

2. INSTITUTIONS DESIGNATED AS ELIGIBLE FOR A 2015 ANNUAL LEVY PURSUANT TO SECTION 323 (1), (2), (3) AND (5) OF THE MUNICIPAL ACT
- ÉTABLISSEMENTS POUVANT FAIRE L'OBJECTION D'UN PRÉLEVÈMENT ANNUEL POUR 2015 CONFORMÉMENT AUX PARAGRAPHES 323 (1), (2), (3), ET (5) DE LA LOI SUR LES MUNICIPALITÉS

COMMITTEE RECOMMENDATIONS

That Council approve the following by-laws, attached as Document 1 to 4, be enacted to provide for the annual levy on institutions in accordance with Section 323 of the *Municipal Act, 2001*, as amended, and Ontario Regulation 384/98, as amended:

1. A by-law to levy \$75.00 for each full-time student enrolled in universities and colleges, in the year preceding the year of levy, pursuant to Section 323 (1);
2. A by-law to levy \$75.00 for each resident place in correctional institutions, pursuant to Section 323 (2);
3. A by-law to levy \$75.00 per rated bed in public hospitals or provincial mental health facilities, pursuant to Section 323 (3); and
4. A by-law to levy \$75.00 for each place in the provincial education institutions, pursuant to Section 323 (5).

RECOMMANDATIONS DU COMITÉ

Que le Conseil approuve de promulguer les règlements mentionnés ci-après, joints aux documents 1 à 4, afin de permettre le prélèvement annuel auprès des établissements visés à l'article 323 de la *Loi de 2001 sur les municipalités* et au Règlement de l'Ontario 384/98;

- 1. Un règlement visant à prélever 75 \$ par étudiant à temps plein inscrit dans les universités et collèges au cours de l'année précédente de celle du prélèvement, conformément au paragraphe 323 (1);**
- 2. Un règlement visant à prélever 75 \$ par résident pouvant être accueilli dans les établissements correctionnels, conformément au paragraphe 323 (2);**
- 3. Un règlement visant à prélever 75\$ par lit reconnu dans les hôpitaux publics ou les établissements psychiatriques provinciaux, conformément au paragraphe 323 (3);**
- 4. Un règlement visant à prélever 75 \$ pour chaque place compté des établissements provinciaux d'enseignement, conformément au paragraphe 323 (5).**

DOCUMENTATION / DOCUMENTATION

Marian Simulik, City Treasurer report dated 19 June 2015 / Trésorière municipale, rapport daté du 19 juin 2015 (ACS2015-CMR-FIN-0034)

**FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
REPORT 6
8 JULY 2015**

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**COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
RAPPORT 6
LE 8 JUILLET 2015**

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
29 June 2015 / 29 juin 2015**

**and Council
et au Conseil
8 July 2015 / 8 juillet 2015**

**Submitted on June 19, 2015
Soumis le 19 juin 2015**

**Submitted by
Soumis par:
Marian Simulik, City Treasurer/Trésorière municipale**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2015-CMR-FIN-0034

**SUBJECT: INSTITUTIONS DESIGNATED AS ELIGIBLE FOR A 2015 ANNUAL
LEVY PURSUANT TO SECTION 323 (1), (2), (3) AND (5) OF THE
MUNICIPAL ACT**

**OBJET: ÉTABLISSEMENTS POUVANT FAIRE L'OBJECTION D'UN
PRÉLEVÈMENT ANNUEL POUR 2015 CONFORMÉMENT AUX
PARAGRAPHES 323 (1), (2), (3), ET (5) DE LA LOI SUR LES
MUNICIPALITÉS**

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend Council approve the following by-laws, attached as Document 1 to 4, be enacted to provide for the annual levy on institutions in accordance with Section 323 of the *Municipal Act, 2001*, as amended, and Ontario Regulation 384/98, as amended:

- 1. A by-law to levy \$75.00 for each full-time student enrolled in universities and colleges, in the year preceding the year of levy, pursuant to Section 323 (1);**
- 2. A by-law to levy \$75.00 for each resident place in correctional institutions, pursuant to Section 323 (2);**
- 3. A by-law to levy \$75.00 per rated bed in public hospitals or provincial mental health facilities, pursuant to Section 323 (3); and**
- 4. A by-law to levy \$75.00 for each place in the provincial education institutions, pursuant to Section 323 (5).**

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande que le Conseil approuve de promulguer les règlements mentionnés ci-après, joints aux documents 1 à 4, afin de permettre le prélèvement annuel auprès des établissements visés à l'article 323 de la *Loi de 2001 sur les municipalités* et au Règlement de l'Ontario 384/98;

- 1. Un règlement visant à prélever 75 \$ par étudiant à temps plein inscrit dans les universités et collèges au cours de l'année précédente de celle du prélèvement, conformément au paragraphe 323 (1);**
- 2. Un règlement visant à prélever 75 \$ par résident pouvant être accueilli dans les établissements correctionnels, conformément au paragraphe 323 (2);**
- 3. Un règlement visant à prélever 75\$ par lit reconnu dans les hôpitaux publics ou les établissements psychiatriques provinciaux, conformément au paragraphe 323 (3);**

4. Un règlement visant à prélever 75 \$ pour chaque place compté des établissements provinciaux d'enseignement, conformément au paragraphe 323 (5).

BACKGROUND

Under Section 323 (1), (2), (3) and (5) of the *Municipal Act 2001*. S.O. 2001, c. 25, as amended and defined under Ontario Regulations 384/98; *Amended to O. Reg. 297/03*, municipalities are entitled to levy an amount of \$75.00 per full-time student in attendance at universities and colleges, \$75.00 per resident place in correctional institutions, \$75.00 per bed in public hospitals and \$75.00 per place in provincial educational institutions. This has been the method of billing these institutions for some time.

DISCUSSION

Section 323 of the *Municipal Act, 2001*, allows municipalities to levy, by by-law, annual amounts from various provincial public institutions. The proposed by-laws in the Documents 1 to 4 attachments would authorize such levies.

The Ministry of Municipal Affairs and Housing has provided, by letter dated June 12, 2015, a listing of capacities for the year 2014 for institutions designated as eligible for payment under section 323 of the *Municipal Act*. The 2015 annual amount will generate an estimated revenue totalling \$6,361,800.00. In 2014 this revenue was \$6,258,150.00.

RURAL IMPLICATIONS

There are no rural implications to the approval of this report.

CONSULTATION

There was no public consultation, as the *Municipal Act* allows municipalities to levy the prescribed amounts from the designated institutions. The City Clerk and Solicitor Department was consulted for the preparation of the proposed by-laws (Document 1 to 4).

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide issue.

ADVISORY COMMITTEE(S) COMMENTS

This section contains any comments or recommendations made by one or more Advisory Committees relating to this report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report. Section 323 of the *Municipal Act, 2001* and Ontario Regulation 384/98 as amended authorize municipalities to enact by-laws to levy an annual tax payable upon designated public institutions.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications to the approval of this report. The *Municipal Act, 2001* contains provisions enabling the municipality to levy the prescribed amount upon the institutions cited in the report.

FINANCIAL IMPLICATIONS

The 2015 annual levy payable to the City of Ottawa is estimated to be \$6,361,800 which is a \$102,629 increase from the amount already accounted for during the budget preparation of \$6,259,171.

ACCESSIBILITY IMPACTS

There are no accessibility impacts to the approval of this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to the approval of this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

This meets Council's priority with respect to Financial Responsibility.

SUPPORTING DOCUMENTATION

(Distributed separately and held on file with the City Clerk.)

Documents 1 to 4 – Draft By-Laws (4) to levy an annual amount upon colleges and universities, correctional institutions, public hospitals or provincial mental health facilities and provincial education institutions.

DISPOSITION

Revenue Branch will invoice designated institutions to levy the 2015 annual amounts to be payable to the City of Ottawa on or after July 1, 2015.