4343	000,320,29033	2009	(666.16)			(\$165.41) (\$53.57)	TORNADO DAM TORNADO DAM	
4344	000.320.28265	2009	(215. 7 5) (215.75)			(\$53.57) (\$53.57)	TORNADO DAM	
4345	000.320.28264 000.320.28263	2009	(215.75)			(\$66.29)	TORNADO DAM	
4346 4347	000.320.28262	2009	(266.98)			(\$66.29)	TORNADO DAM	
4347	000.320.28236	2009	(682.93)			(\$169.57)	TORNADO DAM	
4349	000.320.28237	2009	(466.79)			(\$115.90)	TORNADO DAM	
4350	000,320,28241	2009	(423.92)			(\$105.26)	TORNADO DAM	
4351	000.320.28240	2009	(473.30)	(\$122.63)	(\$233.15)	(\$117.52)	TORNADO DAM	
	000.320.28242	2009	(432.30)		(\$212.95)	(\$107.34)	TORNADO DAM	
4352	000.020.20292							
4352 4353	000.320.29014	2009	(578.59)		(\$285.01)	(\$143.66)	TORNADO TORNADO	

4356 000.271.41445 2009 (816.17) (\$211.47) (\$402.05) (\$202.66) TORNADO DAMA 4357 000.271.41884 2009 (835.73) (\$216.54) (\$411.68) (\$207.51) TORNADO DAMA 4359 000.320.28233 2009 (777.97) (\$201.57) (\$383.23) (\$193.17) TORNADO DAMA 4360 000.320.28232 2009 (770.64) (\$181.54) (\$345.14) (\$173.97) TORNADO DAMA 4360 000.320.28232 2009 (700.64) (\$181.54) (\$345.14) (\$173.97) TORNADO DAMA 4362 000.271.41472 2009 (1.036.98) (\$268.68) (\$510.82) (\$257.48) TORNADO DAMA 4368 000.271.41412 2009 (718.34) (\$186.12) (\$353.85) (\$178.36) TORNADO DAMA 4369 000.271.41492 2009 (1.236.36) (\$320.34) (\$609.03) (\$306.99) TORNADO DAMA 4370 000.271.41490 2009 (1.018.34) (\$263.85) (\$501.63) (\$252.65) TORNADO DAMA 4371 000.271.41464 2009 (1.018.34) (\$263.85) (\$203.44) (\$578.74) (\$291.72) TORNADO DAMA 4372 000.271.41462 2009 (959.66) (\$246.55) (\$472.73) (\$233.28) TORNADO DAMA 4373 000.271.41476 2009 (959.66) (\$246.55) (\$472.73) (\$233.28) TORNADO DAMA 4374 000.271.41476 2009 (959.66) (\$246.55) (\$276.23) (\$486.13) (\$235.97) TORNADO DAMA 4374 000.271.41476 2009 (959.66) (\$246.55) (\$276.23) (\$486.13) (\$235.97) TORNADO DAMA 4374 000.271.41474 2009 (1.064.93) (\$275.92) (\$254.45) (\$264.42) TORNADO DAMA 4375 000.271.41476 2009 (959.66) (\$246.55) (\$276.23) (\$486.13) (\$235.97) TORNADO DAMA 4374 000.271.41476 2009 (959.66) (\$246.55) (\$276.23) (\$486.13) (\$235.97) TORNADO DAMA 4375 000.271.41476 2009 (959.66) (\$246.55) (\$276.25) (\$264.42) TORNADO DAMA 4375 000.271.41476 2009 (959.66) (\$246.55) (\$264.23) (\$468.13) (\$235.97) TORNADO DAMA 4381 000.271.41488 2009 (9.00 \$0.0			T	1		- -		
APPL# ROLL# TAX YEAR ADJUSTED CITY PORTION REGION PORTION PORTION REASON					 -		EDUCATION	
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4356 000.271.41448 2009 (816.17) (\$211.47) (\$402.05) (\$202.66) TORNADO DAM/ 4357 000.271.41884 2009 (833.73) (\$216.54) (\$411.68) (\$207.51) TORNADO DAM/ 4369 000.320.28232 2009 (770.64) (\$181.54) (\$315.41) (\$173.97) TORNADO DAM/ 4360 000.320.28232 2009 (700.64) (\$181.54) (\$345.14) (\$173.97) TORNADO DAM/ 4360 000.271.4172 2009 (1).989.89) (\$268.68) (\$268.68) (\$257.48) TORNADO DAM/ 4368 000.271.41412 2009 (718.34) (\$186.12) (\$333.65) (\$178.36) TORNADO DAM/ 4369 000.271.41412 2009 (1.286.36) (\$320.34) (\$609.03) (\$306.99) TORNADO DAM/ 4369 000.271.41492 2009 (1.286.36) (\$320.34) (\$609.03) (\$306.99) TORNADO DAM/ 4370 000.271.41492 2009 (1.286.36) (\$267.48) (\$609.03) (\$252.85) TORNADO DAM/ 4371 000.271.41494 2009 (1.174.87) (\$304.41) (\$578.74) (\$271.72) TORNADO DAM/ 4372 000.271.41462 2009 (\$959.66) (\$246.65) (\$247.273) (\$232.88) TORNADO DAM/ 4373 000.271.41462 2009 (\$959.33) (\$246.23) (\$468.13) (\$233.85) (\$772.73) (\$232.88) TORNADO DAM/ 4374 000.271.41464 2009 (\$959.33) (\$246.23) (\$488.13) (\$233.85) (\$772.73) (\$232.88) TORNADO DAM/ 4374 000.271.41446 2009 (\$950.33) (\$246.23) (\$488.13) (\$233.85) (\$772.73) (\$732.85) (\$772.73) (\$732.85)	APPL.#	ROLL#	TAX YEAR	<u>ADJUSTED</u>	CITY PORTION	REGION PORTION	PORTION	REASON
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4356 000.271.41448 2009 (816.17) (\$211.47) (\$402.05) (\$202.66) TORNADO DAMM 4357 000.271.41884 2009 (835.73) (\$216.54) (\$411.68) (\$207.51) TORNADO DAMM 4369 000.320.28232 2009 (770.64) (\$181.54) (\$345.14) (\$179.57) TORNADO DAMM 4360 000.320.28232 2009 (700.64) (\$181.54) (\$345.14) (\$179.57) TORNADO DAMM 4360 000.271.4172 2009 (1.036.98) (\$266.68) (\$570.82) (\$257.48) TORNADO DAMM 4368 000.271.41412 2009 (718.34) (\$166.12) (\$353.65) (\$179.36) TORNADO DAMM 4369 000.271.41412 2009 (718.34) (\$166.12) (\$353.65) (\$179.36) TORNADO DAMM 4370 000.271.41490 2009 (1.236.36) (\$220.34) (\$90.90) (\$90.90) (\$700.64) (\$263.85) (\$500.83) (\$252.65) TORNADO DAMM 4371 000.271.41491 2009 (\$1.718.47) (\$263.85) (\$500.83) (\$252.265) TORNADO DAMM 4371 000.271.41462 2009 (\$950.68) (\$246.65) (\$247.273) (\$238.28) TORNADO DAMM 4372 000.271.41462 2009 (\$950.63) (\$246.23) (\$468.13) (\$232.89) TORNADO DAMM 4373 000.271.41474 2009 (\$950.33) (\$246.23) (\$468.13) (\$233.28) TORNADO DAMM 4374 000.271.41474 2009 (\$166.483) (\$275.92) (\$252.45) (\$264.42) TORNADO DAMM 4373 000.271.4146 2009 (\$06.483) (\$275.92) (\$252.45) (\$264.42) TORNADO DAMM 4374 000.271.4148 2009 (\$00.00 \$0	4355	000 271 41486	2009	(849.70)	(\$220.16)	(\$418.56)	(\$210.98)	TORNADO DAMAGE
4957 000.271.41884 2009 (835.73) (\$216.54) (\$411.68) (\$207.51) TORNADO DAMM 4359 000.320.26233 2009 (777.97) (\$201.57) (\$383.23) (\$193.17) TORNADO DAMM 4360 000.320.26232 2009 (700.64) (\$181.54) (\$345.14) (\$173.97) TORNADO DAMM 4360 000.320.26232 2009 (700.64) (\$181.54) (\$345.14) (\$173.97) TORNADO DAMM 4360 000.271.41472 2009 (1,036.98) (\$266.68) (\$510.82) (\$257.48) TORNADO DAMM 4360 000.271.41412 2009 (718.34) (\$186.12) (\$353.85) (\$178.36) TORNADO DAMM 4360 000.271.41492 2009 (1,236.36) (\$20.34) (\$00.03) (\$300.99) TORNADO DAMM 4370 000.271.41492 2009 (1,018.34) (\$263.65) (\$500.63) (\$252.55) TORNADO DAMM 4370 000.271.41494 2009 (1,174.87) (\$304.41) (\$263.46) (\$257.47) (\$291.72) TORNADO DAMM 4371 000.271.41494 2009 (959.66) (\$246.55) (\$778.74) (\$291.72) TORNADO DAMM 4372 000.271.41462 2009 (959.66) (\$246.55) (\$472.73) (\$233.26) TORNADO DAMM 4373 000.271.41476 2009 (959.66) (\$246.55) (\$472.73) (\$233.26) TORNADO DAMM 4373 000.271.41476 2009 (959.66) (\$246.55) (\$472.73) (\$233.26) TORNADO DAMM 4373 000.271.41476 2009 (950.33) (\$246.23) (\$468.13) (\$253.57) TORNADO DAMM 4374 000.271.41476 2009 (950.63) (\$20.00 \$					(\$211.47)	(\$402.05)	(\$202.66)	TORNADO DAMAGE
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Sub Total (28,143.63) (7,292.01) (13,863.55) (6,988.06) Grand Total (929,058.93) (139,893.17) (269,581.18) (519,584.57) Tax Year Amount Adjusted			2009	(736.04)	(\$190.71)	(\$362.57)	(\$182.76)	TORNADO DAMAGE
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