

**CITY OF HAMILTON
M O T I O N**

Committee Date: December 9, 2013

MOVED BY COUNCILLOR R. POWERS.....

SECONDED BY COUNCILLOR

Tax Rebates for Eligible Charities and Similar Organizations

WHEREAS, Section 361 of the Municipal Act requires municipalities to have a tax rebate program for eligible charities for the purpose of giving them relief from taxes or amounts paid on account of taxes on eligible property they occupy;

AND WHEREAS, the amount of tax rebate must be at least 40%;

AND WHEREAS, a charity is eligible if it is a registered charity as defined in sub-section 248(1) of the Income Tax Act (Canada);

AND WHEREAS, a property is eligible if it is in one of the commercial or industrial property classes;

AND WHEREAS, municipalities have the option to provide rebates to organizations that are similar to eligible charities, provide for rebates on properties in any property class, provide for rebates that are greater than 40% (to a maximum of 100%), and may provide for different rebate amounts for different eligible charities or similar organizations;

AND WHEREAS the City of Hamilton currently provides a 40% tax rebate for eligible charities and similar organizations;

AND WHEREAS, non-profit educational institutions, which own property, are currently exempt from property taxes, while non-profit educational institutions that rent property are currently eligible for the 40% tax rebate under the Charity Tax Rebate program;

AND WHEREAS, City of Hamilton Council supports the fact that non-profit educational institutions accredited by the Ministry of Education for Ontario should be treated equally with respect to property taxes;

AND WHEREAS, the Hamilton Academy of Performing Arts is a non-profit educational institution accredited by the Ministry of Education for Ontario;

AND WHEREAS, the Hamilton Academy of Performing Arts rents property and, as such, is currently not exempt from property taxes similar to other non-profit educational institutions that own property.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton amend its existing Policy on Tax Rebates for Eligible Charities and Similar Organizations to allow for a 100% tax rebate to non-profit educational institutions, which are accredited by the Ministry of Education for Ontario, rent their property and would otherwise be tax exempt if they owned their property; and,
- (b) That the Treasurer be authorized and directed to write-off all outstanding taxes owing by the Hamilton Academy of Performing Arts, in the amount of \$85,382.96.