

Request for Decision City Council

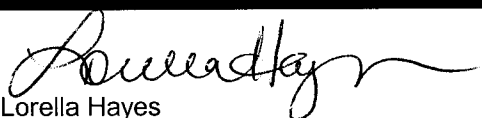


Type of Decision											
Meeting Date		March 28, 2007				Report Date		March 21, 2007			
Decision Requested		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority		<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
		Direction Only			Type of Meeting		<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed	

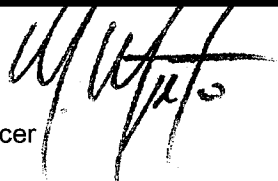
Report Title
Tax Adjustments under Sections 357 and 358 of the Municipal Act

Budget Impact / Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p> <p>Of the total taxes to be struck from the tax roll, the City's portion is \$21,858.05. This amount, as well as previous amounts struck from the roll for 2007, is well within the budget amount for the tax write offs.</p>	<p>THAT the amount of \$29,469.54 be struck from the tax roll.</p>
<input checked="" type="checkbox"/> Background Attached	Recommendation Continued


Recommended by the Department


 Lorella Hayes
 Chief Financial Officer / Treasurer

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: March 21, 2007

Report Prepared By	Division Review
 Tony Derro Supervisor of Tax / Chief Tax Collector	

Background

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

Section 357

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire / demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

Section 358

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount. Also attached is Schedule B which provides a more detailed property by property description of the tax adjustments.

The Municipal Act provides for a notification / appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on or before March 2, 2007 and all queries / concerns were addressed by the Tax Department prior to the preparation of the attached Schedule B and none of the applicants have requested an appearance before the Hearing Committee of Council.

SCHEDULE 'A'
APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
March 28, 2007

Reason for Adjustment	Applications	City Portion	Education Portion	CBI / FBI
Fire or Demolition	23	\$ 10,591.09	\$ 4,189.47	\$ -
Class Change	7	\$ 516.24	\$ 1,658.74	\$ -
Gross or Manifest Error	3	\$ 6,865.17	\$ 1,103.52	\$ -
Exempt	4	\$ 3,885.55	\$ 659.76	\$ -
TOTAL:	37	\$ 21,858.05	\$ 7,611.49	\$ -

Schedule 'B'

APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT

March 28, 2007

FIRE OR DEMOLITION

Item #	Roll #	Class	Location	Assessed Property Owner	Assessment Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	010.014.01600.0000	RTES	2099 MILDRED ST	OUELLETTE JACK A	0	2006	N/A		N/A		N/A		\$ -	\$ -	No Recommendation
2	030.013.00300.0000	RTES	1115 BELFRY AVE	LASALLE BOULEVARD INVESTMENTS	53000	2006	289	0.01642385	689.22	0.00264000	110.79		0.00	800.01	Demolition
3	030.013.00200.0000	RTEP	1129 BELFRY AVE	LASALLE BOULEVARD INVESTMENTS INC.	54000	2006	127	0.01642385	308.59	0.00264000	48.60		0.00	358.19	Demolition
4	050.016.00600.0000	RTEP	487 MCLEOD ST	ANZIL ANGELA ELIZABETH KIA-ORA INVESTMENTS LIMITED	0	2006	0	0.00000000	N/A	0.00000000	N/A				No Change in Assessment
5	060.028.10000.0000	RTEP	1566 REGENT ST		30500	2006	52	0.01642385	71.37	0.00264000	11.47		0.00	82.84	Demolition
6	070.008.05500.0000	CTN	88 ARGYLE AVE	THANGARAJAH KANAGASABAI THANGARAJAH RAJANI	10550	2006	164	0.02825845	133.95	0.01984045	94.05		0.00	228.00	Fire & Demolition
		MTEP			63450			0.03381835	964.13	0.00264000	75.26		0.00	1,039.39	
7	090.003.00401.0000	RTEP	580 DEW DROP RD	BANFIELD DAVID KENDALL	173000	2006	245	0.01642385	1,907.19	0.00264000	306.57		0.00	2,213.76	Demolition
8	090.008.12700.0000	RTEP	1233 LEEDALE AVE	ROCK MICHAEL ROWAN ROCK SHARON ELIZABETH THEODORE ACKLAND BARBARA	22000	2006	365	0.01642385	361.32	0.00264000	58.08		0.00	419.40	Demolition
9	090.015.10500.0000	RTEP	330 ST CHARLES LK RD	OLIVIER CHARLES LAVIGNE LINDA	19000	2006	365	0.01642385	312.05	0.00264000	50.16		0.00	362.21	Demolition
10	090.021.05600.0000	RTFS	1794 PIONEER RD		13000	2006	56	0.01642385	32.76	0.00264000	5.27		0.00	38.03	Demolition
11	010.002.07600.0000	RTEP	412 SUNDAY ST	POSADOWSKI FRED	4000	2006	334	0.01642385	60.12	0.00264000	9.66		0.00	69.78	Demolition
12	090.021.05700.0000	RTEP	1774 PIONEER RD	OLIVIER CHARLES LAVIGNE LINDA	40000	2006	123	0.01642385	221.38	0.00264000	35.59		0.00	256.97	Demolition
14	110.001.01900.0000	RTEP	1063 KANTOLA RD	CONNORS BRYAN SAMUEL	22000	2006	184	0.01475813	163.67	0.00264000	29.28		0.00	192.95	Demolition
15	160.023.14800.0000	FTFS	3888 REGIONAL RD 15	AUBIN CLAUDE JEAN AUBIN SUZANNE ESTELLE	1000	2006	92	0.00368954	0.93	0.00066000	0.17		0.00	1.10	Demolition
15	170.002.16301.0000	RTEP	2162 HIGHWAY 69 N	HAW MICHELE	125500	2006	365	0.02674006	3,355.88	0.01984045	2,489.98		0.00	5,845.86	Fire & Demolition
16	190.007.09300.0000	RTEP	18 YOUNG ST 20	THE ROYAL CANADIAN LEGION BRANCH 179	111800	2006	193	0.01475813	872.44	0.00264000	156.07		0.00	1,028.51	Demolition
17	210.005.09827.0000	CTN	0 NATIONAL ST	172965 CANADA LTD. IMPERIAL OIL LIMITED	76605	2006	63	0.02539245	335.74	0.01984045	262.34		0.00	598.08	Demolition
		IUN			138395			0.02403880	574.22	0.01694105	404.68			978.90	
19	240.003.27100.0000	RTEP	114 LAREN ST	ST PIERRE PAULINE FLORE WILLIAM	0	2006	0	N/A	0.00	N/A	0.00		0.00	0.00	No Change in Assessment
20	120.013.19200.0000	RTEP	1805 REGIONAL RD 10	MAKI-FLORE ELIN	4000	2006	147	0.01475813	23.77	0.00264000	4.25		0.00	28.02	Demolition
21	160.013.07200.0000	RTEP	1473 HIGHWAY 144	MASON JEFFREY	85000	2006	46	0.01475813	158.09	0.00264000	28.28		0.00	186.37	Demolition
22	160.021.11800.0000	RTFP	711 NOTRE DAME ST W	BELANGER ROMA ROGER BELANGER AGATHE ALEXINA	3000	2006	365	0.01475813	44.27	0.00264000	7.92		0.00	52.19	Demolition
23	160.022.02700.0000	RTFP	99 MARIER ST	RHEAUME HELENE	0	2006	0	N/A	0.00	N/A	0.00		0.00		No Recommendation
23				TOTAL:					\$ 10,591.09		\$ 4,189.47		\$ -	\$ 14,780.56	

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
 March 28, 2007

Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	Days	General Rate	City Portion	Education Rate	Education Portion	CBI/FBI Rate	CBI/FBI Portion	Total	Comments
1	170.002.16301.0000	CTN	2162 HIGHWAY 69 N	HAW MICHELE	0	2006	365	N/A	N/A	N/A	N/A	\$	\$	-	No Recommendation
2	170.002.16301.0000	CTN RTEP	2162 HIGHWAY 69 N	HAW MICHELE	49500 -49500	2006	365	0.01984045 0.01554136	982.10 (769.30)	0.02674006 0.00264000	1,323.63 (130.68)			2,305.74 (899.98)	Fire / Demolition
3	210.005.09827.0000	CTN IXN	0 NATIONAL ST	172965 CANADA LTD. IMPERIAL OIL LIMITED	154000 -154000	2006	63	0.02539245 0.02403880	674.95 (638.97)	0.01984045 0.01694105	527.38 (450.31)			1,202.33 (1,089.28)	
4	210.007.04400.0000	CTN	3516 FALCONBRIDGE HWY	MERRILL FRANK	0	2006	0	N/A	N/A	N/A	N/A			0.00	No Recommendation
5	210.008.02500.0000	CTN	191 CHURCH ST	ALKHOURY NICOLA SAMUEL ALKKHOURY MELISSA LYNN	0	2006	0	N/A	N/A	N/A	N/A			0.00	No Recommendation
6	040.016.05900.0000	CTN RTFS	343 MCNEILL BLVD	REMMERSWAAL JOHANNES REMMERSWAAL JEANNINE MARCELINE	5340 -5340	2006	123	0.02825845 0.01642385	50.85 (29.55)	0.01984045 0.00264000	35.70 (4.75)			86.55 (34.31)	
7	070.008.12300.0000	CTN RTFS	40 ARGYLE AVE	PACIONE NICK	20800 -20800	2006	365	0.02825845 0.01642385	587.78 (341.62)	0.01984045 0.00264000	412.68 (54.91)			1,000.46 (396.53)	
7	TOTAL:														
									\$ 516.24		\$ 1,658.74		\$ -	\$ 2,174.98	

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
 March 28, 2007

Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments			
1	010.012.06800.0000	RTEP	1651 TORBAY RD	GALIC ILIJA GALIC RITA RUTH	418000	2006	365	0.01642385	\$ 6,865.17	0.00264000	\$ 1,103.52		\$ -	\$ 7,968.69	vacant land			
2					80000	2006	365	0	0.00	0.00	0.00			0.00				
3	210.005.04900.0000	RTEP	67 ALICE ST	BOTTRELL DELLA ELIZABETH	76000	2005		0	0.00	0.00	0.00			0.00	No Recommendation			
					76000	2004	366	0	0.00	0.00	0.00			0.00				
TOTAL:														\$ 6,865.17	\$ 1,103.52	\$ -	\$ 7,968.69	
3																		

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTION 357 OF THE MUNICIPAL ACT

March 28, 2007

BECAME EXEMPT

Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	030.003.08900.0000	RTFS 163	LASALLE BLVD	THE CITY OF GREATER SUDBURY	84000	2006	143	0.01642385	\$ 540.50	0.00264000	\$ 86.88		\$ -	\$ 627.38	
2	170.024.08005.0000	RTEP 4367 RTFS	CARINA DR	COMMUNITY LIVING GREATER SUDBURY	45500 45500	2006	365	0.01554136	\$ 707.13	0.00264000	\$ 120.12		\$ -	\$ 827.25	
3	170.024.08006.0000	RTEP 4385 RTFS	CARINA DR	COMMUNITY LIVING GREATER SUDBURY	91000	2006	365	0.01554136	\$ 1,414.26	0.00264000	\$ 240.24		\$ -	\$ 1,654.50	
4	210.004.03305.0000	RTFS 0	O'NEIL DR	CITY OF GREATER SUDBURY	35000	2006	365	0.01475813	\$ 516.53	0.00264000	\$ 92.40		\$ -	\$ 608.93	
4	TOTAL:														
									\$ 3,885.55		\$ 659.76		\$ -	\$ 4,545.31	

Request for Decision City Council




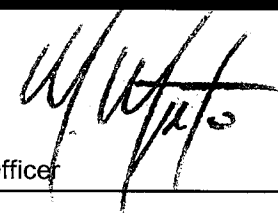
Type of Decision									
Meeting Date	March 28, 2007				Report Date	March 21, 2007			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
Tax Extension Agreement Roll # 160.014.077.02.0000 Between the City of Greater Sudbury and Renee and Michel Frappier

Policy Implication & Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
N/A	
<input checked="" type="checkbox"/>	Background Attached


Recommendation
THAT the appropriate by-law be enacted.
Recommendation Continued

Recommended by the Department
 L. Hayes Chief Financial Officer / Treasurer

Recommended by the C.A.O.
 M. Mieto Chief Administrative Officer

Between the City of Greater Sudbury and Renee and Michel Frappier

Date: March 21, 2007

Report Prepared By
 T. Derro Supervisor of Tax / Chief Tax Collector

Division Review

BACKGROUND

Renee and Michel Frappier have requested a tax extension agreement with respect to the property located at 5403 Nickel Offset Road, Chelmsford in the City of Greater Sudbury. A tax extension agreement is a standard agreement. This agreement provides that if the owners fail to honour the provisions of the agreement, the agreement shall become null and void and the owners shall be placed in the position that they were in prior to the entering into of the agreement, which may include the sale of the property by public tender.

A tax arrears certificate was registered against these lands on June 23, 2006, and the owners have one year from that date to redeem the property by paying all outstanding taxes, penalty, interest charges and costs in full in one lump sum.

However, Section 378 (1) of the *Municipal Act*, allows a municipality to enter into a tax extension agreement with the owners of the property providing an extension of time for payment of the arrears by way of a down payment and monthly payments.

The owners are agreeable to making payment of the arrears on the following schedule. It is recommended that a standard form tax extension agreement be authorized.

**CALCULATION OF PAYMENTS REQUIRED UNDER TAX EXTENSION AGREEMENT
TS FILE NO. 06-40**

	AMOUNT
(1) Outstanding taxes, penalty and interest charges on TAX ARREARS CERTIFICATE	\$ 7,787.41
(2) Additional taxes levied subsequent to tax sale proceedings	
2007	\$ 1,098.04
2008	\$ 1,100.00
(3) Estimated additional penalty and interest charge subsequent to tax sale proceedings	\$ 2,818.41
(4) Administration Charges	<u>\$ 1,805.00</u>
TOTAL AMOUNT TO BE PAID UNDER TAX EXTENSION AGREEMENT	\$ 14,608.86
 TO BE PAID AS FOLLOWS:	
(1) Down payment on signing	\$ 4,000.00
(2) 23 Payments of \$100.00 each, starting March 1, 2007	\$ 2,300.00
(3) 1 Final Payment of \$8,308.86 on February 1, 2009	<u>\$ 8,308.86</u>
	\$ 14,608.86

Request for Decision City Council




Type of Decision							
Meeting Date	March 28, 2007			Report Date	March 13, 2007		
Decision Requested		Yes	No	Priority	x	High	Low
	Direction Only		x	Type of Meeting	x	Open	Closed

Report Title
Notice of Assumption - Pine Cone Road

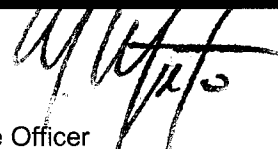
Budget Impact / Policy Implication		Recommendation
x	This report has been reviewed by the Finance	
	<p>If approved, there will be an unbudgeted expenditure of approximately \$11,000 in 2007 and an annual allocation of approximately \$22,000 required in the base budget commencing in 2008 for routine road maintenance.</p>	<p>Recommended that:</p> <p>a) the City accept from the registered owners, title to the lands which comprise the private road commonly known as Pine Cone Road, as set out in this report, provided no consideration is paid by the City for such conveyances:</p> <p>b) That the City's Asset Manager be authorized to sign such documentation as may be necessary for the acquisition of the said lands and that the City Solicitor be authorized to electronically register transfers of the said lands</p> <p>c) That upon conveyance, the appropriate bylaw be brought back for passage in order that the lands so acquired be declared as a public road.</p>
x	Background Attached	Recommendation Continued

Recommended by the Department




Greg Clausen, P. Eng.
Acting General Manager of Infrastructure

Recommended by the C.A.O.



Mark Mieto
Chief Administrative Officer

Date: March 13, 2007

Report Prepared By	Division Review
 Robert M. Falcioni, P. Eng., Director of Roads and Transportation.	

On November 13, 2001 Council approved a resolution prepared by the General Manager of Public Works dated November 6, 2004 that outlined the criteria and process that must be followed for assumption of a private road by the City of Greater Sudbury. That process assured residents that should they invest in the process and meet the criteria that Council would accept the road without discussion.

The Pine Cone Road Homeowners Association have requested and petitioned the City of Greater Sudbury to assume their private roadway. Attached are two sketches that outline the location and limits of the proposed roadway.

By-Law 2001-314A , clearly outlines all eligibility criteria which must be met prior to the City of Greater Sudbury acquiring the roadway. Eligibility requirements include the following:

- * a registered survey plan of the road right-of-way be produced, meeting the minimum widths and geometric design standards
- * property ownership of the right-of-way be acquired and be fully transferable to the municipality at no cost to the municipality
- * road is constructed or improved to meet the minimum standards
- * proposed road is continuous and/or connects to an existing municipal road or provincial highway
- * road must service residential properties. Industrial, commercial or institutional roads will not be considered.
- * policy applies only to those private roads developed before Jan. 1, 2001.

The Pine Cone Road Homeowners Association have met the requirements for eligibility.

It is projected that the maintenance costs for the 2.8 km. of road involved will be approximately \$22,134.00, including both summer and winter maintenance costs.

The first step is the acquisition of the land comprising Pine Cone Road from the current owners. The owners have indicated a willingness to convey the land to the City at no cost. The lands involved and current owners are as follows:

- a) Province of Ontario:
Parts 1-6 on Plan 53R-18191
The consideration for the acquisition of this land is being provided by the Pine Cone Road Association.
- b) Kim Caroline Margaret Desjardins

Date: March 13, 2007

Part of PIN 73513-0221, being Parts 2, 6 and 10 Plan 53R-12678;

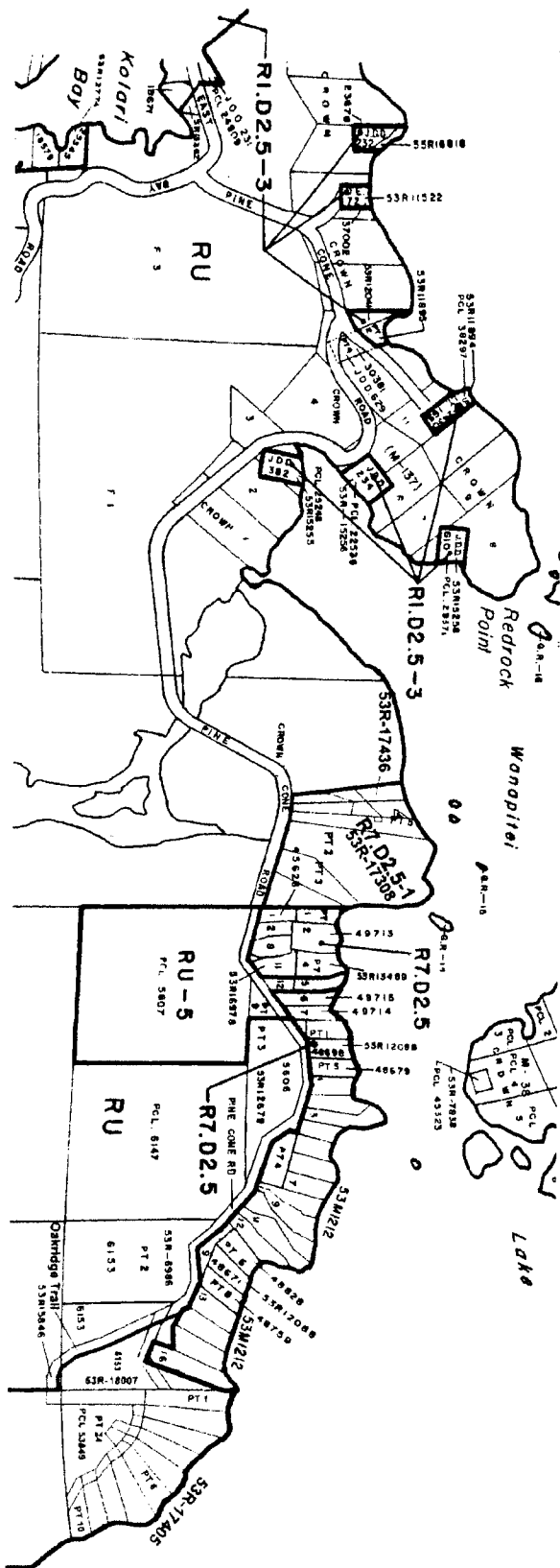
c) Kim Caroline Margaret Desjardins and Mark Alexander Desjardins
Part of PIN 73513-0402, being Parts 1 and 2 on Plan 53R-17683; and

d) Esther Ching Ming Szeto
Part of PIN 73513-0344 - Parts 10 and 11 on Plan 53R-13489 and
Part of PIN 73513-0222, being Part 12 on Plan 53R-13489

The second step in the process is the passage of an appropriate By-law to acquire the required property from the current owners.

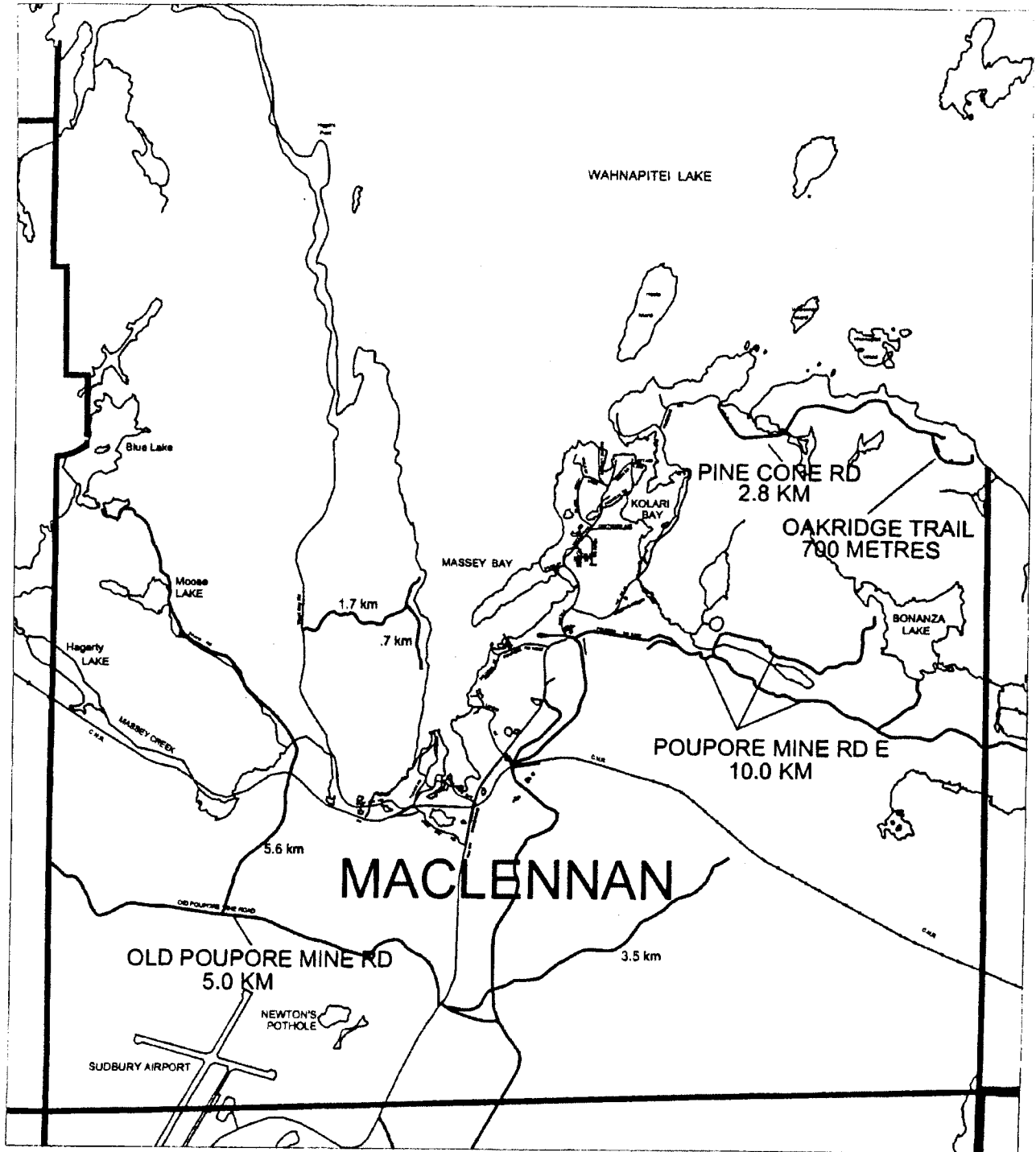
Attachments

CONCESSION 5



Roadway Limit
Pine Cone Road

MACLENNAN TOWNSHIP



OAKRIDGE TRAIL	700 METRES
POUPOIRE MINE RD E	10.0 KM
OLD POUPOIRE MINE RD	5.0 KM
PINE CONE RD	2.8 KM

Location Key Plan
Pine Cone Road