

Authority: Executive Committee Item EX8.7, adopted as amended, by City of Toronto Council on October 11 and 12, 2023
City Council voted in favour of this by-law on October 12, 2023

Written approval of this by-law was given by Mayoral Decision 19-2023 dated October 12, 2023

CITY OF TORONTO

BY-LAW 979-2023

To amend City of Toronto Municipal Code Chapter 778, Taxation, Vacant Home Tax and Chapter 441, Fees and Charges.

Whereas City Council put a Vacant Home Tax in place in the City of Toronto, and has codified the Vacant Home Tax by-law as Chapter 778, Taxation, Vacant Home Tax in the City of Toronto Municipal Code; and

Whereas City Council has approved some amendments to the Vacant Home Tax that require amendment to Chapter 778, Taxation, Vacant Home Tax;

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 778, Vacant Home Tax is amended as follows:

(1) Section 778-1.1 is amended by:

a. Deleting the definition of CVA and substituting the following:

CVA - The current value assessment of the Residential Unit, as shown on the most recently returned assessment roll for the Taxation Year.

b. Deleting the definition of Declaration Due Date and substituting the following:

DECLARATION DUE DATE - the last business day of February of the year following the Taxation Year in respect of which the Declaration is made

c. Deleting the definition of Payment Date and substituting the following:

PAYMENT DATE - The fifteenth day of each of May, June and July of each year following the Taxation Year for which Tax is payable, in respect of three equal installment payments of Tax, or such other dates as may be indicated on a notice of Assessment

d. Adding the following definition:

SIX MONTHS - the period of 183 days

- e. Deleting the definition of Tenant and substituting the following:

TENANT - A person or business who occupies a Residential Unit pursuant to a written lease or sublease, respecting possession of the Residential Unit for a consecutive term of at least 30 days.

- (4) Section 778-3.1 is deleted and the following is substituted:

§ 778-3.1. Amount of Tax.

Every Owner of a Vacant Unit and every Owner of a Deemed Vacant Unit shall pay Tax in the following amounts:

- A. For each of the 2022 and 2023 Taxation Years, Tax of one (1) percent of the CVA; and
- B. For the 2024 Taxation Year and for each Taxation Year thereafter, Tax of three (3) percent of the CVA

- (3) Section 778-3.3A is amended by:

- a Deleting § 778-3.3A(1) and substituting the following:

(1) The Owner has died in the Taxation Year, or in one of the previous two Taxation Years.

- b. Deleting § 778-3.3A(2)(c) and substituting the following:

(c) the repairs or renovations are being actively carried out without unnecessary delay;

- c. Adding the following:

(7) A newly constructed Residential Unit which is a Vacant Unit in the Taxation Year or in the previous Taxation Year and the Taxation Year, and the following conditions have been met:

- (a) the Residential Unit has not been occupied for residential purposes since it was constructed;
- (b) the Residential Unit was actively offered to the public for sale for the portion of the Taxation Year in which it could have been occupied; and
- (c) the Owner of the Residential Unit is the developer of the Residential Unit.

(4) Section 778-9.1A is amended by deleting the words "10th business day of April of the year following the Payment Date" and substituting the words "last business day of the year of the Payment Date".

2. City of Toronto Municipal Code Chapter 441, Fees and Charges is amended by adding the following to Appendix C, Schedule 5, Revenue Services:

	I	II	III	IV	V	VI
Ref. No.	Service	Fee Description	Category	Fee Basis	Fee	Annual Adj.
62	Revenue Services	Failure to provide a Vacant Home Tax Declaration of occupancy status by the Declaration Due Date under MC Chapter 778	Full Cost Recovery	Per year	21.24	Yes

3. This by-law comes into force for the 2023 Taxation Year.

Enacted and passed on October 12, 2023

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)