

THE CORPORATION OF THE TOWNSHIP OF McGARRY

BY-LAW 98-16

For Tax Deferral of Assessment Related Tax Increases

A by-law to provide tax assistance to certain elderly and disabled residents who are owners of real property in the Municipality of the Township of McGarry.

WHEREAS Section 373 of the Municipal Act, Chapter M.45, R.S.O. 1990 as amended by Bill 106 and Bill 149 (1997) provides that the Council of a municipality shall, for the purposes of relieving financial hardship, pass a by-law providing for deferrals or cancellations of, or other relief respect of, all or part of assessment-related tax increases on property in the residential/farm property class for owners who are, or whose spouses are (a) low-income seniors as defined in the by-law; or (b) low-income persons with disabilities as defined in the by-law.

NOW THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF TOWNSHIP OF McGARRY ENACTS AS FOLLOWS:

1. In this by-law:
 - (a) "Assessment related tax increase" means tax increases beginning in 1998, as define under Section 373 of the Municipal Act, as amended by provisions of Section 55 of the Fair Municipal Finance Act, 1997 (Bill 106) and Section 43 of the Fair Municipal Finance Act, 1997 (No.2) (Bill 149); or tax increases beginning in a subsequent year and calculated in a similar fashion as 1998 assessment-related tax increases as described in S.373 above;
 - (b) "Corporation" means the Corporation of the Township of McGarry;

"Eligible amount" means the "assessment-related tax increase" provided that said assessment-related tax increase for any single year exceeds one thousand dollars (\$1,000.);
 - (c) "Eligible amount" means the "assessment-related tax increase" provided that said assessment-related tax increase for any single year exceeds one thousand dollars (\$1,000.);
 - (d) "Eligible person" means a low-income person with disabilities or a low-income senior or the spouse of such eligible person;
 - (e) "Low-income person with disabilities" means a person who is in receipt of an increment paid under the Ontario Disability Support Program Act, 1997; or in receipts of a disability amount paid under the Family Benefits Act (Ontario).

- (f) “Low-income senior” means a person who is 65 years of age or older and in receipt of an increment paid under the Guaranteed Income Supplement (GIS), as established under Part II of the Old Age Security Act (Canada);
 - (g) “Owner” means a person assessed as the owner of residential real property, and includes an owner within the meaning of the Condominium Act;
 - (h) “Treasurer” means the Treasurer of the Corporation;
2. **TAX** relief granted pursuant to this by-law shall be in the form of a deferral of the annual eligible amount, provided that:
 - (a) such owner or the spouse of such owner both occupies or occupy the property taxes are imposed, as his, her on their personal residence;
 - (b) such owner or the spouse of such owner both has or have been assessed as the owner of the residential real property in the Municipality of Township of McGarry for a period of not less than one year immediately preceding the date of the application for relief.
 3. **TAX** relief granted pursuant to this by-law shall attract interest at the rate of fifteen per cent (15%) per annum and calculated monthly at the rate of 1.25% per month or as may be provided from time to time by by-law passed by Council.
 4. **ANNUAL** eligible amounts, plus interest thereon shall be deferred until the property is sold, at which time the total deferred amounts plus accumulated interest thereon become a debt payable to the Corporation.
 5. **IF** at any time an eligible person for which tax relief has been granted pursuant to this by-law ceases to be an eligible person, all tax relief ceases and all such amounts plus accumulated interest thereon immediately become a debt payable to the Corporation.
 6. **THE** amount of tax relief granted pursuant to this by-law shall represent a lien against the respective eligible property and be the subject of a lien registered on title to said property, and that the costs of registering said lien on title are the full responsibility of the owner.
 7. **NO** tax relief granted pursuant to this by-law shall be allowed to an owner in respect of more residential real property than one (1) single family dwelling unit in any year.

8. **COMMENCING** January 1, 1998, owners who are eligible persons may apply to the Corporation for tax relief with respect to their eligible property, on a form prescribed by the Corporation for this purpose.
9. **ALL** applications for tax relief must be in writing on a form prescribed by the Corporation for this purpose, and must be submitted to the Corporation for this purpose, and must be submitted to the Corporation on or before the last day of September in the year for which the application applies. Applications must include documentation in support thereon to establish that the applicant is an eligible person, and that property with respect to which the application is made is eligible property.
10. **THAT** this by-law shall come into force on the date of passage.

Read a first, second and third time and finally passed this 6th of August, 1998



Reeve



Clerk