

Subject: Status of Assessment Review Board Appeals

Recommendation:

BE IT RESOLVED THAT Council receive Report #2024-0077 Status of Assessment Review Board Appeals, for information.

Background:

In early 2023 the Divisional Court upheld a 2021 decision of the Assessment Review Board (ARB) that had a substantial impact on how gravel pits and quarries are valued by the Municipal Property Assessment Corporation (MPAC). The ARB decision set out new guidance for how such lands are to be classified as Industrial or Residential for property tax purposes. Industrial lands are taxed at a significantly higher rate than Residential lands. There are multiple such properties located within the Town of Pelham.

Analysis:

As a result of the Divisional Court decision, many municipalities launched appeals to the ARB challenging the MPAC classification and valuation of gravel pits and quarries within their boundaries. There are eight such properties in Pelham. Niagara Region commenced appeals in relation to six of them and the Town brought appeals for the remaining two properties. The two appeals brought by the Town are anticipated to settle in the next few months. It is hoped that resolution will result in a revised land classification and a corresponding increase of tax revenues for the Town.

By conducting this work in house, Pelham saved more than \$10,000.

Financial Considerations:

As above.

Alternatives Reviewed:

None.

Strategic Plan Relationship: Financial Health

Ensuring that properties in Pelham are appropriately classified and taxed accordingly promotes the financial health of the Town.

Consultation:

None.

Other Pertinent Reports/Attachments:

None.

Prepared and Recommended by:

Jennifer Stirton, BSc(Hons), LL.B.
Town Solicitor

Approved and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer