

CITY OF TORONTO

BY-LAW 345-2021

To amend By-law 78-2021 (2020 Final Tax Levy) to levy and collect taxes for school purposes for 2021, to establish tax decrease clawback rates for 2021.

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, subject to regulation, 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 for the 2021 taxation year; 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 2021 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 18, 2021, City Council enacted By-law 78-2021, being the City's Tax Levy By-law for 2021; and

Whereas City Council wishes to amend By-law 78-2021 to levy the prescribed 2021 tax rates for school purposes, to establish the Clawback Rates, to adopt the capping policies pursuant to subsection 292(1) of the Act;

The Council of the City of Toronto enacts:

1. By-law 78-2021 is amended as follows:

- (1) Section 4 is amended by deleting reference to "section 5" in subsection (2), and substituting reference to "section 6; and

- (2) Section 6 is amended by adding subsections (3) and (4) as follows:
- (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 2021 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 III, which shall produce, when levied upon the total assessment for each property class as set out in Column 2 of Schedule B attached, the total tax levy for school purposes of \$ 2,136,950,788, of which \$ 4,646,076 is to be retained by the City pursuant to Ontario Regulation 121/07:

Column I	Column II	Column III
Property Class	2021 Tax Rates for Education Levy before Graduated Tax Rates	2021 Tax Rates for Education Levy after Graduated Tax Rates
Residential	0.153000%	0.153000%
Multi-Residential	0.153000%	0.153000%
New Multi-Residential	0.153000%	0.153000%
Commercial General	0.880000%	0.880000%
Commercial Residual Band 1	0.880000%	0.840110%
Commercial Residual Band 2	0.880000%	0.902476%
Commercial Shared Payment-in-Lieu	0.980000%	0.980000%
Commercial Shared Payment-in-Lieu Band 1	0.980000%	0.918104%
Commercial Shared Payment-in-Lieu Band 2	0.980000%	0.986259%
Industrial	0.880000%	0.880000%
Industrial Shared Payment-in -Lieu	1.067220%	1.067220%
Pipelines	0.880000%	0.880000%
Farmlands	0.038250%	0.038250%
Managed Forests	0.038250%	0.038250%

- (4) Tax decreases for the 2021 taxation year on properties in the City of Toronto whose taxes for municipal and school purposes for 2021 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 1 shall, in 2021, be limited by the percentage of the tax decrease set out in Column 2 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 3 is the decrease received in 2021 by such properties:

Column I (Property Class)	Column II (Clawback Percentage)	Column III (Allowable Decrease)
Commercial	60.440207%	39.559793%
Industrial	77.606089%	22.393911%
Multi-residential	55.713517%	44.286483%

(3) by adding Appendix 1 of this By-law as Schedule B.

Enacted and passed on May 6, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Appendix 1

SCHEDULE B

Rateable Assessment for School Purposes

Column 1 (Property Class/Subclass)	Column 2 (2021 Rateable Assessment for School Purposes)
Residential	564,441,151,452
Multi Residential	50,688,075,916
-Awaiting development (first subclass)	22,547,100
New Multi- Residential	5,245,146,306
Commercial	61,999,989,962
-Excess Land	45,075,859
-Vacant Land	1,922,604,700
- Creative Co-location	17,502,020
- Shared Payment-in-Lieu	73,385,763
Commercial Residual Band 1	22,130,052,009
-Excess Land	35,835,564
- Creative Co-location	53,235,109
- Shared Payment-in-Lieu	17,631,832
Commercial Residual Band 2	38,770,703,452
-Excess Land	580,291,608
- Creative Co-location	71,325,399
- Shared Payment-in-Lieu	117,453,095
Industrial	7,889,992,408
-Excess Land	54,919,221
-Vacant Land	566,365,300
-Awaiting development (first subclass)	23,846,400
- Shared Payment-in-Lieu	244,244,441
Pipelines	376,346,000
Farmlands	4,350,400
Managed Forests	4,400,300
Total	755,396,471,616