

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.