



HEARING COMMITTEE AGENDA

Hearing Committee Meeting
Wednesday, February 7, 2018
Tom Davies Square

COUNCILLOR MARK SIGNORETTI, CHAIR

Fern Cormier, Vice-Chair

***MEETING CANCELLED**

6:00 p.m. HEARING COMMITTEE MEETING
COMMITTEE ROOM C-11

City of Greater Sudbury Council and Committee Meetings are accessible and are broadcast publically online and on television in real time and will also be saved for public viewing on the City's website at:
<https://agendasonline.greatersudbury.ca>.

Please be advised that if you make a presentation, speak or appear at the meeting venue during a meeting, you, your comments and/or your presentation may be recorded and broadcast.

By submitting information, including print or electronic information, for presentation to City Council or Committee you are indicating that you have obtained the consent of persons whose personal information is included in the information to be disclosed to the public.

Your information is collected for the purpose of informed decision-making and transparency of City Council decision-making under various municipal statutes and by-laws and in accordance with the *Municipal Act, 2001, Planning Act, Municipal Freedom of Information and Protection of Privacy Act* and the City of Greater Sudbury's *Procedure By-law*.

For more information regarding accessibility, recording your personal information or live-streaming, please contact Clerk's Services by calling 3-1-1 or emailing clerks@greatersudbury.ca.

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR

Report dated December 15, 2017 from the General Manager of Corporate Services regarding Appointment of Chair and Vice-Chair - Hearing Committee .

3 - 4

(RESOLUTION PREPARED)

(The current Chair of the Hearing Committee will call the meeting to order and preside until the Hearing Committee Chair and Vice Chair have been appointed, at which time the newly appointed Chair will preside over the balance of the meeting.)

PUBLIC HEARINGS

1. Report dated November 28, 2017 from the General Manager of Corporate Services regarding Tax Adjustment Under Section 357 of the Municipal Act of Ontario for 149 Walter Avenue Sudbury .

5 - 11

(RESOLUTION PREPARED)

(This report deals with an application for a tax adjustment under Section 357 of the Municipal Act of Ontario for a property know municipally 149 Walter Avenue, Sudbury. The application results from the demolition of a garage on the subject property.)

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD AND ANNOUNCEMENTS

NOTICES OF MOTION

ADJOURNMENT

Request for Decision

Appointment of Chair and Vice-Chair - Hearing Committee

Presented To:	Hearing Committee
Presented:	Wednesday, Feb 07, 2018
Report Date	Friday, Dec 15, 2017
Type:	Appointment of Committee Chair and Vice-Chair

Resolution

THAT the City of Greater Sudbury appoints Councillor _____ as Chair and Councillor _____ as Vice-Chair of the Hearing Committee for the term ending November 30, 2018.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

This report sets out the procedure for the election by the Committee of the Chair and Vice-Chair of the Hearing Committee for the term ending November 30, 2018.

Financial Implications

There are no financial implications.

Signed By

Report Prepared By

Kristen Newman
Deputy City Solicitor/Deputy Clerk
Digitally Signed Dec 15, 17

Division Review

Eric Labelle
City Solicitor and Clerk
Digitally Signed Dec 21, 17

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Dec 21, 17

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Dec 21, 17

Background

This report sets out the procedure for the election by the Committee of the Chair and Vice-Chair of the Hearing Committee for the term ending November 30, 2018.

The Procedure By-law provides that a Member of the Committee shall be appointed annually by the Committee to serve as Chair of the Hearing Committee. As well, a Vice-Chair is appointed annually.

The above appointments need only be confirmed by resolution.

Selection

The selection of the Chair and Vice-Chair is to be conducted in accordance with Articles 33 and 37 of the Procedure By-law.

Council's procedure requires that in the event more than one (1) candidate is nominated for either the Chair or Vice-Chair's position, a simultaneous recorded vote shall be used to select the Chair and Vice-Chair.

It is always in order for a Member of Council to nominate themselves and to vote for themselves.

Once the successful candidates have been selected, a recommendation will be introduced.

Resources Cited

Council Procedure By-law 2011-235: <https://www.greatersudbury.ca/city-hall/by-laws/#frb>

Request for Decision

Tax Adjustment Under Section 357 of the Municipal Act of Ontario for 149 Walter Avenue Sudbury

Presented To:	Hearing Committee
Presented:	Wednesday, Feb 07, 2018
Report Date	Tuesday, Nov 28, 2017
Type:	Public Hearings

Resolution

THAT the City of Greater Sudbury reduces the taxes levied on the land at 149 Walter Avenue, Sudbury, pursuant to section 357 (1) (d) (i) of the Municipal Act, 2001 and directs staff to notify the Applicant of the decision and the Applicant's right of appeal, as described in the report from the General Manager, Corporate Services entitled "Tax Adjustment under section 357 of the Municipal Act of Ontario for 149 Walter Avenue, Sudbury", presented at the Hearing Committee meeting of February 7, 2018.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

This report deals with an application for a tax adjustment resulting from the demolition of a garage at 149 Walter Avenue Sudbury.

Financial Implications

There is no financial impact resulting from this report.

Signed By

Report Prepared By

Kyla Bell
Senior Accountant - Tax
Digitally Signed Jan 18, 18

Division Review

Ed Stankiewicz
Executive Director of Finance, Assets and Fleet
Digitally Signed Nov 29, 17

Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
Digitally Signed Nov 29, 17

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Nov 29, 17

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jan 8, 18

Background

This reports deals with an application for a tax adjustment under Section 357 of the Municipal Act, 2001 for a property known municipally as 149 Walter Avenue Sudbury.

The 2017 taxes on the subject property were \$2,135.94 based on a current value assessment of \$149,000.00.

In December of 2016, the property owner applied for a tax adjustment for the 2017 taxation year as a result of a garage fire and subsequent demolition of the remaining structure.

Section 357 (1) (d) (i) of the Municipal Act States:

357 (1) Upon application to the treasurer of a local municipality made in accordance with this section, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year in respect of which the application is made if,

(d) during the year or during the preceding year after the return of the assessment roll, a building on the land,

(i) was razed by fire, demolition or otherwise

As is our usual practice, the application was forwarded to the Municipal Property Assessment Corporation (MPAC) for review and recommendation. MPAC recommended a reduction in the property's current value assessment from \$149,000 to \$137,000 thereby establishing the value of the demolished garage at \$12,000. This was conveyed to the property owner on November 3rd, 2017. The property owner objected to the value of the demolished structure established by the Municipal Property Assessment Corporation and requested an appearance before the Hearing Committee of City Council. For the information of the Committee, copies of related correspondence are appended to this report.

City Council's Powers

As described above, section 357 (1) of the Municipal Act, 2001 provides that City Council may, upon application to the Treasurer, cancel, reduce or refund all or part of the taxes levied on land in the year in respect of which an application is made in the event that during the year or during the preceding year after the return of the assessment roll, a building on the land was razed by fire, demoltion or otherwise.

MPAC's Mandate

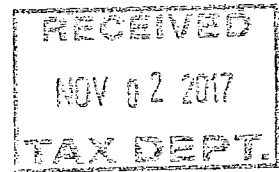
The Municipal Property Assessment Corporation is responsible for all property valuation for assessment purposes throughout the Province of Ontario. Property owners who disagree with MPAC over property valuations have appeal opportunities through the request for reconsideration process or the Assessment Review Board of Ontario.

Additional Information

It should be noted that the property owner has thirty-five (35) days to appeal City Council's decision regarding the application for the tax adjustment to the Assessment Review Board of Ontario.

Recommendation

Staff recommend that the City of Greater Sudbury reduce the property taxes levied from \$2,135.94 to \$1,963.92 to reflect MPAC's revised assessment value and that the Applicant be notified of his appeal rights in accordance with section 357 of the Municipal Act, 2001.



Vernon Deveau

PO Box 847, Dowling, ON P0M 1R0

October 27, 2017

CITY OF GREATER Sudbury
Attn: Ms. M. Lavallie
c/o Deputy City Clerk
200 Brady Street
P.O. Box 5000, Station A
Sudbury, ON P3A 5P3

CCM

Re: Roll Number : 050.026.03800.0000
Notice pursuant to Sections 357 & 358 of the Municipal Act
Location: 149 Walter Avenue

Dear Ms. M. Lavallie:

I am writing to you to object to the amount of RT \$149,000 to RT \$137,000, January 1, 2017 to December 31, 2017. This reduction amount should be greater than \$12,000

The amount of a reduction of \$12,000 was because my 24' x 20' insulated garage has been removed from my property. The cost of my garage on my property was worth a lot more than \$12,000. The cost to build a 10' x 10' completed shed is \$8,000, and to build a 24' x 20' insulated garage far exceeds \$12,000.

The replacement cost of my garage is \$45,233.10 and I would like to see at least a \$25,000 reduction on my taxes for said building that has been removed.

I would like to attend the Hearing Committee meeting on the above mentioned.

Thank You

Regards,

Vernon Deveau
Owner of 149 Walter Property

03 November 2017

DEVEAU VERNON ERNEST
PO BOX 847
DOWLING ON
POM 1R0

COPY

ROLL NUMBER / NUMÉRO DE RÔLE: 050.026.03800.0000

LOCATION / ENDROIT: 149 WALTER AVE

Notice pursuant to Sections 357 & 358 of the Municipal Act
Avis donné aux termes des articles 357 et 358 de la Loi sur les municipalités

A review of our records indicates that the above noted property is subject to an application for a reduction of taxes pursuant to Sections 357 & 358 of the Municipal Act for the following reasons:

Destruction or Damage

The Municipal Property Assessment Corporation has previously reviewed your application and has the following recommendation:

RT \$149,000 to RT \$137,000
January 1, 2017 to December 31, 2017

Please be advised that the application will be addressed by City Council on ***December 12, 2017 6:00 PM***

If you have no objection to the recommendation then City Council will dispense with the application by ratifying the recommendations of the Municipal Property Assessment Corporation.

If you object, you may speak to the application by attending a meeting of the Hearing Committee of City Council.

If you wish to attend the Hearing Committee meeting, you must provide your intention to do so **in writing**, by notifying the Deputy City Clerk, within fourteen (14) days of the date of this letter. If you have an objection to the recommendation of the Municipal Property Assessment Corporation, your written intention will result in the application being removed from the City Council agenda and you will be notified of the date when the Hearing Committee will review the application.

The Deputy City Clerk can be contacted as follows:

CITY OF GREATER SUDBURY
c/o Deputy City Clerk
200 Brady Street
P.O. Box 5000, Station A
Sudbury ON P3A 5P3

Yours truly,



Tony Derro
Manager of Taxation

Par suite d'une évaluation de nos dossiers, nous concluons que l'on peut faire une demande de réduction d'impôt pour la propriété susmentionnée, en vertu des articles 357 et 358 de la *Loi sur les municipalités*, et ce, pour les raisons suivantes :

Destruction or Damage

La Société d'évaluation foncière des municipalités a d'abord évalué votre demande, puis formulé la recommandation suivante :

RT \$149,000 to RT \$137,000
January 1, 2017 to December 31, 2017

Veillez noter que le Conseil municipal se penchera sur la demande le ***December 12, 2017 6:00 PM***

Si vous n'avez aucune objection à l'égard de la recommandation, le Conseil municipal traitera la demande en ratifiant les recommandations de la Société d'évaluation foncière des municipalités.

Si vous vous y opposez, vous pouvez vous exprimer sur la demande en assistant à une réunion du Comité d'audition du Conseil municipal.

Si vous desirez assister à la réunion du Comité d'audition, vous devez avisé la greffière municipale adjointe, **par écrit**, dans un délai de quatorze (14) jours suivant la date de la présente lettre. Si vous vous opposez à la recommandation de la Société d'évaluation foncière des municipalités, votre avis par écrit entraînera le retrait de votre demande de l'ordre du jour de la réunion du Conseil municipal, et on vous avisera de la date de révision de votre demande par le Comité d'audition.

On peut joindre, à l'adresse suivante :

greffière municipale adjointe
VILLE DU GRAND SUDBURY
200, rue Brady
C. P. 5000, succursale A
Sudbury ON P3A 5P3

Veillez agréer, Madame, Monsieur, mes salutations distinguées.

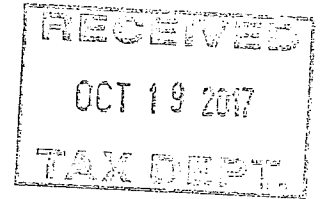
Gestionnaire des taxes foncières,



Tony Derro

Application made under Sec 357/358/359 of the Municipal Act, 2001

MPAC's RESPONSE



Owner name(s) DEVEAU, VERNON ERNEST
Roll number 5307-050-026-03800-0000
Property location 149 WALTER AVE
Property description MCKIM CON 2 LOT 9 PLAN M238 PT LOT 290 PCL 16248
Municipality/Local taxing authority GREATER SUDBURY CITY

Application number
Application reason Demolition/Razed by Fire
Received date December 12, 2016
Claim relief period From: January 01, 2017 - To: December 31, 2017
Taxation year 2017

Current Property Assessment

Property Classification	2012	2016	Phase-In Assessment for Taxation Years			
	Assessed Value	Assessed Value	2017	2018	2019	2020
OWNR RU R T	161,000	149,000	149,000	149,000	149,000	149,000
Total	161,000	149,000	149,000	149,000	149,000	149,000

Change to the Property Assessment

Property Classification	2012	2016	Phase-In Assessment for Taxation Years			
	Assessed Value	Assessed Value	2017	2018	2019	2020
OWNR RU R T	150,000	137,000	137,000	137,000	137,000	137,000
Total	150,000	137,000	137,000	137,000	137,000	137,000

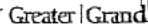
MPAC Remarks

Demo of garage effective Jan 1, 2017. -\$12,000 RT

MPAC Representative:
Date:

Andrew Rossanese
September 26, 2017

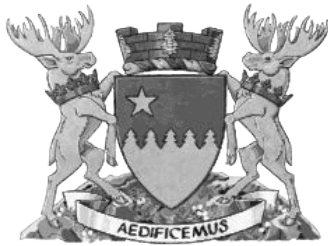
COPY



Application for Adjustment of Taxes for the Year 2017

Under Section 357 () or Section 358 () of the Municipal Act, 2001

The information on this form is collected under the authority of Sections 357 and 358 of the Municipal Act, 2001, S.O. 2001, c25, for the purpose of determining the eligibility of a property tax adjustment. Questions about the collection of the information can be directed to the Manager of Taxation at the City of Greater Sudbury, 200 Brady Street, Sudbury, Ontario P3A 5P3, telephone number 705-674-4455 extension 2601.



City of Greater Sudbury Charter

WHEREAS Municipalities are governed by the Ontario Municipal Act, 2001;

AND WHEREAS the City of Greater Sudbury has established Vision, Mission and Values that give direction to staff and City Councillors;

AND WHEREAS City Council and its associated boards are guided by a Code of Ethics, as outlined in Appendix B of the City of Greater Sudbury's Procedure Bylaw, most recently updated in 2011;

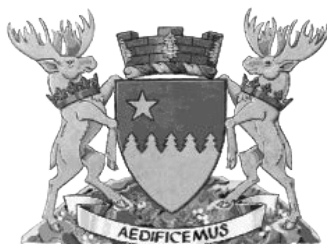
AND WHEREAS the City of Greater Sudbury official motto is "Come, Let Us Build Together," and was chosen to celebrate our city's diversity and inspire collective effort and inclusion;

THEREFORE BE IT RESOLVED THAT Council for the City of Greater Sudbury approves, adopts and signs the following City of Greater Sudbury Charter to complement these guiding principles:

As Members of Council, we hereby acknowledge the privilege to be elected to the City of Greater Sudbury Council for the 2014-2018 term of office. During this time, we pledge to always represent the citizens and to work together always in the interest of the City of Greater Sudbury.

Accordingly, we commit to:

- Perform our roles, as defined in the Ontario Municipal Act (2001), the City's bylaws and City policies;
- Act with transparency, openness, accountability and dedication to our citizens, consistent with the City's Vision, Mission and Values and the City official motto;
- Follow the Code of Ethical Conduct for Members of Council, and all City policies that apply to Members of Council;
- Act today in the interest of tomorrow, by being responsible stewards of the City, including its finances, assets, services, public places, and the natural environment;
- Manage the resources in our trust efficiently, prudently, responsibly and to the best of our ability;
- Build a climate of trust, openness and transparency that sets a standard for all the City's goals and objectives;
- Always act with respect for all Council and for all persons who come before us;
- Ensure citizen engagement is encouraged and promoted;
- Advocate for economic development, encouraging innovation, productivity and job creation;
- Inspire cultural growth by promoting sports, film, the arts, music, theatre and architectural excellence;
- Respect our historical and natural heritage by protecting and preserving important buildings, landmarks, landscapes, lakes and water bodies;
- Promote unity through diversity as a characteristic of Greater Sudbury citizenship;
- Become civic and regional leaders by encouraging the sharing of ideas, knowledge and experience;
- Work towards achieving the best possible quality of life and standard of living for all Greater Sudbury residents;



Charte de la Ville du Grand Sudbury

ATTENDU QUE les municipalités sont régies par la Loi de 2001 sur les municipalités (Ontario);

ATTENDU QUE la Ville du Grand Sudbury a élaboré une vision, une mission et des valeurs qui guident le personnel et les conseillers municipaux;

ATTENDU QUE le Conseil municipal et ses conseils sont guidés par un code d'éthique, comme l'indique l'annexe B du Règlement de procédure de la Ville du Grand Sudbury dont la dernière version date de 2011;

ATTENDU QUE la devise officielle de la Ville du Grand Sudbury, « Ensemble, bâtissons notre avenir », a été choisie afin de célébrer la diversité de notre municipalité ainsi que d'inspirer un effort collectif et l'inclusion;

QU'IL SOIT RÉSOLU QUE le Conseil de la Ville du Grand Sudbury approuve et adopte la charte suivante de la Ville du Grand Sudbury, qui sert de complément à ces principes directeurs, et qu'il y appose sa signature:

À titre de membres du Conseil, nous reconnaissons par la présente le privilège d'être élus au Conseil du Grand Sudbury pour le mandat de 2014-2018. Durant cette période, nous promettons de toujours représenter les citoyens et de travailler ensemble, sans cesse dans l'intérêt de la Ville du Grand Sudbury.

Par conséquent, nous nous engageons à :

- assumer nos rôles tels qu'ils sont définis dans la Loi de 2001 sur les municipalités, les règlements et les politiques de la Ville;
- faire preuve de transparence, d'ouverture, de responsabilité et de dévouement envers les citoyens, conformément à la vision, à la mission et aux valeurs ainsi qu'à la devise officielle de la municipalité;
- suivre le Code d'éthique des membres du Conseil et toutes les politiques de la municipalité qui s'appliquent à eux;
- agir aujourd'hui pour demain en étant des intendants responsables de la municipalité, y compris de ses finances, biens, services, endroits publics et du milieu naturel;
- gérer les ressources qui nous sont confiées de façon efficiente, prudente, responsable et de notre mieux;
- créer un climat de confiance, d'ouverture et de transparence qui établit une norme pour tous les objectifs de la municipalité;
- agir sans cesse en respectant tous les membres du Conseil et les gens se présentant devant eux;
- veiller à ce qu'on encourage et favorise l'engagement des citoyens;
- plaider pour le développement économique, à encourager l'innovation, la productivité et la création d'emplois;
- être une source d'inspiration pour la croissance culturelle en faisant la promotion de l'excellence dans les domaines du sport, du cinéma, des arts, de la musique, du théâtre et de l'architecture;
- respecter notre patrimoine historique et naturel en protégeant et en préservant les édifices, les lieux d'intérêt, les paysages, les lacs et les plans d'eau d'importance;
- favoriser l'unité par la diversité en tant que caractéristique de la citoyenneté au Grand Sudbury;
- devenir des chefs de file municipaux et régionaux en favorisant les échanges d'idées, de connaissances et concernant l'expérience;
- viser l'atteinte de la meilleure qualité et du meilleur niveau de vie possible pour tous les résidents du Grand Sudbury.