

FINANCIAL MANAGEMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: PERMISSIVE TAX EXEMPTIONS: 2022-2023

RECOMMENDATION:

1. THAT Council authorize the City Solicitor to bring forward amendments to the Burnaby Taxation Exemption Bylaw 2020, as outlined in Section 5.0 of the report, to be effective for the 2022 and 2023 taxation years.

REPORT

The Financial Management Committee, at its meeting held on 2021 September 07, received and adopted the attached report seeking Council approval for the granting of Permissive Exemptions from Property Taxation for the years 2022 and 2023.

Respectfully submitted,

Mayor M. Hurley
Chair

Councillor S. Dhaliwal
Vice Chair

Copied to:	Chief Administrative Officer Director Finance Director Corporate Services Director Parks, Recreation and Cultural Services Director Planning and Building Area Assessor, BC Assessment City Solicitor
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TO: CHAIR AND MEMBERS
FINANCIAL MANAGEMENT COMMITTEE

DATE: 2021 September 01

FROM: DIRECTOR FINANCE

FILE: 7815-03

SUBJECT: PERMISSIVE TAX EXEMPTIONS: 2022-2023

PURPOSE: To obtain approval for the granting of Permissive Exemptions from Property Taxation for the years 2022 and 2023.

RECOMMENDATION:

1. **THAT** the Financial Management Committee recommend Council authorize the City Solicitor to bring forward amendments to the Burnaby Taxation Exemption Bylaw 2020 as outlined in Section 5.0 of the report, to be effective for the 2022 and 2023 taxation years.

REPORT**1.0 INTRODUCTION**

The permissive exemptions outlined in this report are an amendment to the Burnaby Taxation Exemption Bylaw 2020, and are recommended in accordance with Section 224 of the Community Charter and City Policy. Properties included in the Burnaby Taxation Exemption Bylaw 2020 and approved for a three (3) year term, had to submit a confirmation application by 2021 June 30 to continue to receive the Permissive Tax Exemption for the remaining two (2) years of the bylaw. The organizations that were approved for one (1) year in the bylaw, together with any new applications, had to provide supporting information and documentation to substantiate their application by the same deadline in order to continue to receive permissive exemptions for the 2022 and 2023 taxation years. Each application may be subject to a site visit by City staff and may also involve creation of a site survey plan.

The City's current Permissive Tax Exemption Policy was created in 2019 November. The policy provides the framework through which applications are assessed for eligibility. It outlines the administrative workings of the City's permissive tax exemption process, in line with Section 224 of the Community Charter.

Under the provisions of the Community Charter, the bylaw to permissively exempt properties from property taxation must be adopted by Council on or before October 31 of the year preceding the exemption period. Public notification listing each property receiving an exemption must be undertaken for two (2) consecutive weeks in a local newspaper prior to final adoption of the bylaw. This report provides details for all proposed new and denied applications, plus any proposed changes to existing recipients of a permissive exemption from taxation.

2.0 POLICY SECTION

Goal

- A Connected Community
 - Social connection –
Enhance social connections throughout Burnaby
 - Partnership –
Work collaboratively with businesses, educational institutions, associations, other communities and governments
- A Healthy Community
 - Healthy life –
Encourages opportunities for healthy living and well-being
 - Lifelong learning –
Improve upon and develop programs and services that enable ongoing learning
 - Community involvement –
Encourage residents and businesses to give back to and invest in the community
- A Thriving Organization
 - Organizational culture –
Ensure that our core values are reflected in our policies, programs and service delivery

3.0 AMENDMENTS TO MULTI-YEAR PERMISSIVE EXEMPTIONS

Schedule “A” of the Burnaby Taxation Exemption Bylaw 2020 sets out the properties in the City that were approved for full or partial permissive exemptions for the 2021 to 2023 taxation years. Schedule “B” sets out the properties that were approved for the 2021 taxation year only. This report contains a summary of the properties that are proposed to be removed from Schedule “A” (Section 3.1) and moved from single year exemption to multi-year exemptions (Section 3.2). Also identified are new applications proposed to be approved for permissive exemptions for 2022 and 2023 (Section 3.3) and not approved for any permissive exemption (Section 3.4).

All properties on Schedule “A” of the Burnaby Taxation Exemption Bylaw 2020 will receive permissive exemptions for 2022 and 2023.

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3.1 Proposed Removal from Schedule “A”

Unit 4 - 4460 Beresford St National Congress of Black Women Foundation

2810-4460-0004

Further continuation of an exemption from property taxation is denied. This organization has not kept up with rent payments due to the City of Burnaby in 2021. City staff have also been informed of the resignation of the current board of directors, and that the organization is unable to function as a legal entity. The Planning Department is in the process of cancelling the rental agreement for this unit.

3400 Lake City Way Canadian Red Cross Society

7405-3400-0000

An ownership change for this property in 2021 April renders the 2020 permissive tax exemption application submitted by this organization as no longer compliant. A new application has been submitted, and is covered in Section 3.3 of this report.

3.2 Proposed Additions to Schedule “A” – Previously On Schedule “B”

The following properties were approved under the Burnaby Taxation Exemption Bylaw 2020 for one (1) year only. In order to be considered for the 2022 and 2023 taxation years, each organization had to re-apply, showing why the one (1) year period could now be extended for the following two (2) years. The following properties are recommended for full or partial permissive exemptions, as specified, for 2022 and 2023.

Pursuant to sections 224(1) and (2)(d) of the Community Charter:

2101 Holdom Ave	6245-2101-0105	6245-2101-0106
Holdom Community Resource Centre	6245-2101-0107	6245-2101-0108
Community Living Society		6245-2101-0201

No concerns were raised with regard to this application. The organization provided information confirming that Burnaby residents are the primary beneficiary of their services. The recommendation is to approve these properties for a full permissive exemption.

Pursuant to sections 224(1) and (2)(c) of the Community Charter:

9887 Cameron Street Synod of the Diocese of New Westminster St. Stephen the Martyr Anglican Church

1800-9887-0000

This organization was previously approved for one (1) year on the grounds that there was a pending rezoning application. The City has confirmed that there are no immediate plans to rezone this property, as it falls within the Lougheed Town Center redevelopment area. The recommendation is therefore to approve this property for a full permissive exemption.

Pursuant to sections 220(1)(h) and (2)(f) of the Community Charter:

8094 11th Avenue **4560-8094-0000**
Church of the Nazarene (Canada Pacific District)
Royal View Church of the Nazarene

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. Based on a new application, the organization has confirmed that the majority of members are Burnaby residents. In addition, the organization has provided information supporting wider involvement in the local community. The recommendation is to partially exempt this property, so as to account for a daycare on site. The area used by the daycare will be treated as taxable.

3410 Boundary Road **5105-3410-0000**
Pentecostal Assemblies of Canada - City Lights Church

This Church has a daycare on site. Based on limited site information, their original exemption was limited to one (1) year. A new plan has now been presented for this property, identifying the taxable and non taxable portions. The recommendation is to partially exempt this property for the non taxable portion shown on the new plan.

7271 Gilley Avenue **6495-7271-0000**
Shri Guru Ravidass Sabha (Vancouver)

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. Confirmation has now been provided that the majority of members are Burnaby residents. In addition, information as to wider Burnaby community involvement has also been provided. Due to living quarters on site and extra parking spaces, as shown on the plan for the property, the recommendation is to provide a partial permissive exemption for this property.

3981 Albert St **0630-3981-0000**
Burnaby North Baptist Church

This organization was previously approved for one (1) year on the grounds that there were plans to have a future daycare on site. This plan has now been cancelled. The recommendation is to therefore approve a full permissive exemption for this property.

5050 Hastings Street **0700-5050-0000**
Church of Christian Community in Canada, Vancouver Centre

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. Information has now been provided supporting their involvement in the Burnaby community. The recommendation is to approve a full permissive exemption for this property.

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6900 Halifax Street **1210-6900-0000**
Arbab Rustam Guiv Darbe Mehr – Zoroastrian House of BC

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. This church has now provided information supporting their involvement in the wider Burnaby community. Due to COVID-19, the church has been closed. The recommendation is to approve a full permissive exemption for this property.

8765 Government Street **1940-8765-0000**
New Life Community Church

This property was previously approved for just one (1) year due to a future agreement with Trans Mountain Pipeline (TMP) for use of their land. While TMP has a right of way on the property, BC Assessment has confirmed that this does not affect the exemption status for this property. The recommendation is to approve a full exemption for this property.

6010 Kincaid Street **2002-6010-0000**
Danish Evangelical Lutheran Church of Vancouver

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. The church has now provided information supporting their involvement in the wider Burnaby community. They also provide additional services in partnership with multiple affordable and seniors homes around the church, and also provide services at Burnaby Hospital. The recommendation is to approve a full exemption for this property.

3821 Lister Street and **2200-3821-0000**
4484 Smith Avenue **5205-4484-0000**
Korean United Church of Vancouver

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. The church has now provided information supporting their involvement in the wider Burnaby community, and have confirmed that the whole property is used for the purpose of the organization. The recommendation is to approve a full exemption for the two (2) sites.

6344 Sperling Avenue **6695-6344-0000**
Emmaus Lutheran Church

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. Confirmation has now been provided that their services support the wider Burnaby community through partnerships with the AA-group, pastor visits to senior's homes and Burnaby Hospital, and through multiple family events on their parking lot and facilities. The recommendation is to approve a full exemption for this property.

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Pursuant to sections 224 (1) and (2)(a) of the Community Charter:

6688 Southoaks Crescent 3261-6688-0000
Nikkei National Museum & Cultural Centre

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. New information has now been provided in support of their involvement in the wider Burnaby community. They host multiple activities for local seniors, and their gardens are heavily used by the residents in the neighbourhood on a daily basis. The recommendation is to approve a partial permissive exemption for this property.

3.3 Proposed Additions to Schedule “A” – New Applications

The City has received eleven (11) new applications for the 2022 Property Tax year. It is the recommendation of staff that the following permissive exemption applications be approved for the 2022 and 2023 taxation years, and the properties be added to Schedule “A” of the Burnaby Taxation Exemption Bylaw 2020.

Pursuant to sections 224(1) and (2)(f) of the Community Charter:

1005 Kensington Ave 6545-1005-0000
Korean Baptist Church of Vancouver

No concerns were raised with regard to this application. The recommendation is to grant a partial exemption, given the rented residence on property. A property survey plan has been created in order to determine the taxable area.

Pursuant to sections 224(1) and 224(2)(d) of the Community Charter:

#205 – 3713 Kensington Ave Folio # Pending
Burnaby Association for Community Inclusion

No concerns were raised with regard to this application. A folio number is pending creation for this new tenant of 3713 Kensington Avenue. The recommendation is to grant a full exemption to this organization for their lease area.

5485 Lane Street 3084-5485-0000
Old Squad Production Society

This property is owned by the Provincial Rental Housing Corporation and is currently statutorily exempt from taxation. Per BC Assessment information, the property will be re-assessed in 2022 to include the area that is now held by this organization. A property survey plan was created in order to determine the area occupied by this organization. The recommendation is to grant a partial exemption for this organization, based on the occupied area.

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**#130-4946 Canada Way
Burnaby Association for Community Inclusion**

Folio # Pending

No concerns were raised with regards to this application. A folio number is pending creation for this new tenant. The recommendation is to grant a full exemption to this organization for their lease area.

Pursuant to sections 224(1) and 224(2)(a) of the Community Charter:

**3400 Lake City Way
1289245 BC LTD – leased by Canadian Red Cross Society**

7405-3400-0000

This organization was previously in receipt of a partial exemption from taxation, given the mixed use of the site. As noted in Section 3.1 of this report, this property was sold by the Canadian Red Cross Society earlier this year. The recommendation is to continue to grant a partial exemption, as the services provided by the lessee have not changed. This is however pending an ongoing review by BC Assessment regarding their interpretation of "held by," per the Community Charter, Section 224(2)(a)(i).

3.4 Proposed Denied Applications - Previously on Schedule "B"

**9048 Stormont Avenue
Pacific Assistance Dogs Society**

3242-9048-0000

This organization was previously approved for just one (1) year, on the grounds that Burnaby residents were not the primary beneficiaries of the service. After multiple correspondence with this Society, it was confirmed that a new application will not be forthcoming.

**8585 Armstrong Avenue
Christian & Missionary Alliance (Canadian Pacific District)
Burnaby Alliance Church**

4502-8585-0000

This organization was only granted a one (1) year exemption for 2021 since the property was pending development. It has now been confirmed that this organization will be building a church on this location, and that both a demolition permit and building permit have already been issued by the City's Building Department. No permissive tax exemptions are provided during the construction of the property.

**4.0 PROPOSED NEW APPLICATIONS
NOT RECOMMENDED FOR PERMISSIVE EXEMPTION**

Notices were sent to all applicants not recommended for a permissive exemption. Where there is scope for the applicant to submit additional information in support of their application, they were encouraged to do so. Of the eleven (11) new applications received, it is the recommendation of staff that the following six (6) new applications be denied permissive exemptions. The reason for each denial are as follows:

5216 Glencarin Drive

2250-5216-0001

Wildlife Rescue Association of BC

The primary purpose of Wildlife Rescue Association of BC (WRA) is rescue and rehabilitation. The main purpose of this association is not an extension of municipal services. Also, only 13% of its members, public, and volunteers are City of Burnaby residents. The recommendation is therefore to deny this application as they do not meet the eligibility criteria *"Nature of Service – Complementary extension to municipal services and programs and Burnaby residents must be the primary beneficiaries of the service."*

8260 13th Ave

4500-8260-5000

John Knox Christian School Association

An application was received from John Knox Christian School Association for the property located on the address above. The property is already statutorily exempt under the category of Private Schools. Staff have spoken with administrators at the school, and clarified the situation that a permissive exemption from taxation is not required. The recommendation is therefore to deny this application.

7451 Sussex Avenue

5795-7451-0000

St. Michael Centre Hospital Society

In 2019, City Council decided that this property would receive a reduction of 50% in the permissive tax exemption to be granted for 2021, with the permissive tax exemption completely phased out in 2022, as usage of the property does not comply with the City of Burnaby Permissive Tax Exemption Policy. A new application was received this year for 2022. The recommendation is to deny this application on the grounds that they fall within the type of facility listed under Section 5.02 - Ineligibility Criteria, of the City's Permissive Tax Exemption Policy: *"Private Social Housing/Health Care Facilities"*.

3755 Banff Ave

6107-3755-0000

Burnaby Association for Community Inclusion

This property is currently assessed as having a residential and a supportive housing portion. As of 2021 August, this property did not have an occupancy permit. City staff have confirmed with the applicant that they will not have an occupancy permit until at least 2021 December. The recommendation is therefore to deny this application in line with Section 5.02 – Ineligibility Criteria of the City of Burnaby Permissive Tax Exemption Policy: *"Property under construction"*. It should be noted that property use is also a factor in the denial.

#2001-A 3713 Kensington Ave

6545-3713-0002

Curl BC

Curl BC is the provincial sport governing body responsible for the development, promotion and organization of curling in BC. This property is used as an office space. As this is a Provincial association, only 2% of its members are City of Burnaby residents. Therefore, the recommendation is to deny this application as they do not meet the eligibility criteria *"Nature of Service – Burnaby residents must be the primary beneficiaries of the service."*

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**#2001-B 3713 Kensington Ave
BC Amateur Athletics**

6545-3713-0003

BC Amateur Athletics is the Provincial non-profit amateur sports organization for track & field, road running, marathons/ultras, cross country/trail running and race walking. It is a branch of Athletics Canada. This property is used as an office space. As this is a Provincial association, only 4% of its members are City of Burnaby residents. The recommendation is therefore to deny this application as they do not meet the eligibility criteria *"Nature of Service – Burnaby residents must be the primary beneficiaries of the service."*

5.0 BYLAW AMENDMENTS

In order to implement the permissive exemption changes outlined in this report, the following amendments to the Burnaby Tax Exemption Bylaw 2020 are recommended:

- Section 1 – delete the reference to "2021" so that the permissive exemptions in Schedule "A" only apply to the 2022 and 2023 taxation years.
- Section 2 – delete this section in its entirety as it applied to the 2021 taxation year only.
- Schedule "A" – amend to delete and add the properties in Sections 3.1, 3.2 and 3.3 of this report.
- Schedule "B" – delete this schedule in its entirety as it applied to the 2021 taxation year only.

6.0 RECOMMENDATION

It is recommended that the Financial Management Committee recommend Council authorize the City Solicitor to bring forward amendments to the Burnaby Taxation Exemption Bylaw 2020, to delete and add the properties listed in Sections 3.1, 3.2 and 3.3 of this report, for the 2022 and 2023 taxation years.



Noreen Kassam, CPA, CGA
DIRECTOR FINANCE

NK:RR:ML/ej:md:dg

Copied to: Acting City Manager
Director Planning and Building
City Solicitor
Area Assessor, BC Assessment

Chief Administrative Officer
Director Parks, Recreation & Cultural Services
City Clerk