

Authority: Executive Committee Item EX21.1, adopted as amended, by City of Toronto Council on February 18, 2021

CITY OF TORONTO

BY-LAW 79-2021

To amend City of Toronto Municipal Code Chapter 767, Taxation, Property Tax, to amend requirements related to the Creative Co-location Facilities Property Tax Subclasses.

Whereas pursuant to Article XI of the City of Toronto Municipal Code Chapter 767, Taxation, Property Taxation, the City has adopted the Creative Co-location Facilities Subclasses for the commercial, residual commercial and industrial property tax classes, and has created the following eligibility models for the subclasses: the Tenant-based Model, the Membership-based Model, and the Live Music Venue Model; and

Whereas the COVID-19 pandemic and the resulting public health emergency orders has made various eligibility criteria of each of the Tenant-based Model and the Membership Model difficult to meet; and

Whereas City Council has authorized that certain eligibility criteria of both Models be temporarily suspended for 2020 and 2021; and

Whereas City Council has added eligibility criteria for the Live Music Venue Model;

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 767, Taxation, Property Tax, is amended as follows:
 - (1) For the 2020 and 2021 taxation years, the eligibility criteria under the following sections is suspended:
 - (a) § 767-35A(2), (3) and (4); and
 - (b) § 767-36B(1)(d) and (e).
 - (2) The following is added to § 767-37B:
 - "(2) The property was included in the Creative Co-location Facilities Property Tax Subclasses for a previous year, that the resulting tax reduction was passed on by the owner to the tenant operator of the Live Music Venue within 12 months of the application deadline for inclusion in the Creative Co-location Facilities Property Tax Subclasses for that previous year."

- (3) Article X is amended by deleting "Articles V, VII, VIII and IX" and substituting "Articles V, VII, VIII, IX and XI".
- (4) § 767-33A is amended by:
 - (a) deleting "Articles V, VII, VIII or IX" wherever it appears and substituting "Articles V, VII, VIII, IX or XI"; and
 - (b) deleting "tax deferral, cancellation or rebate" wherever it appears and substituting "tax deferral, cancellation, rebate or subclass tax reduction".

2. This by-law shall come into force on the day it is enacted.

Enacted and passed on February 18, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)