

TAX ADJUSTMENTS PURSUANT TO SECTIONS 357, 358, 359 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.

Contribution to Sustainability

Not applicable.

Economic Impact

The City's share of these property tax adjustments is approximately \$13,958. 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.

Purpose

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

Background - Analysis and Options

Sections 357 and 358 – Cancellation, Reduction or Refunds:

Twelve (12) 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.

Eleven (11) applications have been included for Council's consideration but do not require adjustment. They have not qualified for any adjustment under sections 357 and 358 of the *Municipal Act, 2001, as amended*.

The total cancellation, reduction or refund of taxes, as recommended is \$112,098. The City portion of this amount is \$15,448, or approximately 14%. The tax adjustments relating to commercial and industrial properties are prior to any recalculations resulting from the capping legislation.

Section 359 – Increase of Taxes:

Three (3) applications has been prepared under section 359, *Municipal Act, 2001, as amended*, for Council's consideration. The increase in tax on these applications is the result of a MPAC assessment roll error where the property was incorrectly assessed under an apportioned roll number. The apportionment should not have occurred. Reasons for Section 359 adjustments can include gross or manifest errors that are clerical or factual, including transposition of figures, topographical, but cannot be an error in judgment in assessing the land. The total additional tax as recommended is \$11,786. This City portion of this amount is \$1,490.

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 \$27,226 or 27%.

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

TAX APPEAL REPORT			COUNCIL June 15, 2009				
SECTION 357, 358, 359, MUNICIPAL ACT, S.O. 2001							
APPL.#	ROLL#	TAX YEAR	AMOUNT ADJUSTED	CITY PORTION	REGION PORTION	EDUCATION PORTION	REASON
4229	000.281.13114	2005	(6,054.44)	(1,385.48)	(2,811.99)	(1,856.97)	LAND ASSESSMENT ERROR
4158	000.232.55550	2005	(\$10,409.15)	(1291.55)	(2486.41)	(6631.19)	CORRECTION OF SEVERANCE
3660	000.220.43500	2006	\$0.00	0.00	0.00	0.00	NO ADJUSTMENT
4010	000.281.13114	2006	(\$932.54)	(232.11)	(449.67)	(250.76)	LAND ASSESSMENT ERROR
4159	000.232.55550	2006	(\$11,221.92)	(\$1,424.06)	(\$2,759.47)	(\$7,038.39)	CORRECTION OF SEVERANCE
3661	000.220.43500	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3662	000.220.44000	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3663	000.201.05462	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3664	000.201.05665	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3665	000.201.05474	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3666	000.201.05466	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3667	000.201.05472	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3668	000.201.05658	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3669	000.201.05659	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3670	000.201.05464	2007	\$0.00	\$0.00	\$0.00	\$0.00	NO ADJUSTMENT
3900	000.230.62700	2007	(\$38.56)	(\$9.69)	(\$18.84)	(\$10.03)	EXEMPT - CONSERVATION
4000	000.220.00658	2007	(\$223.27)	(\$56.13)	(\$109.07)	(\$58.07)	LAND ASSESSMENT ERROR
4009	000.281.13114	2007	(\$964.10)	(\$242.38)	(\$470.96)	(\$250.76)	LAND ASSESSMENT ERROR
4017	000.220.00700	2007	(\$362.16)	(\$91.05)	(\$176.91)	(\$94.20)	CORRECTION OF SEVERANCE
4136	000.351.12952	2007	(\$12,259.75)	(\$1,572.93)	(\$3,057.58)	(\$7,629.24)	LAND ASSESSMENT ERROR
4160	000.232.55550	2007	(\$11,415.62)	(\$1,487.45)	(\$2,890.44)	(\$7,037.73)	CORRECTION OF SEVERANCE
4026	000.190.14400	2008	(\$54,076.42)	(\$7,111.05)	(\$13,816.52)	(\$33,148.85)	DEMOLITION
4183	000.260.90000	2008	(\$4,139.89)	(\$544.40)	(\$1,057.74)	(\$2,537.75)	EXEMPT - CITY
		Sub Total	(112,097.82)	(15,448.28)	(30,105.60)	(66,543.94)	
TOTAL AMOUNT AMENDED UNDER SECTION 359							
4161	000.232.55500	2005	5,759.20	714.59	1,375.69	3,668.92	CORRECTION OF SEVERANCE
4162	000.232.55500	2006	2,987.57	379.13	734.64	1,873.80	CORRECTION OF SEVERANCE
4163	000.232.55500	2007	3,039.14	396.00	769.51	1,873.63	CORRECTION OF SEVERANCE
		Sub Total	11,785.91	1,489.72	2,879.84	7,416.35	
		Grand Total	(100,311.91)	(13,958.56)	(27,225.76)	(59,127.59)	
		Tax Year	Amount Adjusted				
		2005	(\$10,704.39)				
		2006	(\$9,166.89)				
		2007	(\$22,224.32)				
		2008	(\$58,216.31)				
			(\$100,311.91)				***prior to any applicable Capping Adjustment