



Report to: General Committee

Report Date: November 28<sup>th</sup>, 2016

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**SUBJECT:** 2017 Interim Tax Levy By-law

**PREPARED BY:** Shane Manson, Senior Manager, Revenue & Property Taxation

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**RECOMMENDATIONS:**

1. **THAT** the report “2017 Interim Tax Levy By-law” be received;
2. **AND THAT** Council authorize an interim tax levy for 2017;
3. **AND THAT** the attached by-law be passed to authorize the 2017 interim tax levy;
4. **AND THAT** staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This purpose of this report is to seek authority from Council for the City of Markham to levy an interim property tax levy for the 2017 taxation year. The purpose of an interim property tax levy is to provide the necessary cash flow to meet the City’s own financial requirements, as well as its financial obligations to the Region of York and the Province of Ontario for education purposes.

**BACKGROUND:**

Section 317 of the *Municipal Act, 2001 (The Act)*, allows a local municipality to levy on all taxable properties, an interim tax levy prior to the adoption of the final budget for each tax year. The maximum allowable interim levy is fifty (50) per cent of the prior year’s annualized taxes. Annualized taxes reflect taxes levied against the property at final billing, including all tax adjustments due to supplementary assessment and resulting from assessment appeals. For properties that are new to the assessment roll for the current year, and were not assessed in prior year, fifty per cent of the previous year’s tax rate for the properties applicable tax class will be applied to the property’s assessed value to generate an interim levy.

*The Act* requires that an interim tax levy by-law be passed in the year to which it applies or in the previous year, provided that the by-law does not come into effect until a specified day in the applicable year.

**OPTIONS & DISCUSSIONS:**

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The attached by-law provides for the levy of interim taxes as authorized by Section 317 of the *Municipal Act*, 2001.

Consistent with the City's practice in previous years, the 2017 interim tax levy will be payable in equal installments, based on the billing plan applicable to each property. These instalments dates have been included in the attached by-law. The 2017 final tax rates will be established following the approval of the budgets of the City of Markham, the Region of York and of the Province. The interim levy will be deducted from the final levy.

**FINANCIAL CONSIDERATIONS:**

The interim property tax levy by-law permits the City to collect property taxes prior to the setting of the final tax rates in May. This is done for the City to meet its own financial requirements as well as its obligations to the Region of York and the Province of Ontario. This also allows property owners to spread out the payment of property taxes through the year. The interim tax levy represents half of the previous year's annual tax levy. For 2017, the interim tax levy is expected to raise an estimated \$319 million, with the City share consisting of \$69 million.

**HUMAN RESOURCE CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

**BUSINESS UNITS AFFECTED AND CONSULTED:**

Legal Services Department

**RECOMMENDED BY:**

X 

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Joel Lustig  
Treasurer

X 

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Trinela Cane  
Commissioner, Corporate Services

**ATTACHMENTS:**

**Appendix A: By-Law to Provide for an Interim Tax Levy in 2017**



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**THE CORPORATION OF THE CITY OF MARKHAM  
BY-LAW NO. 2017-XXX**

**BEING A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY IN 2017**

**WHEREAS** Section 317(1) of the *Municipal Act, 2001*, S.O. 2001, C.25, provides that the Council of a local municipality may, before the adoption of the annual estimates for 2017, pass a by-law to levy on the whole of the assessment for taxable property for local municipal purposes;

**AND WHEREAS** the Council of The Corporation of the City of Markham wishes to impose an interim tax levy, as authorized by *Municipal Act, 2001*, S. O. 2001, c. 25, as amended;

**AND WHEREAS** section 342 of the *Municipal Act, 2001* authorizes a Council to pass by-laws for the payment of taxes by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due;

**AND WHEREAS** section 345 of the *Municipal Act, 2001* authorizes a local municipality to pass by-laws to impose late payment charges for the non-payment of taxes or any instalment by the due date.

**NOW THEREFORE** the Council of the Corporation of the City of Markham enacts as follows:

- 1. THAT** the Council of The Corporation of The City of Markham hereby imposes an interim levy in 2017 in an amount of fifty (50) per cent of the prior year's annualized taxes;
- 2. THAT** the taxes may be levied by this by-law on a property that is taxable for local municipal purposes for the current tax year, even if the property was not taxable for local municipal purposes for the prior tax year, including assessment of property that is added to the assessment roll after the by-law is passed at a rate not to exceed fifty (50) per cent of the previous year tax rate for the property class in which the property is assessed;
- 3. THAT** the interim taxes levied by this by-law shall be due and payable in equal instalments as per the following schedules:
  - i. MONTHLY RESIDENTIAL PRE-AUTHORIZED PAYMENT BILLS**
    - a. Due in five (5) equal instalments on the 1<sup>st</sup> day in each of the months of February, March, April, May and June of 2017.
  - ii. INSTALMENT PRE-AUTHORIZED PAYMENT BILLS**
    - a. Due in three (3) equal instalments on the 6<sup>th</sup> day of February 2017, 6<sup>th</sup> day of March 2017, and the 5<sup>th</sup> day of April 2017; or

- b. Due in two (2) equal instalments on the 6<sup>th</sup> day of February 2017, and 6<sup>th</sup> day of March 2017.
    - iii. **NON PRE-AUTHORIZED RESIDENTIAL, FARMLAND, AND PIPELINE BILLS**
      - a. Due in two (2) equal instalments on the 6<sup>th</sup> day of February 2017, and the 6<sup>th</sup> day of March 2017.
    - iv. **NON PRE-AUTHORIZED MULTI-RESIDENTIAL BILLS, AND ALL COMMERCIAL AND ALL INDUSTRIAL BILLS**
      - a. Due in two (2) equal instalments on the 6<sup>th</sup> day of February 2017, and 6<sup>th</sup> day of March 2017.
- 4. **THAT** as provided in Subsections 345(1) and (2) of the *Municipal Act 2001*, if the taxes or any class or instalment thereof so levied in accordance with this By-law remain unpaid following the due date, a penalty of one per cent (1.00%) on the fourth day default and one quarter per cent (1.25%) per month (15% per annum), on the first day each calendar month thereafter in which the default continues;
- 5. **THAT** the Treasurer of The Corporation of The City of Markham is hereby authorized and directed to serve personally or to mail or cause to be mailed notices of the taxes hereby levied to the person or persons taxed at the person's residence or place of business or upon the premises in respect of which the taxes are payable by such person, or the ratepayer's mortgage company or third party designated by the property owner;
- 6. **THAT** payment of the taxes shall be paid to the Treasurer at the Municipal Offices, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3;
- 7. **AND THAT** this By-law shall not take effect until January 1, 2017.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 29<sup>th</sup> DAY OF NOVEMBER, 2016.**

X \_\_\_\_\_  
**KIMBERLEY KITTERINGHAM**  
**CITY CLERK**

X \_\_\_\_\_  
**FRANK SCARPITTI**  
**MAYOR**