

ITEM 1
MANAGER'S REPORT NO. 47
COUNCIL MEETING 89/07/10

RE: EXEMPTIONS FROM TAXATION - 1990
MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations of the Director Finance be adopted.

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TO: MUNICIPAL MANAGER 1989 JULY 05
FROM: DIRECTOR FINANCE FILE: G69-1a

SUBJECT: EXEMPTIONS FROM TAXATION - 1990

- PURPOSE: 1. To answer the questions raised by Council on 1989 June 26;
2. To provide information on two applications for exemption in 1990 received since we last reported to Council;
3. To obtain Council's approval of two additional permissive exemptions from property taxation for 1990.

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RECOMMENDATIONS:

1. THAT a bylaw to exempt Columbia College from 50% taxation in 1990 be brought forward; and
2. THAT a bylaw exempting "Iglesia ni Cristo" Church of Christ from 100% taxation in 1990 be brought forward.

SUMMARY

Council, on 1989 June 26, asked staff to review the status of Columbia College and Dorset College. We have completed our review and report as follows:

1. Columbia College is a non-profit educational institution registered as a society offering programs in English as a second language, high school completion and university transfer courses, to a primarily international clientele. It is consistent with Council's guidelines for permissive exemption from taxation and is eligible for a 50% exemption.
2. Dorset College has ceased operation at Burnaby Heights School and therefore did not apply for exemption in 1990.

In addition, two new applications for exemption in 1990 have been received:

- A. Dawn Black's Constituency Office is not recommended for exemption as it is not considered to be a complementary extension to Municipal services. The primary purpose of the office is to deal with matters beyond Municipal jurisdiction.

- B. "Iglesia ni Cristo" Church of Christ is a religious organization qualifying for statutory exemption under Section 398 of the Municipal Act. The organization is consistent with Council's guidelines and is recommended for permissive exemption in 1990.

REPORT

There are two parts to this report. Part I responds to questions raised by Council on 1989 June 26. Part II discusses two new applications which are being considered for permissive exemption from taxation in 1990.

PART I QUESTIONS RAISED BY COUNCIL ON 1989 JUNE 26

Arising out of Council's consideration of Item No. 5 Exemptions from Taxation - 1990, Municipal Managers' Report No. 45, 1989 June 26, the following motion was adopted:

"THAT the status of Columbia College and Dorset College be reviewed by staff and be the subject of a short report to Council."

A. Columbia College

Columbia College rents space from the Burnaby School Board in the Royal Oak School. It is eligible for permissive exemption from taxation under Section 400 of the Municipal Act. If Columbia College owned its land and building on a separate site, it would be considered eligible for statutory exemption under Section 398 of the Municipal Act. Statutory exemptions are determined by the B. C. Assessment Authority.

Columbia College is a non-profit society registered with the Provincial Registrar of Companies under the Societies Act. As non-profit societies this organization is prohibited from paying or otherwise making available for the personal use of its members, income or capital raised by the society. To ensure the non-profit status is maintained, a financial report must be filed with the Provincial Registrar of Companies each year.

The Provincial Registrar's office advises that Columbia College has not filed the necessary reports for 1987 and 1988. Columbia College assures us that they recently submitted the documents to the Registrar. Lawyers representing the College have confirmed this and assure us that the documents are in order. We are satisfied that Columbia College has taken appropriate steps to assure that the College is in good standing with the Registrar. We will followup to ensure that this is the case.

Columbia College offers programs in English as a second language, high school completion and university transfer courses. It is considered to be consistent with Council's guidelines for determining eligibility for permissive exemption from property taxation with the exception that the organization serves a clientele broader than Burnaby residents. Mr. T. Toone, Assistant Principal, informs us that 83% of the students are international. Under Council's guidelines, organizations such as Columbia College, serving a clientele broader than Burnaby, would be considered for 50% exemption if it is consistent with all of the other guidelines. 50% of the Municipal general taxes in 1989 for Columbia College is \$6,956.

Columbia College has applied for 100% exemption in 1990. Based on our review of their application, we have concluded that it would be consistent with Council's guidelines to support 50% exemption from taxation in 1990 for the College.

It is recommended that a bylaw to exempt Columbia College from 50% taxation in 1990 be brought forward.

B. DORSET COLLEGE

Dorset College has ceased operation in Burnaby Heights School and therefore did not apply for exemption in 1990.

For Council's information, Douglas College rents space in Burnaby Heights School in order to provide prenatal classes. Council granted 100% exemption to this activity for 1989 and on 1989 June 26 approved a similar exemption for 1990.

PART II NEW APPLICATIONS

Two new applications for permissive exemption in 1990 have been received since we reported to Council on 1989 June 26.

1. Dawn Black Constituency Office
#103 - 6462 Kingsway

This is the local Member of Parliament's office, open for the public to make enquiries or receive information or direction on Federal affairs. This is not considered to be a complementary extension to Municipal services as its primary purpose is to deal with matters beyond Municipal jurisdiction. Therefore, this organization is not recommended for exemption from taxation in 1990.

We have discussed this matter with a representative of the constituency office and have advised them of our recommendation.

This recommendation is consistent with those approved by Council in the past in dealing with applications from both MP's and MLA's constituency offices.


2. "Iglesia ni Cristo" Church of Christ
5060 Marine Drive

This is a religious organization. The application is for land only used for the activities associated with their religious services. This includes the parking area, a fire lane around the building, and a small area of landscaping.

The B. C. Assessment Authority advises that for 1990 this organization would qualify for statutory exemption under Section 398 of the Municipal Act for the church building and footprint.

The Municipality has traditionally granted permissive exemption on all land and accessory buildings used in support of the primary church function.

It is recommended that a bylaw exempting "Iglesia Ni Cristo" Church of Christ from 100% taxation in 1990 be brought forward.


Howard Karras
DIRECTOR FINANCE

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cc. Director Administrative & Community Services
Municipal Clerk
Municipal Solicitor
Director Planning & Building Inspection
Area Assessor, B.C. Assessment Authority
Secretary Treasurer, School District No. 41

