

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 01-116

BEING A BY-LAW TO PROVIDE TAX RELIEF TO LOW INCOME SENIOR AND LOW INCOME DISABLED RESIDENTS WHO ARE OWNERS OF REAL PROPERTY IN THE CITY OF PETERBOROUGH.

WHEREAS Section 373 of the *Municipal Act*, R.S.O. 1990, c.M.45, provides that the council of a municipality shall, for the purposes of relieving financial hardship, pass a by-law providing for deferrals or cancellation of, or other relief in 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.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH HEREBY ENACTS AS FOLLOWS:

1. In this by-law:
 - (a) “City” means the Corporation of the City of Peterborough.
 - (b) “1998 assessment-related tax increase” means tax increases beginning in 1998, as defined under section 373 of the *Municipal Act*,
 - (c) 2001 tax increase means the difference between 2000 tax on assessment and 2001 tax on assessment - excluding tax increases resulting from assessment increase resulting from new construction and/or improvements to a property.
 - (d) “eligible amount” related to 1998 means that part of the 1998 assessment-related tax increase in excess of one hundred dollars (\$100) net of any phase-in adjustment that may apply.
 - (e) “eligible amount” related to 2001 means that part of the 2001 tax increase in excess of one hundred dollars (\$100).
 - (f) “eligible person” means a low-income person with disabilities or a low-income senior, or the spouse of such eligible person;
 - (g) “eligible property” to receive assistance toward the the 1998 assessment related increase means property located in the City utilized as a principal residence, and owned by the eligible person(s) on or before November 30, 1998
 - (h) “eligible property” to receive assistance for the 2001 tax increase means property located in the City utilized as a principal residence, and owned by the eligible person(s) on or before October 30, 2001

- (i) “low-income person with disabilities” means a person who is in receipt of benefits paid under the *Ontario Disability Support Program Act, 1997*; or in receipt of a disability amount under the Guaranteed Annual Income System (GAINS) for the disabled, and be eligible to claim a disability amount as defined under the *Income Tax Act (Canada)*.
 - (j) “low-income senior” means a person who is 65 years of age or older and in receipt of benefits paid (a) under the Guaranteed Income Supplement (GIS), as established under the *Old Age Security Act (Canada)*; or (b) under the Guaranteed Annual Income System (GAINS) as established under the *Ontario Guaranteed Annual Income Act*;
 - (k) “Owner” means a person assessed as the owner of residential real property, and includes an owner within the meaning of the *Condominium Act*.
2. Tax relief granted pursuant to this by-law for the 1998 assessment related increase shall be in the form of an outright cancellation of the annual eligible amount, provided that:
- (a) such Owner, or the spouse of such Owner, or both occupies or occupy the property in respect of which real property taxes are imposed, as his, her, or their principal residence; and
 - (b) such Owner, or the spouse of such Owner, or both have or has been assessed as the owner of the residential real property in the City on or before November 30, 1998
2. Tax relief granted pursuant to this by-law for the 2001 tax increase shall be in the form of an outright cancellation of the annual eligible amount, provided that:
- (a) such Owner, or the spouse of such Owner, or both occupies or occupy the property in respect of which real property taxes are imposed, as his, her, or their principal residence; and
 - (b) such Owner, or the spouse of such Owner, or both have or has been assessed as the owner of the residential real property in the City on or before October 30, 2001.
3. No tax relief granted pursuant to this by-law shall be allowed to an Owner in respect more than one (1) single family dwelling unit in any year and the residence must be solely classified in the Residential/Farm tax classification.
4. For the year 2001, owners who are eligible persons may apply to the City for tax relief with respect to their eligible property, on a form prescribed by the City no later than October 31, 2001. Application dates for future years' relief will be established as part of the annual tax billing by-laws.
5. Relief will only be provided when the balance of all previous tax levies, penalties

and interest have been paid in full as of the application date.

6. An application for cancellation must be made each taxation year and such application for tax relief must be in writing on a form prescribed by the City for this purpose, and must be submitted to the Treasurer of the City on or before the established cut off date. For the 2001 taxation year, the application for tax cancellations must be submitted on or before October 31, 2001. Applications must include documentation in support thereof to establish that the applicant is an eligible person and that the property with respect to which the application is made is an eligible property. In the event the current value assessment of an eligible property is reduced subsequent to the granting of a cancellation a particular year, the amount cancelled will be adjusted accordingly.
7. Owners receiving a cancellation of taxes through this program who subsequently sell their property may be required to reimburse the City with the unused portion of the annual amount for the year in which the sale took place.
8. By-law Number 00-044 is hereby repealed.

By-law read a first and second time this 17th day of September, 2001.

By-law read a third time and finally passed this 17th day of September, 2001.

(Sgd.) Paul Ayotte, Deputy Mayor

(Sgd.) Steven Brickell, City Clerk