



## STAFF REPORT ACTION REQUIRED

### Options for Providing a Property Tax Exemption for the Ismaili Centre and the Aga Khan Museum

<b>Date:</b>	October 6, 2015
<b>To:</b>	Executive Committee
<b>From:</b>	Treasurer
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2015\Internal Services\rev\ec15022rev (AFS21092)

#### SUMMARY

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This report provides information on the feasibility, options, and financial and other implications of providing an exemption from property taxation for the Ismaili Centre Toronto, the Aga Khan Museum and surrounding park located at 49 and 77 Wynford Drive. This information was requested by the Executive Committee at its meeting of March 25, 2015.

This report also addresses a letter dated September 30, 2015 received from the Aga Khan Foundation Canada requesting the support of Toronto City Council in its efforts to obtain private provincial legislation that would exempt the property from municipal and education taxes. Additional information concerning the potential assessment and tax classification for this property, and general information on property tax exemptions for charities and similar organizations is provided to provide context for the request received from the Aga Khan Foundation. It is recommended that the Executive Committee receive this report for information.

#### RECOMMENDATIONS

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**The Treasurer recommends that:**

1. Executive Committee receive this report for information.

## Financial Impact

There are no immediate financial implications arising from the adoption of the recommendation contained in this report.

However, should Council choose to indicate its support for the efforts of the Ismaili Centre/Aga Khan Museum to secure a tax exemption for the property through private legislation, and should such legislation be enacted, a property tax exemption for the premises occupied by the Ismaili Centre and Aga Khan Museum could result in a decrease in potential taxation revenue of up to approximately \$332,000 annually. This amount consists of a municipal portion of taxes of up to approximately \$240,000 (which would represent the direct annual impact to the City due to municipal taxes forgone on the portions of the property that would have otherwise potentially been taxable), and a provincial education portion of approximately \$92,000, which would no longer be required to be collected or remitted to the Province/school boards if the property was made exempt.

Although the final assessment and tax classification of the Ismaili Centre/Aga Khan Museum site has not yet been finalized by the Municipal Property Assessment Corporation (MPAC), MPAC has provided a preliminary estimate of Current Value Assessment (CVA) for the property of \$90.9 million, consisting of a taxable portion of \$47.8 million (taxable at residential rates, reflecting the use/ownership of the property by a religious organization), and an exempt portion of \$43.1 million, (representing those portions that meet the *Assessment Act* criteria for exemption from taxes). These values are preliminary estimates only, and may vary substantially as MPAC must still complete their review and determine final values.

Table 1 below shows the preliminary CVA estimates and tax classifications as provided by MPAC.

**Table 1**  
**Ismaili Centre/Aga Khan Museum Premises at 49 & 77 Wynford Drive**  
**Preliminary Current Value Assessment (CVA) Estimates**

Description	Tax Classification	Current Value Assessment (CVA)	% of Total CVA
Portions subject to taxation (non-exempt portions)	RT (Residential taxable)	\$47.8 M	52.6%
Portions classified as exempt under <i>Assessment Act</i> (as place of worship or other exempt use)	E (Exempt)	\$43.1 M	47.4%
<b>Total</b>		<b>\$ 90.9 M</b>	<b>100.0%</b>

Table 2 below identifies the total property taxes that could be payable and the financial implications to the City for both of the following scenarios: taxes payable for those portions that may remain subject to taxation at full CVA taxation levels; and a full exemption from property taxes if the entire site qualifies for exemption under private legislation, or if the taxable portion of the property is deemed fully eligible for a 100% rebate of taxes under the City's rebate program for ethno-cultural centres.

The figures in Tables 1 and 2 reflect the preliminary CVA and tax classifications identified by MPAC, and estimated property tax implications. Actual financial implications cannot be determined until MPAC has finalized the current value assessments and tax classifications for the property, and until such time as the provisions of potential private legislation are known, or a determination has been made as to what portions of the property may be eligible to receive a 100% rebate of taxes under the City's ethno-cultural rebate program.

**Table 2**  
**Ismaili Centre/Aga Khan Museum Premises at 49 & 77 Wynford Drive**  
**Preliminary Estimated Property Taxes Payable and Financial Implications**

Tax Treatment	Estimated Property Taxes Payable <sup>1</sup>			Financial Implications to the City (change in municipal tax revenue)
	Municipal	Education <sup>2</sup>	Total	
Taxation at full CVA for portions of the property that are not exempt under the <i>Assessment Act</i> (taxable at residential tax rates).	\$240,000	\$91,700	\$331,700	<b>None.</b> Property taxes for taxable portions are payable at full CVA taxation levels and tax rates.
Full property tax exemption (through private legislation or via a 100% tax rebate as an eligible ethno-cultural centre per the City's existing rebate program)	\$0	\$0	\$0	<b>Net decrease of \$240,000 in potential tax revenue (taxes foregone).</b> With a full exemption from property taxes, the total impact on City revenues would be \$240,000 of the potential taxes that would be payable if the premises were taxable.

1. Property tax estimates are based on preliminary MPAC data – actual assessment data has not been received and may vary materially from this preliminary estimate.
2. There are no impacts to the City for the education share of taxes. The provincial education portion of any ethno-cultural rebate payable is recoverable from the Province, and, in the case of a full exemption, the education portion of taxes would no longer be levied nor remitted to the Province.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**DECISION HISTORY**

At its meeting of March 25, 2015, the Executive Committee in its consideration of Item EX4.18: *Request for Report on Exemption from Property Taxes for the Ismaili Centre Toronto and Aga Khan Museum*, had before it a letter from Deputy Mayor Minnan-Wong, dated March 24, 2015, requesting the Treasurer report back for the September meeting of the Executive Committee on the feasibility, options, and financial and other

implications of providing an exemption from property taxation for the Ismaili Centre Toronto, the Aga Khan Museum and surrounding park.

The Executive Committee's decision is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX4.18>

## **ISSUE BACKGROUND**

The Ismaili Centre Toronto and the Aga Khan Museum were opened by Prime Minister Stephen Harper and His Highness the Aga Khan on September 12, 2014. The Ismaili Centre Toronto and the Aga Khan Museum are located at 49 and 77 Wynford Drive respectively, near Eglinton Avenue East and Don Mills Road in Ward 26 Don Valley West.

Along with other Ismaili Centres located in Vancouver, London, Lisbon, Dubai and Dushanbe, the Ismaili Centre Toronto and the Aga Khan Museum continue a tradition of hosting programs that stimulate the intellect, encourage dialogue, and celebrate cultural diversity. Programs ranging from lectures, seminars and exhibitions, to cultural and social events, create an understanding of the values, ethics, culture and heritage of Ismaili Muslims, and of the work of the Aga Khan Development Network.

The Ismaili Centre includes a place of prayer (Jamatkhana) for the Shia Imami Ismaili Muslim community as well as spaces for social, educational and cultural activities.

## **COMMENTS**

The Ismaili Centre is an 80,000 square foot, two-story building housing a prayer hall, social hall, library, exhibition areas and meeting rooms. The Aga Khan Museum, housed in separate building, contains a variety of spaces, including two exhibition galleries, areas for art conservation and storage, a 350-seat theatre, a restaurant, a gift shop, and two classrooms. Both buildings are situated within a 6.8 hectare landscaped park which features a formal garden and manicured open space. An underground parking garage located under both buildings provides parking for the site.

The entire site is currently assessed as a single assessment parcel. For 2015, the site is classified for taxation purposes as RT – Residential Taxable, with a total Current Value Assessment (CVA) of \$29,868,000. This value represents a partial assessment reflecting the pre-development land value of the site. Once the final value has been determined, it is expected that MPAC will issue supplementary/omitted assessment notices reflecting the finalized assessment value and tax classification for the property that will apply retroactively since the date the buildings were completed and occupied, which is expected to be approximately \$90.9 million.

Based on MPAC's preliminary estimates of current value assessment and tax classification, it is expected that some portion of the premises occupied by the Ismaili Centre Toronto/Aga Khan Museum will qualify for a property tax exemption under the *Assessment Act* (i.e., the Act provides for exemptions for places of worship). These portions will be classified by MPAC as exempt from taxation, and no taxes will be payable. The portions occupied by the Ismaili Centre Toronto/Aga Khan Museum that do not meet the criteria for exemptions under the *Assessment Act* are expected to be taxable at full rates.

The Aga Khan Foundation Canada, in a letter to the chair of the City's Executive Committee dated September 30, 2015 (attached), has requested the support of Toronto City Council in its efforts to obtain private provincial legislation that would exempt the property from municipal and education taxes. It is expected that private legislation, if enacted, would enable the City to pass a by-law to exempt the Ismaili Centre and Aga Khan Museum and surrounding park from property taxes.

The balance of this report provides information on property tax exemptions for charities and similar organizations to provide context for the request received from the Aga Khan Foundation.

### **Current Tax Treatment for Charitable Organizations**

A small percentage of Toronto's more than 4,000 registered charitable organizations are exempt from taxes through exemptions under the *Assessment Act* or through special legislation. The large majority of charities in Toronto pay property taxes on premises they occupy.

Charities that pay property taxes which are located in commercial or industrial property may qualify for a 40% rebate of the property taxes payable under the City's rebate program for registered charities. On average, approximately 700 charitable organizations receive property tax rebates annually under this program, with rebates totalling approximately \$6.4 million annually. Charities that occupy space within the residential tax class pay property taxes at residential tax rates.

The current property tax treatment for charitable organizations is based on long established policies adopted by Council in 1998 that define the level of tax relief available to charities. The predominant aim of the tax policies for charities adopted in 1998 was to continue the tax treatment that had previously applied to charities prior to amalgamation and the introduction of Current Value Assessment (CVA). Prior to 1998, registered charities were taxed at residential tax rates, even where they occupied commercial or industrial space, by virtue of their charity status. Following amalgamation, with the introduction of the new CVA system in 1998, Council approved that charities located in commercial or industrial space receive a 40 per cent rebate of the commercial/industrial taxes that would otherwise be payable under CVA, as a means of approximating the taxes that would be payable if they continued to be taxed at a level equivalent to residential property. This has continued to form the basis of current tax policy surrounding charities, and no changes to the current policies are recommended.

## Property Tax Exemptions for Charities and Similar Organizations

Attachment 1 to this report provides a summary of various types of property tax exemptions that apply to charities and similar organizations in Toronto.

In general, exemptions from property taxes are established by the *Assessment Act*. Section 3(1) of the Act establishes exemptions from property tax for a number of different property types, including hospitals, churches, cemeteries, libraries, schools, universities and colleges, certain non-profit, charity or philanthropic organizations, and land owned and used by a municipality, among others. A full list of exemptions under the Act is provided as Attachment 2 to this report.

Properties may also receive an exemption from property taxes by virtue of special legislation, introduced either through a Government Bill, as in the case of large public institutions (e.g., *The Royal Ontario Museum Act*, *The Art Gallery of Ontario Act*), or through a Private Member's Public Bill or Private Bill introduced by an individual Member of Provincial Parliament that provides an exemption for a specific property or organization, usually associated with a charitable, cultural or philanthropic organization.

There is no general authority conferred by the *City of Toronto Act* that would allow the City to provide a property tax exemption for any property or class of properties. Municipalities may, however, designate certain facilities as exempt from property taxes by by-law, by virtue of a municipal capital facilities agreement, in cases where a municipal service is provided by a third party on behalf of the municipality, or where a municipal service occupies leased space that would otherwise be taxable. Ontario Regulation 598/06 prescribes a defined list of activities or facilities that qualify as eligible municipal capital facilities. The Ismaili Centre/Aga Khan Museum would not qualify as an eligible municipal capital facility under the current regulation.

And finally, the City of Toronto has established rebate programs to provide a 100 per cent rebate of taxes payable by eligible veteran's clubhouses and ethno-cultural centres. While not a true tax exemption, these programs provide rebates in an amount equivalent to the total property taxes payable.

It is expected that some portions of the Ismaili Centre/Aga Khan Museum site that would otherwise be taxable could meet the eligibility criteria under the City's ethno-cultural rebate program, which defines an ethno-cultural centre as:

*A centre for the promotion of culture within the multi-cultural context of Canadian society and for the facilitation of communication and understanding of culture, education, arts and trade, the activities of which are accessible to the community as a whole or an appreciable portion thereof at minimal or no cost, and which are not contrary to public policy.*

Portions of the Ismaili Centre/Aga Khan Museum site that would otherwise be taxable could therefore qualify to receive a 100% rebate of property taxes payable on the portions of the site deemed eligible.

## History of Charities Made Exempt through Private Legislation

### Exemptions approved prior to 1998

Approximately 24 properties in Toronto that remain exempt today by virtue of private legislation were made exempt prior to 1998, and were approved by Councils of the pre-amalgamation municipalities, as identified in Attachment 3 to this report. These exemptions were granted to various types of facilities, predominantly those established for ethno-cultural, philanthropic, religious, or educational purposes.

A number of properties that had been exempt from taxes (or subject to tax cancellations) through private legislation that were approved prior to amalgamation now fall under the City's Property Tax Rebate Program for Ethno-Cultural Centres, or the Tax Rebate Program for Veteran's Clubhouses and Legion Halls, as indicated in Attachment 3.

### Exemptions approved after 1998 (post-amalgamation)

Table 3 below identifies properties that have been made exempt under private legislation by Toronto Council since 1998. Where Council has, since amalgamation, approved tax exemptions for charities under private legislation, these cases have generally involved either a continuation of a long-standing tax exemption, or cases where charities that, but for a particular circumstance, would otherwise meet the requirements for an exemption under the *Assessment Act*.

Table 3 - Properties Made Exempt through Private Legislation – After 1998

Organization & Location	Legislative Support	Date Exemption Granted	Annual foregone municipal tax revenues
Sheena's Place 87 Spadina Road	<i>Sheena's Place Act, 2006</i>	May 2007	\$7,000.
Master's College and Seminary 3080 Yonge Street <sup>1</sup>	<i>Master's College and Seminary Act, 2008</i>	May 2009	\$60,000.
Luso Canadian Charitable Society (formerly Society of Portuguese Disabled Persons Building Fund) 2295 St. Clair Avenue West	<i>Luso Canadian Charitable Society Act (Tax Relief), 2010.</i>	August 2010	\$6,800.
Toronto International Film Festival 350 King Street West	<i>Toronto International Film Festival Inc. Act (Tax Relief), 2014</i>	April 2014	\$870,000

1. The space is no longer exempt from property taxation as Master's College and Seminary has moved to a new location in Peterborough.

Additionally, the tax exemptions in Table 3 were supported by Council because the organizations in question serve a philanthropic purpose or fulfill a role as a major cultural centre, or provide services to vulnerable or marginalized groups or special-needs sectors of the population (e.g., the disabled), and thereby fulfil a vital service need, and complement the City's own social, economic development, health or well-being programs and initiatives.

## **Implications of Supporting Requests from Charities seeking Tax Exemptions through Private Legislation**

Since amalgamation, staff have not recommended that Council support efforts of individual charities that seek to obtain property tax exemptions through private legislation or other means. By supporting a single organization's request for a property tax exemption, notwithstanding the value of the work or the services delivered by the organization, a precedent is established that could see other organizations seeking to obtain specialized or case-specific legislation. Ultimately, a proliferation of differential tax treatments could call into question the fairness and equity of application of the City's tax policies for charities.

Council's approved policies and programs for tax relief for charities offer a broad-based and consistent level of support for all charitable organizations, regardless of the nature of the charity work carried out. Supporting efforts by individual organizations to obtain specialized treatment confers financial benefits to specific charities, and not others.

The potential precedent-setting implications of a decision by Council to support one organization's efforts to obtain private legislation could have financial implications for the City well beyond the initial first request, as more and more organizations sought similar treatment. The City's policies surrounding tax relief for charities have allowed Council to remain impartial, in that the level of relief provided is consistent across a broad range of charitable organizations.

## **The Ismaili Centre/Aga Khan Museum's Request for Council Support of Private Legislation**

The Aga Khan Foundation Canada, in a letter to the chair of the City's Executive Committee dated September 30, 2015, is seeking Council's support for its efforts to obtain provincial legislation that would enable the City to pass a by-law to exempt the Ismaili site from property taxes. While City Council support is not required to enact Provincial legislation, such support is generally viewed favourably by the Legislature when considering such Bills.

Given that the City of Toronto's current policies and programs were adopted by Council to provide an equitable and consistent level of support for all charitable organizations, regardless of the nature of the charity work carried out, staff cannot support individual efforts by charities to obtain specialized treatment or tax exemptions via private legislation.

Notwithstanding the above, should Council adopt a motion to support the efforts of the Ismaili Centre Toronto/Aga Khan Museum in their efforts to obtain private legislation, and should the Province enact such private legislation, the legislation can be expected to establish the authority for the municipality to enact a by-law to have the property tax exemption apply, usually at the municipality's option. Typically, under such a Private Member's bill, the Province's education property taxes would also be exempted upon the City exempting their own portion of taxes.



Following enactment of the private legislation, Council's further approval would be required to enact a city by-law to provide for a tax exemption, and/or to specify any additional conditions related to the exemption.

**CONTACT**

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**SIGNATURE**

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Mike St. Amant  
Treasurer

**ATTACHMENTS**

- Attachment 1: Types of Property Tax Exemptions
- Attachment 2: Exemptions from Property Tax under Section 3 of the *Assessment Act*
- Attachment 3: Property Tax Exemptions approved prior to 1998 by Private Legislation
- Attachment 4: September 30, 2015 Letter from K. Shariff, CEO Aga Khan Foundation  
Canada

## **Attachment 1: Types of Property Tax Exemptions**

### **Statutory Exemptions under the Assessment Act**

- In general, exemptions from property taxes are established by the *Assessment Act*, according to the criteria set out in Section 3 of the Act. This section establishes exemptions from property tax for a number of different property types, including:
  - land owned by Canada or a province
  - land owned and used by a municipality
  - Hospitals
  - Churches
  - Cemeteries
  - Children’s treatment centres
  - Care homes
  - Libraries
  - Schools, universities and colleges
  - certain non-profit organizations
- Attachment 2 provides a full listing of the types of properties or organizations that are exempt from taxation under the *Assessment Act*.

### **Exemptions under Provincial Legislation (Public or Private Bills)**

- Properties or organizations may also receive a property tax exemption by virtue of provincial legislation, introduced either through a Government Bill (e.g., *The Royal Ontario Museum Act*, *The Art Gallery of Ontario Act*), or through a Private Member’s Public Bill or Private Bill introduced by an individual member of parliament that provides an exemption for a specific organization/property.
- In some cases, the act gives municipalities the option whether or not to adopt a property tax exemption or a tax cancellation. In general, Council must enact a by-law in order to have a tax exemption apply or to impose other conditions.
- Approximately 24 properties in Toronto that remain exempt today by virtue of private legislation were made exempt prior to 1998, and were approved by Councils of the pre-amalgamation municipalities, as identified in Attachment 3 to this report. These exemptions were granted to various types of facilities, predominantly those established for cultural, philanthropic, religious or educational purposes.
- A number of properties that had been exempt from taxes (or subject to tax cancellations) through private legislation that were approved prior to amalgamation now fall under the City’s Property Tax Rebate Program for Ethno-Cultural Centres, or the Tax Rebate Program for Veteran’s Clubhouses and Legion Halls, as indicated in Attachment 3.
- A number of other properties that had previously been exempt from taxes (or subject to tax cancellations) through private legislation (approved prior to amalgamation) now fall under the City’s Property Tax Rebate Program for Ethno-Cultural Centres, or the Tax Rebate Program for Veteran’s Clubhouses and Legion Halls, as indicated in Attachment 3.

- Only 4 properties have been made exempt under private legislation by Toronto Council since 1998, as identified in Table 1 below. Where Council has, since amalgamation, approved tax exemptions for charities under private legislation, these cases have generally involved either a continuation of a long-standing tax exemption, or cases where charities that, but for a particular circumstance, would otherwise meet the requirements for an exemption under the *Assessment Act*.

**Table 1 - Properties Made Exempt through Private Legislation – After 1998**

Organization & Location	Legislative Support	Date Exemption Granted	Annual foregone municipal tax revenues
Sheena's Place 87 Spadina Road	<i>Sheena's Place Act, 2006</i>	May 2007	\$7,000.
Master's College and Seminary 3080 Yonge Street <sup>1</sup>	<i>Master's College and Seminary Act, 2008</i>	May 2009	\$60,000.
Luso Canadian Charitable Society (formerly Society of Portuguese Disabled Persons Building Fund) 2295 St. Clair Avenue West	<i>Luso Canadian Charitable Society Act (Tax Relief), 2010.</i>	August 2010	\$6,800.
Toronto International Film Festival 350 King Street West	<i>Toronto International Film Festival Inc. Act (Tax Relief), 2014</i>	April 2014	\$870,000

1. The space is no longer exempt from property taxation as Master's College and Seminary has moved to a new location in Peterborough.

### **Exemptions for Municipal Capital Facilities**

- Under the *City of Toronto Act*, Council may designate a property as a municipal capital facility and provide a property tax exemption in cases where a municipal service is provided by a third party on behalf of the municipality, or where a municipal service occupies leased space that would otherwise be taxable. Council must enact a by-law in order to enter into a municipal capital facility agreement, and may also pass a by-law to provide a property tax exemption for the facility. Ontario Regulation 598/06 of the *City of Toronto Act* prescribes a defined list of activities or facilities that qualify as eligible municipal capital facilities. These include:
  - Facilities used by Council
  - Facilities used for the general administration of the City
  - Roads, highways and bridges
  - Local improvements and public utilities
  - Facilities for the generation of electricity
  - Facilities related to the provision of telecommunications, transit and transportation systems
  - Facilities for water, sewers, sewage, drainage and flood control
  - Facilities for the collection and management of waste and garbage
  - Facilities related to policing, fire-fighting and by-law enforcement
  - Facilities for the protection, regulation and control of animals
  - Facilities related to the provision of social and health services, including homes under the *Homes for the Aged and Rest Homes Act*
  - Public libraries
  - Community centres
  - City facilities used for cultural, recreational or tourist purposes

- Parking facilities ancillary to any of the above facilities
- City housing project facilities

For the full text of the Ontario Regulation 598/06, see:

[http://www.e-laws.gov.on.ca/html/regs/english/elaws\\_regs\\_060598\\_e.htm](http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_060598_e.htm)

**Veteran’s Clubhouses and Ethno-cultural Centres**

- Toronto City Council has adopted programs to provide a rebate of 100 per cent of the property taxes payable for eligible veteran’s clubhouses and ethno-cultural centres. Although technically not property tax exemptions, these programs provide the equivalent benefit of an exemption to properties or organizations that qualify. The eligibility criteria for these programs are summarized in Table 2 below.

**Table 2 – Eligibility Criteria for Veteran’s Clubhouses and Ethno-cultural Centres**

Rebate Program	Definition	Eligibility Criteria
Veteran's Clubhouses and Legion Halls	Lands or building, or a portion thereof, used as a memorial home, clubhouse, or athletic grounds for veterans of the naval, military or air forces of Canada, Great Britain or Her Majesty's allies; or Memorial Home — A facility that provides affordable housing or rental housing units at below average rents, for veterans, or spouses thereof.	<ul style="list-style-type: none"> <li>• Must be an eligible organization;</li> <li>• Must occupy and use the property for the purposes of a veterans' clubhouse, legion hall or memorial home;</li> <li>• Must apply annually;</li> <li>• Cannot be in arrears of taxes; and</li> <li>• Must notify City of change in status.</li> </ul>
Ethno-cultural Centres	A centre for the promotion of culture within the multi-cultural context of Canadian society and for the facilitation of communication and understanding of culture, education, arts and trade, the activities of which are accessible to the community as a whole or an appreciable portion thereof at minimal or no cost, and which are not contrary to public policy.	<ul style="list-style-type: none"> <li>• Must be a registered charity;</li> <li>• Must own, use and occupy or use and occupy under a lease with a term of 60 years or more and use the property for the purposes of an ethno-cultural centre;</li> <li>• Must apply annually;</li> <li>• Cannot be in arrears of taxes; and</li> <li>• Must notify City of change in status.</li> </ul>

- Full details of these rebate programs are available at: City of Toronto Municipal Code, Chapter 767 – Taxation – Article IX (Tax Rebate Program for Veteran’s Clubhouses and Legion Halls) and Article VII (Tax Rebate Program for Ethno-Cultural Centres). See: [http://www.toronto.ca/legdocs/municode/1184\\_767.pdf](http://www.toronto.ca/legdocs/municode/1184_767.pdf)

### **Exemptions for Exhibition Buildings**

- Council, in July of 2000, adopted a process and criteria for consenting to property tax exemptions for exhibition buildings, a category of exemption provided for in Section 3(1)16 of the *Assessment Act*. In order to be made exempt, the following criteria must be met:
  - The exemption may only apply to land of a company formed for the erection of exhibition buildings (and only where Council has consented to the exemption).
  - The applicant must be providing an exhibition (such as arts, culture, history or any other display considered by Council as appropriate) available to all residents of the City of Toronto and if an entrance fee is charged to the exhibit or exhibit space, it must be a reasonable fee;
  - The applicant must be a non-profit organization;
  - The applicant must be providing a major, one-of-a kind exhibit which provides cultural, educational, and/or historical benefits to the community as a whole; and
  - Each application is unique and should be considered on its own merits.
  
- Council has previously exercised its powers under this section of the *Assessment Act* to provide an exemption for taxes for buildings used for exhibition purposes. These are identified in Table 3 below.

**Table 3 - Exemptions for Exhibition Buildings**

<b>Organization &amp; Location</b>	<b>Legislative Support</b>	<b>Date Exemption Granted</b>	<b>Tax Exemption Supported by</b>
Canadian Museum for Textiles 55 Centre Avenue	Subsection 3(1)16 of the <i>Assessment Act</i>	May 1992	Former City of Toronto
Hockey Hall of Fame 30 Yonge Street	Subsection 3(1)16 of the <i>Assessment Act</i>	October 1993	Former City of Toronto
Bata Shoe Museum 327 Bloor Street West	Subsection 3(1)16 of the <i>Assessment Act</i>	June 1995	Former City of Toronto
Canada's First Post Office 260 Adelaide Street East	Subsection 3(1)16 of the <i>Assessment Act</i>	July 2000	City of Toronto

**Attachment 2**  
**Exemptions from Property Tax under Section 3 of the *Assessment Act*\***

Section	Description
S.3(1)1	Land owned by Canada or any Province
S.3(1)2, 2.1, 2.2	Cemeteries, burial sites
S.3(1)3	Churches or place of worship
S.3(1)4	Public education institutions - university, college, community college or school
S.3(1)5	Non-profit philanthropic, religious or educational seminary of learning
S.3(1)6	Public Hospitals
S.3(1)6.1	Children's treatment centre that receives provincial aid under the <i>Ministry of Community and Social Services Act</i>
S.3(1)7	Care homes
S.3(1)8, 8.1	Highways, toll highways
S.3(1)9	Land owned by a municipality
S.3(1)10	Property owned, occupied and used solely and only by The Boy Scouts Association or The Canadian Girl Guides Association
S.3(1)11	Land owned, used and occupied by a non-profit philanthropic corporation for the purpose of a house of refuge, the reformation of offenders, the care of children or a similar purpose but excluding land used for the purpose of a day care centre
S.3(1)12	Land owned, used and occupied by, i) The Canadian Red Cross Society ii) The St. John Ambulance Association, or iii) Any charitable, non-profit philanthropic corporation organized for the relief of the poor if the corporation is supported in part by public funds.
S.3(1)13	The property of a children's aid society
S.3(1)14	Public libraries, scientific or literary institutions
S.3(1)15	Battle sites

Section	Description
S.3(1)16	Exhibition buildings of companies
S.3(1)17, 18, 19	Machinery - For manufacturing or farming - For producing electric power - For energy conservation
S.3(1)19	Forestry purposes (One acre for every ten acres of farmland)
S.3(1)20	Mineral lands and minerals
S.3(1)21	Property of telephone and telegraph companies
S.3(1)22, 22.1	Improvements for seniors and persons with a disability and garden suites
S.3(1)23	Amusement rides
S.3(1)24	Airports
S.3(1)25	Conservation lands
S.3(1)26, 27	Small theatres, large non-profit theatres
S.3(1)28	Hydro Electric generating stations
S.3(1)29	Poles and wires owned by a power utility
S.3(2)	International bridges and tunnels
S.3(4)	Lands owned by religious organizations used for recreational purposes
S.3(6)	Land owned by the Navy League of Canada
S.3(6.1)	Land used as a memorial home, clubhouse or athletic grounds for veterans

\* Adapted from the *Assessment Act*, R.S.O. 1990, Chapter A.31. For the full text of the *Assessment Act*, see: [http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90a31\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90a31_e.htm)

**Attachment 3**  
**Property Tax Exemptions approved prior to 1998 by Private Legislation**

Name	Location	Year and Chapter	Notes
<b>Associations (other than Co-operatives)</b>			
Korean Canadian Cultural Association of Metropolitan Toronto	1133 Leslie St	1997,c.Pr.14	Now falls under Tax Rebate program for Ethno-cultural Centres
<b>Educational Institutions</b>			
Frontier College	35 Jackes Avenue	1983,c.Pr21	
Master's College and Seminary	3080 Yonge Street	1983,c.Pr34; 1991,c.Pr5	No longer exempt at this location. Master's College has moved to Peterborough.
Royal Conservatory of Music	273 Bloor Street West	1991,c.Pr17	
<b>Homes and Refuges</b>			
Ina Grafton Homes	2 O'Connor Drive	1942,c.48	
<b>Religious Institutions</b>			
Dovercourt Baptist Foundation	1140 Bloor Street West	1976	
<b>Religious and Benefit Societies</b>			
Bikur Cholim	506 Coldstream Avenue	1992,c.Pr30	Now falls under Tax Rebate program for Ethno-cultural Centres
Italian Canadian Benevolent Corporation (Toronto District)	3010 Dufferin Street, 3050 Dufferin Street, 901 Lawrence Avenue, 40 Playfair Avenue	1980,c.104	
Sisters of Social Service	500 Huron Street	1989,c.Pr6	
<b>Societies, including Community and Ethno-Cultural Centres</b>			
Alex Manoogian Cultural Centre (Armenian-General Benevolent Union),	930 Progress Avenue	1983,c.Pr45	
Armenian Community Centre	45 Hallcrown Place	1981,c.75	Now falls under Tax Rebate program for Ethno-cultural Centres
Bathurst Jewish Centre	4588 Bathurst	1997,c.Pr5	Now falls under Tax Rebate program for Ethno-cultural Centres
Chinese Cultural Centre of Greater Toronto Foundation	5183 Sheppard Ave E	1997,c.Pr8	Now falls under Tax Rebate program for Ethno-cultural Centres
Enoch Turner Schoolhouse Foundation	106 Trinity Street	1985,c.Pr12	
Hungarian Canadian Cultural Centre (Hungarian House)	836 St. Clair Avenue, West	1983,c.Pr44	Not currently exempt as property was sold in 2011
The Jamaican Canadian Association	995 Arrow Road	1997,c.Pr18	Now falls under Tax Rebate program for Ethno-cultural Centres
Japanese Canadian Cultural Centre	6 Garamond Court	1982,c.73; 1997,c.Pr13	Now falls under Tax Rebate program for Ethno-cultural Centres
Latvian Canadian Cultural Centre	4 Credit Union Drive	1981,c.93	
Miles Nadal Jewish Community Centre (formerly Bloor Jewish Community Centre)	750 Spadina Avenue	1951 1997,c.Pr6	Now falls under Tax Rebate program for Ethno-cultural Centres
Scandinavian Canadian Centre	91 Stormont Avenue	1984,c.Pr13	

Name	Location	Year and Chapter	Notes
Ukrainian Cultural Centre	83 Christie St	1982,c.91	
United Jewish Welfare Fund	4600 Bathurst Street	1984,c.Pr27	
<b>Young Men's Christian Associations, Young Women's Christian Associations</b>			
Toronto West End Y.M.C.A.	931 College Street (previously 2665 Dundas St. W.)	1909,c.160; 1923,c.106,s.14	
Toronto Y.M.C.A.	20 Grosvenor Street (previously 42 Charles Street)	1868,c.59; 1890,c.147; 1923,c.106	
Toronto (Metropolitan) Y.W.C.A.	87 Elm Street (previously 2160 Yonge Street)	1960,c.176	
<b>Miscellaneous</b>			
Bernard Betel Centre for Creative Learning	1003 Steeles Avenue, West	1983,c.Pr16	
Canadian Legion of the British Empire Service League	Various	1946,c.112; 1946,c.124; 1950,c.107; 1965,c.167; 1990,c.Pr4	Eligible locations now fall under Tax Rebate program for Veteran's Clubhouses.
Canadian Opera Company	223 Front Street East 145 Queen Street West	1987,c.Pr16	
Children's Oncology Care of Ontario, Inc. (Ronald McDonald House)	240 McCaul Street (previously 26 Gerrard Street East)	1986,c.Pr2; 1993,c.Pr43	
Massey Hall	51 Shutter Street	1983,c.Pr35	
National Ballet of Canada	470 Queens Quay West	1997,c.Pr3	Now falls under Tax Rebate program for Ethno-cultural centres
Roy Thompson Hall	60 Simcoe Street	1983,c.Pr35	

Adapted from: *Table of Private Statutes*, E-laws Website, Government of Ontario, Nov. 12, 2012  
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