

Authority: Executive Committee Item EX30.1, adopted as amended, by City of Toronto Council on February 17, 2022, and City of Toronto Municipal Code Chapter 767, Taxation, Property Tax

CITY OF TORONTO

BY-LAW 126-2022

Tax Levy By-law for 2022.

Whereas subsection 228(1) of the City of Toronto Act, 2006, as amended (the "Act"), provides for the City in each year to prepare and adopt a budget including estimates of all sums required during the year for the purposes of the City including amounts sufficient to pay all debts of the City falling due within the year, amounts required to be raised for sinking funds or retirement funds and amounts required for any board, commission or other body; and

Whereas the Council of the City of Toronto has adopted a budget for the City for 2022; and

Whereas section 277 of the Act provides that the general local municipality levy is the amount the City decides to raise in its budget for the year under section 228 on all rateable property in the City; and

Whereas subsection 277(2) of the Act provides that for the purposes of raising the general local municipality levy, the City shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the City rateable for municipal purposes; and

Whereas subsection 278(3) of the Act provides that the City shall specify, by by-law, the percentage reductions of the tax rates for municipal purposes for subclasses of property classes prescribed by regulation where the regulations require tax rates to be reduced by a percentage within a range described in the regulations; and

Whereas Pt III.0.2 of Ontario Regulation No. 282/98 prescribes a small business subclass for various property classes for the 2021 taxation year and all subsequent years, which subclass will apply in municipalities that have opted to have it apply; and

Whereas pursuant to Article 12 of Chapter 767, City Council has opted to have the small business subclass apply to the commercial property class in the City of Toronto commencing for the 2022 taxation year; and

Whereas section 23.0.2(2) of Ontario Regulation 282/98 allows the City to annually pass a by-law that opts to have the creative enterprise facilities subclass apply; and

Whereas pursuant to Article 11 of Chapter 767, the City has opted to have the creative enterprise facilities subclass apply for each of the commercial and the industrial property classes

commencing in 2018, renaming it the creative colocation facilities subclass, defining eligibility, and reducing taxes for properties in that subclass by 50 percent; and

Whereas subsection 275(2) of the Act provides that the City must establish a set of tax ratios in accordance with section 275; and

Whereas 2022 is a "qualifying year" for the purposes of subsection 2.2(4) of the Ontario Regulation 121/07 (the "Regulation"); and

Whereas subsection 19(4) of the Regulation permits the City to adjust the total assessment for property in a property class for the purposes of calculating the notional tax rate so that the total assessment excludes changes to the tax roll for 2021 resulting from various prescribed assessment-related losses by opting to have subsections 19(4.2) to (4.4) apply; and

Whereas the City elects to make the adjustment to the total assessment prescribed by subsection 19(4) of the Regulation; and

Whereas subsection 277(7) of the Act provides that the tax rates to be levied on property in a property class in which the tax ratio or average tax ratio for that property class exceed the prescribed threshold ratios for that property class must be determined in the prescribed manner; and

Whereas the City's tax ratios for the commercial, industrial and multi-residential property classes exceed the threshold ratios prescribed by the Regulation for those property classes; and

Whereas the Regulation prescribes the method for calculating tax rates for the commercial, industrial and multi-residential property classes for the City under subsection 277(7) of the Act, which method for calculating such tax rates is prescribed by subsection 3(4) of the Regulation as allowing for a general levy tax rate increase by election of the City on the commercial property class up to a maximum of half of any tax rate increase on the residential property class in a qualifying year; and

Whereas 2022 is a "qualifying year" for the purposes of the prescribed method for calculating tax rates for the commercial and industrial property classes under subsection 3(4) of the Regulation; and

Whereas the tax rates for the commercial, industrial and multi-residential property classes for the City for 2022, as levied by this by-law, are in accordance with the method prescribed by the Regulation for calculating the tax rates for 2022; and

Whereas subsection 9(2) of the Regulation, as amended, provides that the tax rate for the commercial class and the industrial class may be greater than would be allowed under subsection 277(6) and Part XII of the Act, to the extent necessary to raise an amount sufficient to fund tax rebates to eligible charities occupying commercial and industrial properties under section 329 of the Act; and

Whereas section 307 of the Act provides that the City may pass a by-law providing for the payment of taxes by instalments and establishing due dates for such instalments, and alternative instalments and due dates;

The Council of the City of Toronto enacts:

1. For the purposes of calculating the notional tax rate, the City elects pursuant to subsection 19(4) of the Regulation to adjust the total assessment for property in a property class so that the total assessment excludes changes to the tax roll for 2021 resulting from various prescribed assessment-related losses by opting to have subsections 19(4.2) to (4.4) apply.
2. The tax ratios for 2022 for each property class set out in Column 1 shall be established as the amount set out in Column 2:

Column I Property Class	Column II (2022 Tax Ratios)
Residential	1.000000
Multi-Residential	2.049891
New Multi-Residential	1.000000
Commercial General	2.637413
Industrial	2.585658
Pipeline	1.923561
Farmlands	0.250000
Managed Forests	0.250000

3. (1) The City of Toronto elects to adopt the application of the subclasses set out in Column 2 of subsection (2) for each of the property classes set out in subsection (2) for 2022
- (2) There shall be levied and collected as taxes on the assessment of all real property in the City of Toronto rateable for local municipal purposes according to the assessment roll for 2022 and as finally altered, amended and corrected, which property is classified in a subclass set out in Column 2 of the property class set out in Column 1, the rates levied by section 5 hereof for that property class reduced by the percentage set out in Column 3 below:

Column I	Column II	Column III
Property Class	Tax Subclass	Applicable Tax Rate Reduction
Commercial	Creative Facilities Enterprise subclass (Creative Co-location Facilities Subclass)	50% of Commercial rate
	Small Business subclass	15% of Commercial rate
	Excess Land	30% of Commercial rate
	Vacant Land	30% of Commercial rate
	Farmland Awaiting Development (First subclass)	60% of Residential/Farm rate
	Farmland Awaiting Development (Second subclass)	30% of Commercial rate
Industrial	Creative Facilities Enterprise subclass (Creative Co-location Facilities Subclass)	50% of Industrial rate
	Excess Land	35% of Industrial rate
	Vacant Land	35% of Industrial rate
	Farmland Awaiting Development (First subclass)	60% of Residential/Farm rate
	Farmland Awaiting Development (Second subclass)	35% of Industrial rate
Residential	Farmland Awaiting Development (First subclass)	60% of Residential/Farm rate
	Farmland Awaiting Development (Second subclass)	0% of Residential/Farm rate

Column I	Column II	Column III
Multi-residential	Farmland Awaiting Development (First subclass)	60% of Residential/Farm rate
	Farmland Awaiting Development (Second subclass)	0% of Residential/Farm rate

4. The City of Toronto elects to apply a different tax rate for the general levy for the 2022 taxation year for the commercial and industrial property classes, pursuant to subsection 3(4) of the Regulation, as amended, and the tax rates established by section 6 for the commercial and industrial property classes do not exceed the maximum allowable tax rate for each of those classes under subsection 3(4) of the Regulation.
5. (1) There shall be levied and collected as a general local municipal levy on the assessment of all real property in the City of Toronto rateable for local municipal purposes according to the assessment roll for 2022 and as finally altered, amended and corrected, in amounts calculated for each property class set out in Column 1, the total general local municipal levy tax rates set out in Column 5 (which is a total of the various rates set out in Columns 2, 3 and 4), which shall produce, when levied upon the total assessment for each property class as set out in Column 2 of Schedule A attached, the general local municipal levy of \$4,878,799,595.

Column 1	Column 2	Column 3	Column 4	Column 5
Property Class	2022 Tax Rate for General Local Municipal Levy	2022 Additional Tax Rate to Fund Budgetary Levy Increase	2022 Additional Tax Rate (reflects the 2022 increase to fund City Building)	2022 Ending Municipal Tax Rate (excluding Charity Rebates)
Residential	0.458748%	0.013304%	0.006881%	0.478933%
Multi-Residential	0.940384%	0.000000%	0.000000%	0.940384%
New Multi-Residential	0.458748%	0.013304%	0.006881%	0.478933%
Commercial	1.209909%	0.017544%	0.009074%	1.236526%
Industrial	1.186166%	0.011466%	0.005931%	1.203563%
Pipelines	0.882430%	0.025590%	0.013236%	0.921257%

Column 1	Column 2	Column 3	Column 4	Column 5
Property Class	2022 Tax Rate for General Local Municipal Levy	2022 Additional Tax Rate to Fund Budgetary Levy Increase	2022 Additional Tax Rate (reflects the 2022 increase to fund City Building)	2022 Ending Municipal Tax Rate (excluding Charity Rebates)
Farmlands	0.114687%	0.003326%	0.001720%	0.119733%
Managed Forests	0.114687%	0.003326%	0.001720%	0.119733%

- (2) There shall be levied and collected as an additional general local municipal levy on the assessment of all real property in the City of Toronto in the property classes set out in Column 1 rateable for municipal purposes according to the assessment roll for 2022 and as finally altered, amended and corrected, the additional general local municipal tax rates set out in Column 2, which shall produce, when levied upon the total assessment for each of the commercial, and industrial property classes as set out in Column 2 of Schedule A attached, the additional general local municipal levy of \$ 6,822,690 to fund the total estimated tax rebates to eligible charities in 2022.

Column 1	Column 2
Property Classes	2022 Additional Tax Rate to Fund Rebates to Eligible Charities
Commercial	0.005482%
Industrial	0.001118%

6. Subject to sections 7 and 8, all taxes shall be paid in 3 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 – July 4, 2022

Instalment 2 – August 2, 2022

Instalment 3 – September 1, 2022

7. Under the City's monthly pre-authorized property tax payment program, and provided the Controller has received and approved a taxpayer's request to use the alternative instalments and due dates under that program, the payment of taxes shall, subject to the provisions of Chapter 767, be paid in 6 instalments which shall be equal or as nearly equal as practicable, and shall be due and payable on or before the respective alternative dates set out below:

Instalment 1 – July 15, 2022
Instalment 2 – August 15, 2022
Instalment 3 – September 15, 2022
Instalment 4 – October 17, 2022
Instalment 5 – November 15, 2022
Instalment 6 – December 15, 2022

8. Under the City's two instalment pre-authorized property tax payment program, and provided the Controller has received and approved a taxpayer's request to use the alternative instalments and due dates under that program, the payment of the taxes shall, subject to the provisions of Chapter 767, be paid in one instalment, and shall be due and payable on or before July 4, 2022.
9. The payment of taxes, or any instalment thereof, may be made at the following locations:
- 399 The West Mall
5100 Yonge Street
150 Borough Drive
100 Queen Street West
850 Coxwell Avenue
2700 Eglinton Avenue West
10. This by-law shall come into force on the day it is enacted.

Enacted and passed on February 17, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A
Rateable Assessment for Municipal Purposes

Column I	Column II
(Property Class/Subclass)	(2022 Rateable Assessment For Municipal Purposes)
Residential	573,977,714,944
Multi Residential	50,919,607,721
-Awaiting development (first subclass)	22,547,100
New Multi- Residential	6,094,520,382
Commercial	105,444,793,508
- Small business	18,307,116,373
- Excess Land	619,969,505
-Vacant Land	1,760,958,800
- Creative Co-location	164,269,228
Facility	
Industrial	7,966,625,542
-Excess Land	66,176,321
-Vacant Land	501,617,300
-Awaiting development (first subclass)	23,846,400
Pipelines	378,414,000
Farmlands	4,350,400
Managed Forests	4,403,300
Total	766,256,930,824