

Corporate Report

NO: R196

COUNCIL DATE: September 25, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: September 22, 2006

FROM: City Clerk FILE: 1970-04

SUBJECT: TAX EXEMPTION BY-LAW No. 16104

For Properties under Section 220 and 224 (2) (f) and (h) of the Community

Charter

RECOMMENDATION

That the report be received; and

That Council consider three readings of the Section 220 and 224 (2) (f) and (h) Tax Exemption By-law No. 16104, pursuant to Sections 220 of the Community Charter SBC 2003 Chap. 26, and Section 224 Section (2) (f) and (h).

BACKGROUND

Tax Exemptions are regulated under the *Community Charter*. Statutory Exemptions for churches, schools, hospitals and some seniors homes built under Provincial Assistance from January 1947 to April 1974, are exempt from taxation under Section 220 of the *Community Charter*, only to the extent of the building and the land on which the building stands.

Under Section 224 (2) (f) and (h), Council may provide additional exemptions for these facilities for an area of land surrounding the building that Council feels is necessary to the exempt building (for instance parking or a church hall).

Although tax exemptions under Section 224 require notice to the public, those exemptions which fall under Sections 220 and 224 (2) (f) and (h) do not. The By-Law must be adopted on or before October 31, and does not require a 2/3 majority vote.

Each year, tax exemption application forms are sent to organizations previously granted tax exemption, and to any new organizations that wish to apply for a tax exemption. New applications may involve any of the following verifications - discussions with the applicant, a tax inquiry, title search, building file review, site visit, discussion with the local B.C. Assessment office. Re-applications are reviewed by looking at previous applications from the organization. Discrepancies are resolved using the same methods as for new applications.

All recommended tax exemptions in Schedule A to By-law 16104 fall under Sections 220 and 224 (2) (f) and (h) of the *Community Charter SBC 2003 Chap. 26*.

DISCUSSION

7 new applications were received, all of which have been included in the By-Law. In each case, the application has been reviewed and certain verifications conducted to ensure the properties meet the criteria for the legislation.

The following are the changes to tax exemptions for the 2007 year:

New Applications:

- (1) <u>Vancouver Chinese Zion Church, 13551 King George Highway and 13546 Bentley Road</u> (Schedule A, Item 163) this is a new church (converted from a restaurant) with ancillary parking at 13546 Bentley Road. Both properties are included in the By-law for Council consideration.
- (2) White Rock Foursquare Church, 14615 16 Avenue (Schedule A, Item 110) this is a new church. The property was rezoned from Single Family Residential to Assembly Hall, and is included in the By-law for Council consideration.
- (3) Emmanuel Romanian Pentecostal Church, 13575 King George Highway and 13585/13591 Binnie Lane (Schedule A, Item 79) this is a new church with ancillary parking at 13585/13591 Binnie Lane. All three properties are included in the By-law for Council consideration.
- (4) <u>Community Church of Christ, #101 13443 78 Avenue</u> (Schedule A, Item 164) this is a new church and is included in the By-law for Council consideration.
- (5) Ghausia International Foundation of Canada, 13560 105A Avenue and 10528 135A Street (Schedule A, Item 155) this is a new church with ancillary parking at the adjacent property. Both properties are included in the By-law for Council consideration.
- (6) <u>Surrey Pentecostal Assembly, 16870 80 Avenue (Schedule A, Item 154)</u> this church has moved its operation from a warehouse to a newly constructed church building located at this address, and is included in the By-law for Council consideration. A tax exemption is no longer required for the warehouse location.
- (7) <u>Canadian Hussaini Association/Al-Mustafa Academy Society, 10535 135A Street and 10547 135A Street</u> (Schedule A, Item 165) this is a new church with ancillary parking at the adjacent property. Both properties are included in the By-law for Council consideration.

Not Recommended:

Applications Not Renewed/Changes:

- (1) <u>Cloverdale Senior Citizens Housing Society, 17526 59 Avenue and 17542 59 Avenue</u> (Schedule A, Items 109 and 110) the existing two buildings were demolished to build a new 72 unit residence on three lots. Tax exemption is no longer available for these properties, and they have been removed from the by-law.
- (2) <u>Parkland Fellowship Baptist Church</u>, 9574 160 Street (Schedule A, Item 57) the church has ceased renting a portion of the building to a daycare, and therefore the property is now recommended for total tax exemption.
- (3) <u>Gracepoint Community Church, 3487 King George Highway</u> (Schedule A, Item 122) this is the former Peace Arch Fellowship Mennonite Brethren Church and Heritage Christian School, which has consolidated with the Panorama Community Church and undergone a change of name.
- (4) Panorama Community Church, 5 13415 76 Avenue this church property has been sold and a tax exemption is no longer required.
- (5) <u>Cloverdale Bibleway Church and Christian Academy</u>, 18603 60 Avenue (Schedule A, Item 117) the caretaker's residence formerly located on this property has been demolished and replaced with twenty parking spaces, and therefore the property is now recommended for total tax exemption.
- (6) <u>Manawmaya Theravada Buddhist Society, 13260 108 Avenue</u> (Schedule A, Item 8) the portion of the building used by two monks as living quarters is not exempt and has been removed from the exemption for Council consideration.
- (7) <u>Surrey Korean Presbyterian Church, 15964 88 Avenue</u> (Schedule A, Item 152) the construction of a new 14, 800 square foot church building has been completed, and therefore the property is now recommended for total tax exemption.

CONCLUSION

The total number of properties included in By-Law 16104 is 164. The majority of the properties are places of public worship, and some are for other uses permitted under Section 220 and 224 (2) (f) and (h) of the *Community Charter*, such as seniors' housing and private schools.

In order for the listed properties to receive tax exemption in 2007, Council must pass this By-Law before October 31, 2006.

Margaret Jones City Clerk