



Report Number: C2018-0210

Meeting: Regular Meeting of Council

Meeting Date: 2018 February 26

NOTICE OF MOTION

RE: COUNCIL TAX CANCELLATION FOR cSPACE PROJECT AT 1721 329 AV SW

Sponsoring Councillor(s): Councillor Evan Woolley

WHEREAS property tax exemptions in the Province of Alberta are governed by the *Municipal Government Act* (MGA) and ancillary regulations;

AND WHEREAS non-profit organizations that provide public facilities are generally exempt from property tax through the MGA and the *Community Organization Property Tax Exemption Regulation* (COPTER) as long as the property and/or facility is actually in use for an exempt purpose;

AND WHEREAS in December 2014, Council passed the Non-Profit Tax Mitigation Policy (NPTM), Policy Number PDA002, which ensures tax cancellations for properties and/or facilities that are under construction in Calgary are conducted in an equitable and consistent manner through an open and transparent process. Under NPTM, an application for cancellation is required;

AND WHEREAS if a property and/or facility qualifies under NPTM City Administration will place a request for cancellation of the applicable municipal property taxes in a semi-annual report to the Priorities and Finance Committee (PFC), specifically, the Assessment and Tax Circumstances Report (the Circumstances Report);

AND WHEREAS cSPACE is a subsidiary of the Calgary Arts Development Authority (99% owner) which was established by the City of Calgary to promote, coordinate and facilitate real estate projects that establish affordable facilities, accommodations and education opportunities for artists and registered non-profit organizations operating in the arts or community sector;

AND WHEREAS cSPACE submitted an NPTM application to City Administration in 2015 and it was determined that cSPACE would qualify for cancellation of municipal taxes incurred while the property was under construction, specifically from 2014 until the facility was completed and occupied and eligible for a property tax exemption;

AND WHEREAS cSPACE did not provide the required documentation confirming the facility's completion and occupation, which occurred on September 20, 2017, to City Administration in time for its municipal tax cancellation to be included on the Assessment and Tax Circumstances Report, which was presented to PFC on 2017 December 05;

AND WHEREAS the property (then roll number 081130908) accrued municipal property taxes for 2014 totaling \$105,654.74;

AND WHEREAS the property (then roll number 202091393) accrued municipal property taxes for 2015 totaling \$44,342.57;

AND WHEREAS the property (then roll number 202091393) accrued municipal property taxes for 2016 totaling \$62,595.68;

AND WHEREAS the property (roll number 202475943) accrued municipal property taxes for 2017 totaling \$24,413.13;

AND WHEREAS through its authority under section 347 of the MGA, Council can cancel property taxes for a particular property when it considers it equitable to do so;

NOW THEREFORE BE IT RESOLVED THAT for the property located at 1720 30 AV SW the total municipal property taxes incurred between 2014 and 2017, \$237,006.12, be refunded to cSPACE.