

Authority: Item CC7.4, adopted as amended,
by City of Toronto Council on April 12 and 13, 2011
Enacted by Council: April 13, 2011

CITY OF TORONTO

BY-LAW No. 512-2011

To amend By-law No. 334-2011 to levy and collect taxes for school purposes for 2011, to establish tax decrease clawback rates for 2011.

WHEREAS paragraph 1 of subsection 257.7(1) of the *Education Act*, as amended, requires every municipality in each year to levy and collect the tax rates prescribed by the Minister of Finance for school purposes on residential property and business property taxable for school purposes in the municipality according to the last returned assessment roll; and

WHEREAS section 257.7(3) of the *Education Act*, as amended, provides that section 278 of the *City of Toronto Act, 2006* (the "Act") which provides for percentage reductions of tax rates for subclasses of property classes, applies with necessary modifications with respect to the rates levied under section 257.7(1) on land in a municipality; and

WHEREAS Ontario Regulation 400/98, as amended, prescribes tax rates for school purposes for residential and business property taxable for school purposes; and

WHEREAS Ontario Regulation 114/11 amends Ontario Regulation 400/98 to prescribe tax rates for school purposes equal to the tax rates levied by section 2 hereof for residential and business property taxable for school purposes in the City of Toronto; and

WHEREAS section 293 of the Act provides that the City may pass a by-law to establish a percentage by which tax decreases are limited for 2011 in respect of properties in the commercial, industrial and multi-residential property classes in order to recover all or part of the revenues foregone as a result of the application of section 291 of the Act to other properties in the property class (the "Clawback Rates"), and that the same percentage must be established for all properties in a property class but that different percentages may be established for different property classes; and

WHEREAS at its meeting of February 23 and 24, 2011, City Council enacted By-law No. 334-2011, being the Municipal Tax levy By-law for 2011; and

WHEREAS City Council is amending By-law No. 334-2011 to levy the prescribed 2011 tax rates for school purposes and the Clawback Rates;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The title of By-law No. 334-2011 is deleted and replaced with the following:

"Tax Levy By-law for 2011"

2. By-law No. 334-2011 is amended by adding the following to section 5:

- (3) There shall be levied and collected as taxes for school purposes on the assessment of all real property in the City of Toronto rateable for school purposes according to the assessment roll for 2011 and as finally altered, amended and corrected, in amounts calculated for each property class set out in Column I, the rate set out in Column II, which shall produce, when levied upon the total assessment for each property class as set out in Column II of Schedule "B" attached hereto, the total tax levy for school purposes of \$1,953,197,254 of which \$8,932,303 is to be retained by the City pursuant to Ontario Regulation No. 121/07:

(Property Class/Subclass)	(Tax Rate)
Column I	Column II
Residential	0.231000%
Multi-Residential	0.231000%
New Multi-Residential	0.231000%
Commercial	1.540408%
Commercial (New Construction)	1.330000%
Office Building (New Construction)	1.330000%
Shopping Centre (New Construction)	1.330000%
Industrial	1.565792%
Industrial (New Construction)	1.330000%
Pipelines	1.637151%
Farmlands	0.057750%
Managed Forests	0.057750%

- (4) Tax decreases for the 2011 taxation year on properties in the City of Toronto whose taxes for municipal and school purposes for 2011 exceed their taxes for municipal and school purposes (as calculated in accordance with section 293 of the Act) in the property classes set out in Column I shall, in 2011, be limited by the percentage of the tax decrease set out in Column II in order to recover the revenues foregone as a result of the application of section 291 of the Act to other properties in the property class, so that the percentage of tax decrease set out in Column III is the decrease received in 2011 by such properties:

Column I (Property Class)	Column II (Clawback Percentage)	Column III (Allowable Decrease Percentage)
Commercial	80.243297%	19.756703%
Industrial	59.971136%	40.028864%
Multi-residential	23.941257%	76.058743%

3. By-law No. 334-2011 shall be amended by adding Appendix 1 of this By-law as Schedule "B" of By-law No. 334-2011.
4. This By-law comes into force on the day that it is enacted.

ENACTED AND PASSED this 13th day of April, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Appendix 1 of By-law No. 512-2011

SCHEDULE "B"

Rateable Assessment for School Purposes

Column I (Property Class/Subclass)	Column II (2011 Rateable Assessment For School Purposes)
Residential	283,770,777,905
Multi-Residential	29,660,620,711
New Multi-Residential	738,380,869
Commercial	70,748,820,488
-Excess Land	368,480,308
-Vacant Land	1,060,674,698
Commercial (new construction)	284,548,773
-Excess Land	1,787,011
Office Building (new construction)	166,665,115
Shopping Centre (new construction)	68,798,887
-Excess Land	2,707,230
Industrial	6,630,148,284
-Excess Land	102,188,018
-Vacant Land	565,264,752
-Awaiting Development	2,116,176
Industrial (new construction)	12,251,449
Pipelines	274,487,208
Farmlands	15,064,780
Managed Forests	2,347,433
TOTAL	394,476,130,095