

Authority: Executive Committee Item EX36.14, as adopted by City of Toronto Council on July 23, 24, 25, 26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 2-2019

To provide for the levy and collection of 2019 interim property taxes and penalties for non-payment.

Whereas subsection 281(1) of the City of Toronto Act, 2006 (the "Act") provides that the City, before the adoption of the estimates for the year under section 228 of the Act, may pass a by-law levying amounts on the assessment of property in the City rateable for local municipality purposes (the "taxes"); and

Whereas subsection 281(3) of the Act provides that the amounts to be levied are subject to the following rules:

1. The amount levied on a property shall not exceed the prescribed percentage, or 50 percent if no percentage is prescribed, of the total amount of taxes for municipal and school purposes levied on the property for the previous year; and
2. The percentage under paragraph 1 may be different for different property classes but shall be the same for all properties in a property class; and
3. For the purposes of calculating the total amount of taxes for the previous year under paragraph 1, if any taxes for municipal and school purposes were levied on a property for only part of the previous year because assessment was added to the tax roll during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year; and

Whereas no percentages have been prescribed for the purposes of paragraph 1 of subsection 281(3); and

Whereas subsection 281(4) of the Act provides that if a by-law is passed under subsection 281(1), before the assessment roll for taxation in the current year is returned, the amounts under subsection (1) shall be levied on the assessment according to:

1. the tax roll for taxation in the previous year as most recently revised before the by-law was passed; or
2. a preliminary assessment roll provided by the assessment corporation for that purpose; and

Whereas subsection 281(5) of the Act provides that a by-law under subsection 281(1) may provide for the levying of amounts on assessment added, after the by-law is passed, to the tax roll for the current year that was not on the assessment roll upon which the amounts are levied;

The Council of the City of Toronto enacts:

1.
 - (1) Before the adoption of the estimates for 2019, there shall be levied as taxes on the assessment of property in the City of Toronto rateable for local municipality purposes in amounts calculated for each property so that the taxes for each property are limited to 50 percent of the total 2018 taxes for that property.
 - (2) Amounts under subsection (1) shall be levied on the assessment according to:
 - (a) the tax roll for taxation in the previous year as most recently revised before this by-law is passed; or
 - (b) a preliminary assessment roll provided by the assessment corporation for that purpose.
 - (3) For the purposes of calculating the total amount of taxes referred to in subsection (1), if any taxes for municipal purposes were levied on a property for only part of the previous year because assessment was added to the tax roll during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year.
 - (4) Amounts under subsection (1) shall be levied in respect of assessment added, after the coming into force of this by-law, to the tax roll for the current year (2019) that was not on the assessment roll upon which the amounts are levied.
2. Subject to sections 3 and 4, the taxes levied by subsection 1(1) as adjusted by subsections 1(3) and 1(4) shall be paid in three instalments which shall be equal or as nearly equal as practicable, and shall be due and payable on or before the respective dates set out below:

Instalment 1 - March 1, 2019
Instalment 2 - April 1, 2019
Instalment 3 - May 1, 2019
3. Under the City's monthly pre-authorized property tax payment program, and provided the Treasurer has received and approved a taxpayer's request to use the alternative instalments and due dates under that program, the payment of the taxes levied by subsection 1(1) as adjusted by subsection 1(3) and 1(4) shall, be paid in five instalments which shall be equal or as nearly equal as practicable, and shall be due and payable on or before the respective dates set out below:

Instalment 1 - February 15, 2019
Instalment 2 - March 15, 2019
Instalment 3 - April 15, 2019
Instalment 4 - May 15, 2019
Instalment 5 - June 17, 2019

4. Under the City's two instalment pre-authorized property tax payment program, and provided the Treasurer has received and approved a taxpayer's request to use the alternative due dates under that program, the payment of the interim tax bill levied by subsection 1(1) as adjusted by subsection 1(3) and 1(4), shall be paid in one instalment and shall be due and payable on or before March 1, 2019.
5. The provisions of Chapter 767, Taxation, Property Tax, Article III, Tax Collection, apply to the taxes levied by this By-law.
6. This by-law shall come into force on January 1, 2019.

Enacted and passed on December 5, 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)