



Town of Smiths Falls
77 Beckwith St N
SMITHS FALLS ON K7A 2B8

**Tax Rebate Program for Vacant
Commercial & Industrial Buildings**
(O.Reg 581/17(29) of the *Municipal Act, 2001*,
and By-law 9006-2018)

PLEASE READ ALL THE INFORMATION BELOW

Who Qualifies?

The owner of a property, a building, or portion of a building, that satisfies the conditions described below:

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.

Buildings that are Partially Vacant

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

- unused; and
- clearly delineated or physically separated from the used portions of the building; and
- either:
 - capable of being leased for immediate occupation, or
 - not capable of being leased for immediate occupation because it was undergoing or in need of repairs or renovations, or was unfit for occupation.

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

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

Exclusions

- **Seasonal Property:** Businesses that operate on a seasonal basis are not eligible for a rebate for the seasons closed.
- **Leased Property:** Buildings or portions of buildings that are vacant but are leased to a tenant are not eligible for a rebate.
- **Vacant land Sub-Class:** Buildings that are included in a vacant land sub-class (Eg. new buildings that have never been occupied) are not eligible for a rebate.
- **Orders:** under Building Code Act 1992, Fire Protection & Prevention Act, 1997, and the Planning Act.

No rebate is payable under section 364(1) of the Act for taxation year in respect of a property for a period of time if an application submitted with respect to the property for the period of time contains a material or false or deceptive statement.

No rebate is payable under section 364(1) of the Act in respect of a portion of a building for a period of time unless the portion of the building was advertised for lease throughout the period of time. (Evidence is required to be provided).

The property shall be ineligible if, during the vacancy period claimed, it is not in compliance with the Town's Property Standards, Zoning, Site Control, Yard By-Laws and/or the Building Code, Fire Protection & Prevention Act and appropriate order(s) or Notice of Violation(s) have been issued by a Municipal Law Enforcement Officer.

The property shall be ineligible if a property standards order remains outstanding on the last day to submit an application for a vacancy rebate.

No interest shall begin to accrue until 90 days after the Town receives the determination of the value of the eligible property from the Municipal Property Assessment Corporation.

The property shall be ineligible if a request by the Town to inspect the property for vacancy is not granted within 30 days of the request.

Only one application /per property/per year may be submitted to a total maximum of:

***3 years for Commercial properties, and
5 years for Industrial properties***

How the Program Works

You must complete an annual application for this program. The deadline for submitting an application is **February 28th** of the year following the taxation year to which the application relates. Only original, signed applications will be accepted. Faxed copies are not acceptable.

The applicant must agree to provide further information requested by the Town of Smiths Falls or the Municipal Property Assessment Corporation (MPAC) in order to demonstrate that eligibility requirements have been met.

Applications will proceed through the following steps:

1. Property owner or authorized representative submits an application to the Town of Smiths Falls.
2. The Town of Smiths Falls forwards a copy of the application to MPAC.
3. MPAC determines the assessed value that is attributable to the vacant area.
4. MPAC notifies the Town of Smiths Falls of the value of the eligible vacant property.
5. The Town of Smiths Falls calculates the rebate and notifies the property owner. The rebate may be issued as a credit against outstanding tax liability or through direct payment to the property owner.