

Town of Lakeshore
Property Tax Rebates for Vacant Commercial and Industrial Buildings
Information Brochure

Starting in 2001, property tax relief for vacant commercial and industrial buildings will be provided to property owners through rebates that are issued by municipalities.

Eligible Properties:

To be eligible for a rebate, a whole commercial or industrial building must be unused for at least 90 consecutive days. A partially vacant commercial building must be unused, delineated or physically separated and either capable of being leased for immediate occupation, or undergoing, or in need of repairs or renovations, or unfit for occupation for at least 90 consecutive days. A partially vacant industrial building must be unused and delineated or physically separated from the used portions of the building for 90 consecutive days.

Exclusions:

Businesses that operate on a seasonal basis, buildings or portions of buildings that are vacant but leased to a tenant and buildings that are assessed in the vacant land sub-class (e.g. new buildings that have never been occupied) are not eligible for a rebate.

Applications and Processing

Application forms are available from the Town of Lakeshore, Tax Department and when completed are to be returned to the Town of Lakeshore, Tax Department, 419 Notre Dame, Belle River, ON, N0R 1A0.

Deadlines:

The deadline to submit applications for a tax year is February 28th of the following year.

If a property owner receives a notice of omitted assessment after a tax year, the deadline to submit an application for a rebate is 90 days after the date of issuance of the notice of omitted assessment.

Number of Applications:

Property owners may submit a maximum of two applications per property per year. Specifically you may submit either:

- one application for all vacancies on the property during the entire tax year;
- or, one application for all vacancies during the first six months of the year and a second application for the last six months of the year.

Note: Applications should be submitted after the end of the period to which they relate.

Processing:

The Town of Lakeshore will process a rebate application by June 30th or within 120 days of the receipt of all the required information whichever is later. The Municipal Property Assessment Corporation (MPAC) will provide the Town with the assessed value that is attributable to the vacant area. Rebates will be issued as a credit against an outstanding tax account or through a direct payment to the property owner if the tax account is paid in full.

After a rebate has been issued, if a property's assessment is subsequently altered through a reconsideration, an appeal, or an application (under sections 39.1, 40 or 46 of the *Assessment Act*), or if the taxes of the property are subsequently reduced (under sections 442 or 443 of the *Municipal Act*), the rebate will be recalculated and the municipality will notify the property owner of any consequential tax adjustments.

If you require an application form, please call the Town of Lakeshore, Tax Department at 519-728-2700, ext 301.

Penalties

A person who knowingly makes a false or deceptive statement in an application for a rebate is liable, upon conviction, to a fine of double the amount of the rebate that the person sought to obtain through their false or deceptive statement.

For the purpose of verifying a vacancy rebate application, municipalities have been given similar rights as assessors to request information and obtain access to premises. A fine of \$100 per day may be imposed upon a property owner for failure to comply with a municipality's request for information.

<p>Note: This information is provided for general reference purposes only. For complete information or for precise interpretation, please refer to section 364 of the <i>Municipal Act</i> and Ontario Regulation 325/01.</p>
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Application for Rebate of Property Taxes for Vacancies in Commercial and Industrial Buildings

Taxation year for which the application is being made

MUNICIPAL USE ONLY
Application #

INSTRUCTIONS

- The **deadline** for submitting applications is **February 28** of the year following the taxation year to which the application relates.
- Deliver this completed application to your local municipal office.
- Any person who knowingly makes a false or deceptive statement in this application is guilty of an offence and, upon conviction, is liable for a fine.
- To be eligible for a rebate, a building or portion of a building must satisfy the conditions described in Category 1 or Category 2 below.

ELIGIBILITY (Please check to confirm eligibility.)

Category 1 - Buildings that are Entirely Vacant

A whole **commercial** or **industrial** building will be eligible for a rebate if:

- the entire building was unused for at least 90 consecutive days.

Category 2 - Buildings that are Partially Vacant

A suite or unit within a **commercial** building will be eligible for a rebate if, for at least 90 consecutive days, it was:

- unused; and
- clearly delineated or physically separated from the used portions of the building; and
- either capable of being leased for immediate occupation, or
 - undergoing or in need of repairs or renovations that prevented it from being available for lease for immediate occupation, or
 - unfit for occupation.

A portion of an **industrial** building will be eligible for a rebate if, for at least 90 consecutive days, it was:

- unused; and
- clearly delineated or physically separated from the used portions of the building.

Exclusions

A building or portion of a building will not be eligible for a rebate if:

- it is used for commercial or industrial activity on a seasonal basis;
- during the period of vacancy it was subject to a lease, the term of which had commenced; or
- during the period of vacancy it was included in a sub-class for vacant land.

Note: For complete information about eligibility and application requirements, refer to section 442.5 of the *Municipal Act* and Ontario Regulation 325/01.

For general information about the rebate program, you may refer to the Ministry of Finance bulletin entitled "Property Tax Rebates for Vacant Commercial and Industrial Buildings." This bulletin is available on the internet at www.gov.on.ca/FIN.

PROPERTY INFORMATION

Address (Number and Street)			Roll Number (See your notice of property assessment or your property tax bill, or contact your local municipality.)		
City/Town/Municipality, etc.	Province	Postal Code			

Owner's Name			Representative's/Agent's Name (if applicable)		
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Mailing Address (Number and Street)			Mailing Address (Number and Street)		
City/Town/Municipality, etc.	Province	Postal Code	City/Town/Municipality, etc.	Province	Postal Code

Phone Number ()	Fax Number ()	Phone Number ()	Fax Number ()
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Commercial Industrial	Description of Vacant Area (Include unit/suite number, floor number, building number. Attach sketch if necessary.)	Size of Vacant Area in Sq. Ft.	Period of Vacancy (Must be at least 90 consecutive days.)						MPAC USE ONLY Assessment	MUNICIPAL USE ONLY Amount of Tax Rebate
			FROM day	month	year	TO day	month	year		
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List continued on Page 2

I certify that the information contained in all pages of this form and attachments is true and correct.

Name of Applicant (print)	Signature	Date	Total from Page 2 GRAND TOTAL
MPAC USE ONLY Name of Assessor (print)	Signature	Date	
MUNICIPAL USE ONLY Name of Municipal Representative (print)	Signature	Date	

The information on this form is collected under the authority of section 442.5 of the *Municipal Act* and Ontario Regulation 325/01 and it will be used only for the purposes of determining eligibility for a property tax rebate and the amount of the rebate in respect of vacant commercial and industrial buildings. Questions about the collection of personal information should be directed to your local municipal office.

Application for Rebate of Property Taxes for Vacancies in Commercial and Industrial Buildings

Roll Number (See your notice of property assessment or your property tax bill, or contact your local municipality.)

Commercial <input type="checkbox"/> Industrial <input type="checkbox"/>	Description of Vacant Area (Include unit/suite number, floor number, building number. Attach sketch if necessary.)	Size of Vacant Area in Sq. Ft.	Period of Vacancy <i>Must be at least 90 consecutive days.</i>						MPAC USE ONLY	MUNICIPAL USE ONLY
			FROM			TO			Assessment	Amount of Tax Rebate
			day	month	year	day	month	year		
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Page 2 Total
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Application for Rebate of Property Taxes
For Vacancies in Commercial and Industrial Buildings

APPENDIX A – SUPPLEMENTARY QUESTIONS TO APPLICATION

1. Please state the reason for the vacancy (eg. Cessation of operations, termination of lease, etc.)

2. Is the vacancy due to the seasonal nature of the occupying business?

____ Yes ____ No

If yes, state nature of occupying business: _____

3. If this application is for part of a property, how is the vacant area separated from the area still in use?

4. Is the vacant area normally leased to tenants? ____ Yes ____ No

5. Is the vacant area currently leased? ____ Yes ____ No

6. Has the area been leased again after the period of vacancy? ____ Yes ____ No

If yes, state start date of new lease: _____

7. Is the area leased on a short term basis (daily or monthly basis)?

8. Is the vacant area used for storage or any other purpose?

For Commercial Assessments Only:

9. Is the space currently available for lease? How is the availability being advertised? Please provide contact name and number for leasing information (eg. Real estate broker, or office contact).

10. What event marked the start of the vacancy period? (eg. Renovation/retooling, line shutdown)

11. When or by what event do you expect the vacancy to end? (eg. Completion of renovation/retooling (estimated date), sale of property (2-3 months), upturn of business (time indefinite).
