

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 03-148

**BEING A BY-LAW TO PROVIDE A TAX RELIEF TO CERTAIN
LOW INCOME SENIOR AND LOW INCOME DISABLED
RESIDENTS WHO ARE OWNERS OF REAL PROPERTY IN THE
CITY OF PETERBOROUGH WHO EXPERIENCED AN
ASSESSMENT RELATED INCREASE IN 1998.**

WHEREAS Section 319 of the *Municipal Act*, 2001, S.O. 2001, c.25, provides that for the purposes of relieving financial hardship a municipality may pass a by-law providing for deferrals or cancellation of, or any other relief in respect of, all or part of a tax increase for 1998 and subsequent years on property in the residential property class of persons assessed as owners who are, or whose spouse 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 319 of The Municipal Act.
 - (c) “eligible amount” 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.
 - (d) “eligible person” means a low-income person with disabilities or a low-income senior, or the spouse of such eligible persons who applied for and was granted tax relief under this program starting in 1998;
 - (e) “eligible property” means property located in the City utilized as the principle residence, and owned by eligible person(s) on or before November 30, 1998.
 - (f) “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)*;
 - (g) “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*;
 - (h) “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 principle 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.
3. No tax relief granted pursuant to this by-law shall be allowed to an Owner in respect of more than one (1) single family dwelling unit in any year and the residence must be solely classified in the Residential tax classification.
4. For the year 2003, 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 Treasurer, no later than October 31st, 2003. For subsequent years, staff will determine specific dates annually.
5. An application for cancellation must be made each taxation year and such application 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. 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.
6. Owners receiving a cancellation of taxes through this program, who subsequently sell their property, are required to reimburse the City for the unused portion of the annual amount for the year in which the sale took place.
7. By-law 01-116 is hereby repealed.

By-law read a first and second time this 11th day of August, 2003

By-law read a third time and finally passed this 11th day of August, 2003.

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk