

# Request for Decision City Council

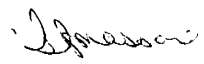



Type of Decision									
Meeting Date	May 26, 2005				Report Date	May 18, 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
<b>2005 Omitted and Supplementary Tax Billing</b>

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
N/A	
<input checked="" type="checkbox"/>	Background Attached

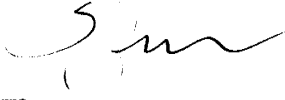
Recommendation
That a by-law be passed authorizing the 2005 omitted and supplementary tax billing.
Recommendation Continued

Recommended by the Department Head
 S. Jonasson Acting Chief Financial Officer / Treasurer

Recommended by the C.A.O.
 M. Mieto Chief Administrative Officer

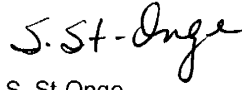
Date: May 18, 2005

**Report Prepared By**



T. Derro  
Supervisor of Tax / Chief Tax Collector

**Division Review**



S. St-Onge  
Acting Manager of Current Accounting Operations

**Executive Summary**

Sections 33 and 34 of the Municipal Act authorize a municipality to enter omitted and supplementary assessments on to the tax roll to levy and collect property taxes that result from this additional assessment. Omitted and supplementary assessments are generated by property additions or changes that increase current value assessment after the return of the assessment roll in January of each year. It is appropriate that a by-law be passed, establishing omitted and supplementary due dates for 2005.

**Background**

This report deals with the 2005 omitted and supplementary tax billing, including due dates for this billing.

Sections 33 and 34 of the Assessment Act authorize a local municipality, in any year, to enter omitted and supplementary assessments on to the tax roll and to levy and collect realty taxes resulting from this additional assessment.

Omitted and supplementary assessments are generated by property additions or changes that increase current value assessment.

For omitted and supplementary assessments added to the tax roll after June 1, 2005, the due dates are:

July 22, 2005  
August 22, 2005

For omitted and supplementary assessments added to the tax roll after September 1, 2005, the due dates are:

October 17, 2005  
November 17, 2005

For omitted and supplementary assessments added to the tax roll after November 1, 2005, the due date is:

December 15, 2005.

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	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
<b>Tax Extension Agreement Roll #190.002.057.17.0000 Between the City of Greater Sudbury and Carmen and Pierre Rivers</b>


Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
N/A	
<input checked="" type="checkbox"/>	Background Attached

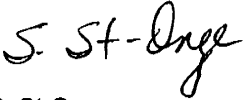
Recommendation
That the appropriate by-law be enacted.
Recommendation Continued

Recommended by the Department Head
 <b>S. Jonasson</b> Acting Chief Financial Officer / Treasurer

Recommended by the C.A.O.
 <b>M. Mieto</b> Chief Administrative Officer

Date: May 18, 2005

Report Prepared By
 T. Derro Supervisor of Tax / Chief Tax Collector

Division Review
 S. St-Onge Acting Manager of Current Accounting Operations

**Executive Summary**

Carmen and Pierre Rivers have requested a tax extension agreement for the property located at 110 Hanna Avenue Capreol, in the City of Greater Sudbury. Section 378(1) of the Municipal Act, by by-law, provides the authority for a municipality to enter into a tax extension agreement. The agreement outlines the terms and conditions of the re-payment schedule. It is recommended that the appropriate by-law be enacted.

**Background**

Carmen and Pierre Rivers have requested a Tax Extension Agreement with respect to the property located at 110 Hanna Avenue, Capreol, in the City of Greater Sudbury. A Tax Extension Agreement is a standard Agreement. This Agreement provides that if the owners fail to honour the provisions of the agreement, the agreement shall become null and void and the owners shall be placed in the position that he/she was in prior to the entering into of the agreement, which may include the sale of the property by public tender.

A tax certificate was registered against these lands on December 14, 2004 and the owners have one year from that date to redeem the property by paying all outstanding taxes, penalty, interest charges and costs in full in one lump sum.

However, Section 378 (1) of the *Municipal Act*, allows a municipality to enter into a Tax Extension Agreement with the owners of the property providing an extension of time for payment of the arrears by way of a down payment and monthly payments.

The owners are agreeable to making payment of the arrears on the following Schedule. It is recommended that a standard form Extension Agreement be authorized.

**CALCULATION OF PAYMENTS REQUIRED UNDER EXTENSION AGREEMENT  
TS FILE NO. 04-92**

	AMOUNT
(1) Outstanding taxes, penalty and interest charges on TAX ARREARS CERTIFICATE	\$ 5,888.88
(2) Additional taxes levied subsequent to tax sale proceedings 2005	\$ 1,606.87
2006	\$ 1,600.00
Estimated additional penalty and interest charge subsequent to tax sale proceedings	\$ 626.65
(3) Administration Charges - Estimated	<u>\$ 1,720.00</u>

**TOTAL AMOUNT TO BE PAID UNDER EXTENSION AGREEMENT \$11,442.40**

**TO BE PAID AS FOLLOWS:**

(1) Down payment on signing	\$ 6,000.00
(2) 17 Payments of \$300.00 each, starting June 1, 2005	\$ 5,100.00
(3) 1 Final Payment of \$342.40 on November 1, 2006	<u>\$ 342.40</u>

**\$11,442.40**

# Request for Decision City Council



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	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

## Report Title

**Tax Adjustments under Sections 357 and 358 of the Municipal Act**

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>Of the total taxes to be struck from the tax roll, the City's portion is \$4,218.80. This amount, as well as previous amounts struck from the roll in 2005, is well within the budget amount for tax write offs.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p><b>That the amount of \$5,989.54 be struck from the tax roll.</b></p>
Recommendation Continued

**Recommended by the Department Head**

*S. Jonasson*

S. Jonasson  
Acting Chief Financial Officer / Treasurer

**Recommended by the C.A.O.**

*M. Mieto*

M. Mieto  
Chief Administrative Officer

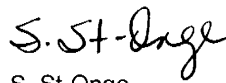
Date: May 18, 2005

**Report Prepared By**



T. Derro  
Supervisor of Tax / Chief Tax Collector

**Division Review**



S. St-Onge  
Acting Manager of Current Accounting Operations

**Executive Summary**

Each year after the return of the Assessment Roll and during the tax billing process, some properties become eligible for the cancellation, reduction or refund of realty taxes. Section 357 of the Municipal Act provides the authority for tax adjustments in the current year for reasons that may include change in rate of taxation, change in tax status or fire/demolition. Section 358 of the Municipal Act provides the authority for tax adjustments for prior years for errors in the preparation of the Assessment Roll. All applications for tax adjustments are verified by the Municipal Property Assessment Corporation prior to being processed by the City of Greater Sudbury.

**Background**

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

**Section 357**

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire / demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

**Section 358**

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount. Also attached is Schedule B which provides a more detailed property by property description of the tax adjustments.

**Date: May 18, 2005**

The Municipal Act provides for a notification / appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on March 24, 2005 and all queries / concerns were addressed by the Tax Department prior to the preparation of the attached Schedule B and none of the applicants have requested an appearance before the Hearing Committee of Council.

SCHEDULE 'A'

ADJUSTMENT OF TAXES  
UNDER SECTION 357 / 358 OF THE MUNICIPAL ACT

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>City Portion</i>	<i>Education Portion</i>
Fire / Demolition	10	2,891.78	574.26
Became Exempt	1	246.51	209.09
Gross or Manifest Clerical Error	1	239.81	71.99
Change in Tax Class / Rate	2	840.70	915.40
<b>TOTAL:</b>	<b>14</b>	<b>\$4,218.80</b>	<b>\$1,770.74</b>



RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS

UNDER SECTION 357 / 358 OF THE MUNICIPAL ACT

REASON: FIRE AND OR DEMOLITION

Council Meeting of: May 26, 2005

Item #	Roll #	Class	Location	Assessed Property Owner	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	Total	Comments	
1	060.038.08000	RTEP	1939 HUNTER ST	KING, LESLIE	2004	366	0.01599485	95.97	0.00296000	17.76	113.73	DEMOLITION	
2	120.013.19200	RTEP	1805 REGIONAL RD 10	FLORA, WILLIAM & MAKI-FLORE, ELIN	2004	185	0.01458061	3.68	0.00296000	0.75	4.43	DEMOLITION	
3	160.016.03701	RTEP	313 ALBERT ST	BARLOW, BONNIE	2004	214	0.01458061	42.63	0.00296000	8.65	51.28	DEMOLITION	
4	070.011.01200	MTEP	44 FROOD RD	HARDING, DAVID WILLIAM DONALDSON, ROBERT ZIMMERM, GERHARD	2004	132	0.03293499	742.62	0.00296000	66.74	809.37	FIRE	
5	020.025.02500	RTEP	465 WESTMOUNT	GATES, DELBERT & GATES, ELIZABETH	2004	366	0.01599485	79.97	0.00296000	14.80	94.77	DEMOLITION	
6	170.027.04300	RTFS	135 DIXON LAKE RD	POULIN, ROBERT MANDOZA & POULIN, DEBRA MARY	2004	366	0.01532330	337.11	0.00296000	65.12	402.23	DEMOLITION	
7	160.004.02300	CTN	350 EDWARD AVE	VAILLANCOURT CONSTRUCTION LIMITED	2004	92	0.02416590	97.19	0.02049752	82.44	179.63	DEMOLITION	
8	050.035.11500	MTEP	1673 REGENT ST	JOHNSTON, Daniel JOHNSTON, Margaret	2004	214	0.03293499	907.32	0.00296000	81.54	988.86	DEMOLITION	
		178.24						194.26			DEMOLITION		
		89.12						97.13			DEMOLITION		
9	230.004.05300	CTN	90 EDWARD AVE	GREATER SUDBURY CITY	2004	131	0.02416590	229.21	0.02049752	194.42	423.63	DEMOLITION	
		RTES	90 EDWARD AVE	GREATER SUDBURY CITY	2004	131	0.01458061	88.72	0.00296000	18.01	106.73		
10	040.017.03500	MTEP	110 ADIE ST	TRIFF, DIANE TRIFF, VIRGINIA VILLGREN, LAURA	2004	155	0.03293499	N/A	0.00296000	N/A	N/A	DEMOLITION - NO VALUE TO GARAGE	
		MTEP											
TOTAL:											2,891.78	574.26	3,466.04



Schedule 'B'  
**RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS**  
**UNDER SECTION 357 / 358 OF THE MUNICIPAL ACT**  
**REASON: GROSS OR MANIFEST CLERICAL ERROR**

Council Meeting of: May 26, 2005

Item #	Roll #	Class	Location	Assessed Property Owner	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	Total	Comments
1	120.008.02901	RPEP	LORNE CON 03 LOT 05 LUP SU-0029 LESSEE ANN POMERLEAU VERMILION RIVER	NATURAL RESOURCES MINISTRY	2002	365	0.01242531	239.81	0.00373000	71.99	311.80	Residential Farm - Payment in Lieu Full Tenant of Province
								TOTAL:	239.81	71.99	311.80	

RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS  
 UNDER SECTION 357 / 358 OF THE MUNICIPAL ACT  
 REASON: CHANGE IN TAX CLASS / RATE

Council Meeting of: May 26, 2005

Item #	Roll #	Class	Location	Assessed Property Owner	Year	Days #	General Rate	City Portion	Education Rate	Education Portion	Total	Comments	
1	160.004.02300	CTN	350 EDWARD AVE	VAILLANCOURT CONSTRUCTION LIMITED	2004	92	0.02416590	2,047.10	0.02049752	1,736.35	3,783.46		
		CXN				92	0.01691643	(1,433.00)	0.01434826	(1,215.45)	(2,648.44)		
2	170.017.333.04	CTN	1988 DOMINION DR	SPECHT, Tammy SIMMONS, James Compton	2004	366	0.02539684	571.30	0.02049752	461.09	1,032.39		
		RTEP				366	0.01532330	(344.70)	0.00296000	(66.59)	(411.28)		
TOTAL:											840.70	915.40	1,756.10

# Request for Decision City Council



## Type of Decision

Meeting Date	May 26 <sup>th</sup> , 2005				Report Date	May 18 <sup>th</sup> , 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

## Report Title

Donovan Street Road Closure

### Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

### Recommendation

THAT the south end of Donovan Street at it's intersection with Frood Road and Kathleen Street / Beatty Street be closed to vehicular traffic as described in the report from the General Manager of Infrastructure and Emergency Services dated May 18<sup>th</sup>, 2005, and,

THAT the City of Greater Sudbury's Traffic and Parking By-Law 2001-1 be amended accordingly, and,

THAT part of Donovan Street be closed by By-Law.

Recommendation Continued

### Recommended by the Department Head

Alan Stephen  
General Manager of Infrastructure & Emergency Services

### Recommended by the C.A.O.

  
Mark Miron  
Chief Administrative Officer

Date: May 18<sup>th</sup>, 2005

Report Prepared By



Nathalie Mihelchic, P. Eng.  
Manager of Transportation and Engineering Services

Division Review



R.G. (Greg) Clausen, P. Eng.  
City Engineer

Background:

At the Council meeting of April 28<sup>th</sup>, 2005, Councillor Bradley submitted a petition from area residents requesting that the south end of Donovan Street at the intersection of Froad Road and Kathleen / Beatty Streets, be closed to vehicular traffic (see Exhibit 'A').

In 1993, the intersection of Froad Road and Kathleen / Beatty / Donovan Streets was reconstructed to facilitate the installation of all-way stop control to improve traffic and pedestrian safety. Due to the configuration of the subject intersection with five separate approaches (see Exhibit 'B'), options were developed to either close the south end of Donovan Street with a cul-de-sac or change Donovan Street to a "one-way in" only from the intersection. The attached report from the former City of Sudbury (Exhibit 'C') dated September 21<sup>st</sup>, 1993, outlines the review of the two options. At that time staff recommended that the "one-way in" option be approved to provide better access to Donovan Street for emergency and maintenance vehicles. This option was approved by Council.

The reconstruction of the subject intersection and installation of an all-way stop has improved safety. However, as stated in the petition, the short section of "one-way in" has resulted in some drivers illegally exiting Donovan Street.

From a traffic safety perspective, it is recommended that the south end of Donovan Street be closed to vehicular traffic. This measure will simplify the intersection of Froad Road and Kathleen / Beatty / Donovan Streets and eliminate the possibility of vehicles illegally exiting from Donovan Street. The cost for the closure can be accommodated within the current 2005 Capital Roads Budget.

Both Ward Councillors have been contacted and are in agreement with the proposed closure of the south end of Donovan Street as recommended by the petition.

Fire Services has advised that they are unable to support the closure of Donovan Street as it will increase response times.

It is recommended that an amendment be made to City of Greater Sudbury's Traffic and Parking By-Law 2001-1, and that part of Donovan Street be closed by By-Law.



## INTEROFFICE MEMO

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May 2, 2005

**TO:** A. Stephen, General Manager of Infrastructure & Emergency Services  
N. Mihelchic, Manager of Transportation Engineering Services  
G. Clausen, Director of Engineering Services  
Councillor C. Berthiaume  
Councillor R. Bradley

**FROM:** CJ Caporale, Council Secretary

**RE:** Petition - Close South End of Donovan Street, Sudbury

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At the City Council meeting of 2005-04-28, Councillor Bradley submitted a petition to the Deputy City Clerk requesting that the south end of Donovan Street, at the intersection of Froot Road and Kathleen Street, be closed in order to stop vehicles from unlawfully exiting Donovan Street and to deter speeding, for the safety of the children.

A copy of the cover page of the petition and the first page of signatures is attached for your review. The complete petition (approximately 51 signatures) is available in the Clerk's Department if you wish to review it.

For your information.

A handwritten signature in cursive script that reads 'CJ Caporale'.

Petition to close off south end of Donovan street

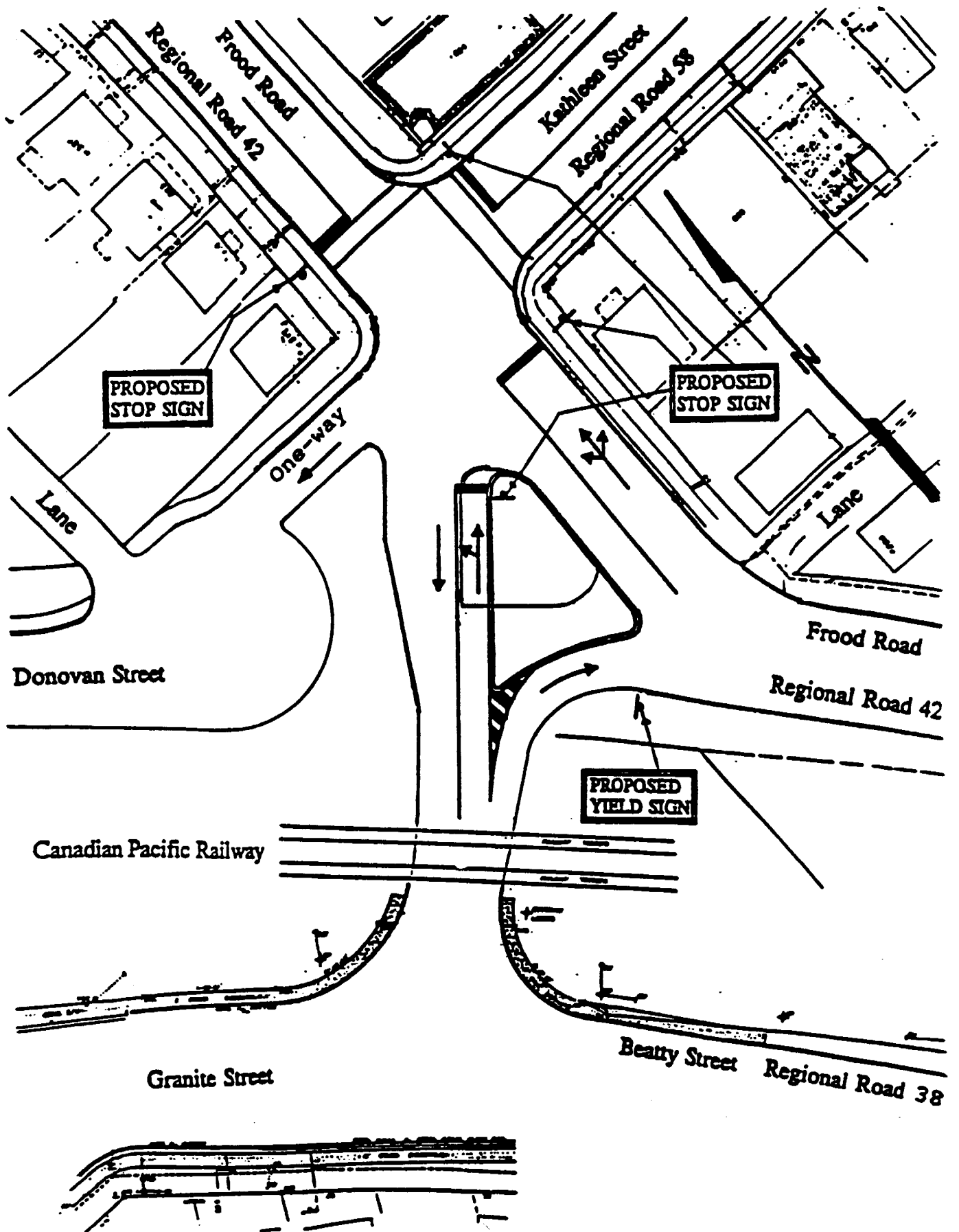
We the home owners and tenants of Donovan street and of Frood road west are petitioning to close down Donovan street at the intersection of Frood road and Kathleen street.

The reason for this petition is to stop people from unlawfully exiting Donovan street, as well to deter speeders. Also when vehicles are parked on the street and vehicles speed around the corner it is hard to see the children that are playing in there yards. Many time these vehicles have hit the snow bank on the west side of Donovan street.

Thank you in advance for your time and consideration in this matter.

<u>Print name</u>	<u>Address/Phone#</u>	<u>Signature</u>
KEITH ARMSTRONG	339 DONOVAN ST 6734084	<i>Keith Armstrong</i>
SUZANNE ARMSTRONG	339 DONOVAN 6734084	<i>Suzanne Armstrong</i>
FRED DOMENSKY	339 DONOVAN 674-2431	<i>F. Domensky</i>
Louise Guilbeault	347 DONOVAN 6717166	<i>Louise Guilbeault</i>
TERRY WASELENKO	350 DONOVAN 674-5046	<i>Terry Waseleko</i>
Michèle Hébert	350 DONOVAN ST 674-5046	<i>Michèle Hébert</i>
Scott Beatty	353 DONOVAN APT-2	<i>Scott Beatty</i>
Margt Fozuch	353 DONOVAN ST 6756725	<i>Margt Fozuch</i>
RAYMOND ERGON	353 DONOVAN ST 6737419	<i>Raymond Ergon</i>
KRYSTYNA SAWERSKI	353 DONOVAN ST 6737419	<i>Krystyna Sawerski</i>
LORNE CHUIPKA	366 DONOVAN ST	<i>Lorne ChuiPKA</i>
Dan MacLENNAN	346 DONOVAN ST	<i>Dan MacLennan</i>
SUSAN KESKINEN	377 DONOVAN ST	<i>S. Keskinen</i>
ED DEMKIW	357 DONOVAN ST	<i>Ed Demkiw</i>
Jacqueline Demkiw	357 DONOVAN ST	<i>J. Demkiw</i>
Sarah Paxas	373 DONOVAN	<i>Sarah Paxas</i>







city of | ville de

**SUDBURY**

<b>Report To:</b> City Council		<b>Report Date:</b> Meeting Date: 1993-09-21
<b>Subject:</b> PROPOSED RECONSTRUCTION OF INTERSECTION AT FROOD/KATHLEEN/DONOVAN/BEATTY STREETS		
<b>Prepared By:</b> Rick Hinton	<b>Approved By:</b> <i>R.K. Hinton</i>	<b>Recommended for Approval:</b> Chief Commissioner

The Regional Municipality is proceeding with reconstruction of the subject intersection this year. As part of the reconstructed intersection, it is the Region's intention to install a four-way stop.

Due to the configuration of the intersection, and the fact that five separate streets make up the intersection, Regional Staff have requested that the City consider dead-ending Donovan Street with a cul-de-sac (OPTION A) or alternatively, making Donovan Street one-way in only from the intersection (OPTION B). From the traffic control point of view, OPTION A would be preferable; however, either Option would be an improvement over the present situation.

At the request of Councillor James Ilnitski, all residents on Donovan Street and on the west side of Frood Road (between Donovan Street and Jean Street) were contacted by mail with a questionnaire to solicit their opinion on Options A and B. Additionally, a Public Meeting was held on 1993-08-26 to discuss this matter.

Only twelve replies were received to the questionnaires, and the nature of the replies are indicated on the attached map.

It is the recommendation of both Staff and the Ward Councillor that Option B (one way in) be approved at this time. Option B would provide better access to Donovan Street for emergency and maintenance vehicles. (See Figure 2 for proposed stop sign and traffic pattern).

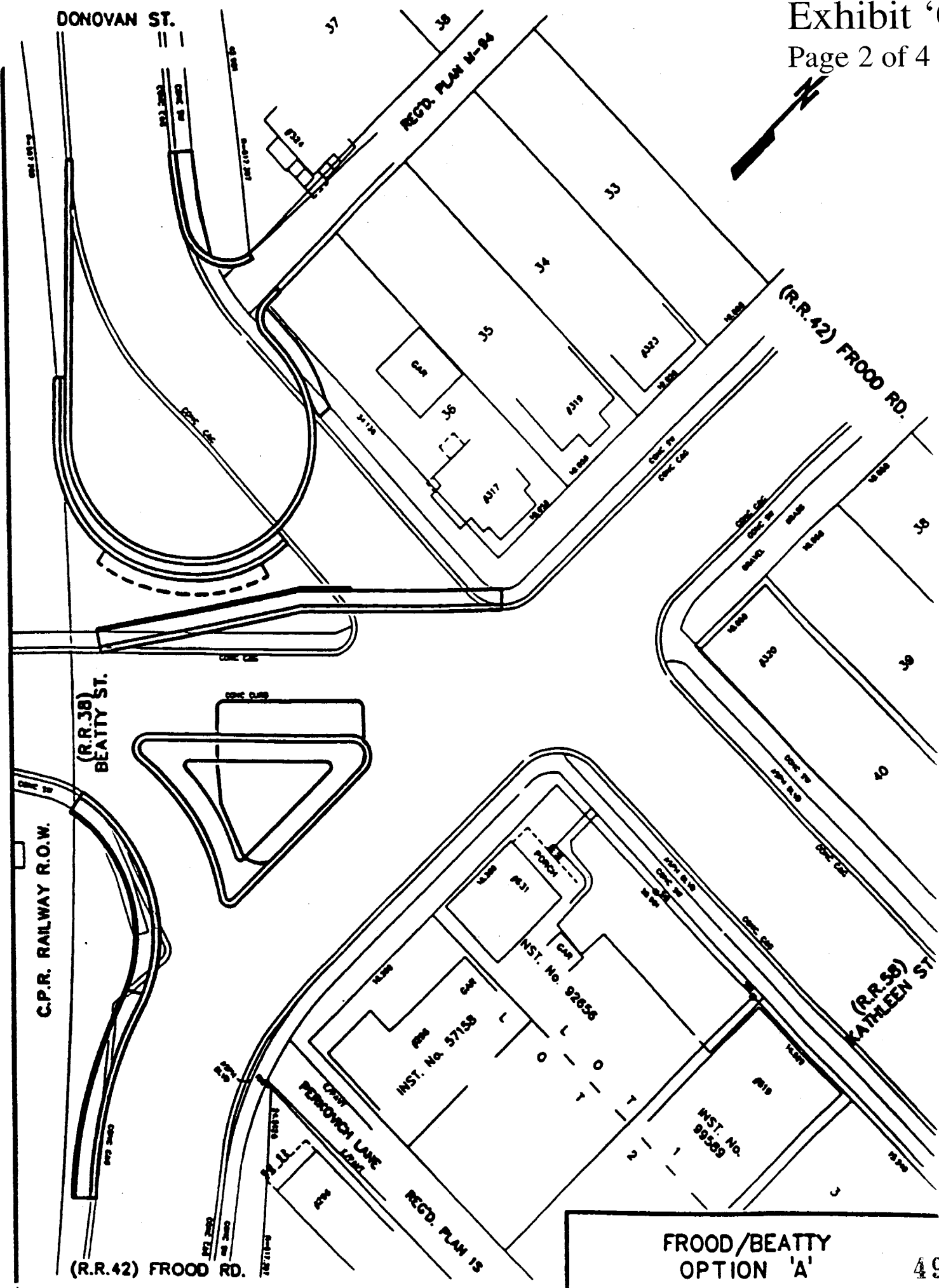
In the future, should Council decide to dead-end Donovan Street (Option A), it could easily be done with a small amount of curb and sidewalk construction, as is evident from a review of the attached drawings.

It is recommended:

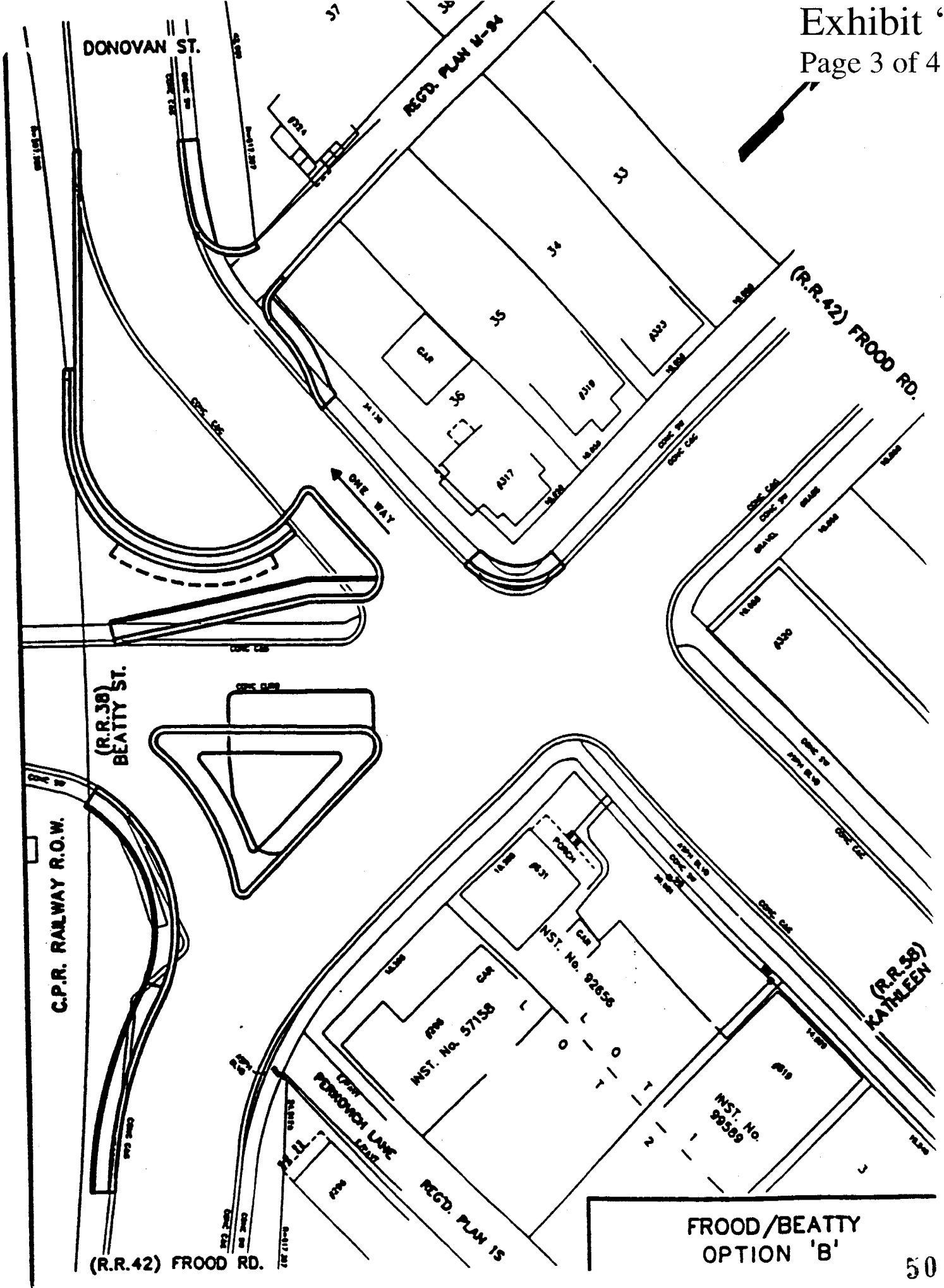
That Donovan Street be changed to a westbound one-way street, from Frood Road to a point twenty-five (25) metres west of Frood Road;

And Further, that in order to legally implement this change, the City of Sudbury Traffic and Parking By-Law #91-1 be amended as set out in FIGURE 1 of this report.

Attachments



FROOD/BEATTY  
OPTION 'A'






FROOD/BEATTY  
OPTION 'B'

# REPLIES TO QUESTIONNAIRE

Exhibit 'C'

Page 4 of 4

## LEGEND

-  **OPTION A - DEAD END**
-  **OPTION B - ONE WAY IN**
-  **NEITHER OPTION IS ACCEPTABLE**

