



## BY – LAW No. 17-34

### **A BY-LAW TO ESTABLISH ELIGIBILITY FOR TAX DEFERRALS FOR LOW INCOME SENIORS AND LOW INCOME DISABLED PERSONS**

**WHEREAS** Section 319 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that the Council of a municipality, other than a lower-tier municipality, may pass a by-law providing for the deferral, cancellation or other relief respecting all or part of the tax increase for 1998 and subsequent years on property in the residential property class for persons assessed as owners who are, or whose spouses are, low-income seniors or low-income persons with disabilities as defined herein; and

**WHEREAS** annual applications will be accepted by the lower-tier municipalities from their eligible residential property owners and forwarded to the County Treasurer for consideration.

**NOW THEREFORE the Council of the Corporation of the United Counties of Leeds and Grenville hereby enact as follows:**

1. **THAT** for the purpose of this By-Law the following definitions shall apply:
  - (a) "eligible person" means a low-income senior or a low-income person with disabilities or the spouse of such eligible person.
  - (b) "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 (G.I.S.) as established under Part II of the Old Age Security Act, R.S.C. 1985, c. O-9.
  - (c) "low-income persons with disabilities" means a person who is in receipt of an increment paid under the Ontario Disability Support Program Act, 1997, S.O. 1997, c. 25, Sched. B, or a Canada Pension Plan Disabilities Pension, and be eligible to claim a disability amount as defined under the Income Tax Act Canada.
  - (d) "tax increase" means a tax increase calculated as the increase in total property taxes billed for the year over the total property taxes billed and payable in the immediately preceding year.

- (e) "owner" means a person assessed as the owner of residential real property, and includes an owner within the meaning of the Condominium Act, 1998, S.O. 1998, c. 19.
- (f) "spouse" means a person to whom another person is married, or has cohabitated with for at least two years, and whose name also appears as a registered owner of the property.
- (g) "eligible property" means residential real property located in the United Counties of Leeds and Grenville that is in the residential property class as prescribed under the Assessment Act.
- (h) "eligible amount" means the total tax increase for any single year in excess of \$100.00. Therefore, the amount eligible shall be a minimum of \$100.00 per annum.

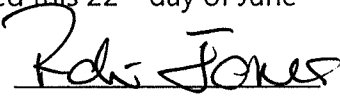
2. **THAT** applications may be filed by low-income seniors or low-income persons with disabilities to the Treasurer of the lower-tier municipality, in which they own residential property for the purpose of receiving a deferral subject to the following conditions:

- (a) Eligible persons may, on or before the last day in June in each and every year, make an application to the Treasurer of the lower-tier municipality for tax relief in the form of a deferral of tax increases for the current year; and
- (b) The application shall be submitted on a form, as set out in "Schedule A", attached hereto and forming part of this By-law, which is provided by the United Counties of Leeds and Grenville through the lower-tier municipalities and forwarded to the County Treasurer once completed; and
- (c) Tax relief begins in the month in which the low-income senior attains the age of sixty-five (65) or in which the low-income person with a disability becomes disabled; and
- (d) The owner and/or spouse, has/have attained the age of sixty-five (65) years and must be in receipt of a monthly Guaranteed Income Supplement (G.I.S.) under Part II of the Old Age Security Act R.S.C. 1985, c. O-9.; or
- (e) The owner and/or spouse, must be in receipt of disability benefits under the Ontario Disability Support Program Act or a Canada Pension Plan Disabilities Pension, and be eligible to claim a disability amount as defined under the Income Tax Act Canada; and

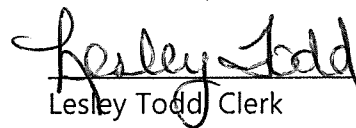
- (f) The eligible person must reside in the property as his or her principal residence in respect of which the application for tax deferral is made; and
  - (g) The eligible person must have been assessed as the owner or spouse of the eligible property on January 1<sup>st</sup> of the taxation year for which the deferral has been requested; and
  - (h) Where an eligible person and the eligible person's spouse each own an eligible property, tax relief under this By-law shall be limited to a deferral of the eligible amount on only one of the properties with the eligible person and the eligible spouse selecting which property they wish to designate as the property to which the deferral applies; and
  - (i) Tax relief shall be granted, pursuant to this by-law, to only one eligible person per household.
3. **THAT** upon determination by the County Treasurer that an applicant and the property meet all the requirements for tax relief, such relief shall be granted in the form of deferral of the eligible amount without interest until:
- (a) The eligible property is sold; or
  - (b) The eligible person ceases to be an eligible person, at which time all tax relief ceases and the total amount of the deferred eligible amounts without interest immediately becomes a debt payable to the lower-tier municipality.
4. **THAT** tax relief approval shall apply to current taxes and only be deferred after payment in full is received for any current or past years' amounts payable.
5. **THAT** the amount of deferred taxes, plus accumulated interest thereon and the charges related to the registration of the lien registration as set out in paragraph 8 hereof, shall not exceed 75% of the Current Value Assessment placed on an Eligible Property in any given year.
6. **THAT** where a deferred eligible amount becomes payable under subsection 3 of this By-law and is not immediately repaid, such outstanding amount shall be subject to interest calculated as the Prime Borrowing Rate plus 2%.
7. **THAT** any partial payments received, with respect to deferred taxes and interest, are applied first to the accumulated interest outstanding and then to any deferred taxes.

8. **THAT** the deferred taxes and accumulated interest form a priority lien against the eligible property and may be the subject of a lien registered on title to said property, and the costs of registering said lien on title shall be the full responsibility of the owner.
9. **THAT** any by-laws, including By-law No. 98-10 and parts of by-laws contrary to or inconsistent with this by-law are hereby repealed.
10. **THAT** this By-law shall come into force and take effect on the date of its passing.

By-law read a first, second and third time, and finally passed this 22<sup>nd</sup> day of June 2017.



Robin Jones, Warden



Lesley Todd Clerk

**APPLICATION  
FOR  
PROPERTY TAX DEFERRAL  
LOW-INCOME SENIORS OR LOW-INCOME DISABLED PERSONS**

**By-Law No. 17-34**

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**General Information**

To be eligible for a total or partial tax deferral, the property owner must meet the eligibility requirements as determined below:

•**LOW INCOME SENIORS**

- **Seniors** must provide documentation to verify proof of age of at least 65 years and that they or their spouse are in receipt of benefits under the Guaranteed Increase Supplement (GIS) in Part II of the Old Age Security Act;
- The amount eligible for an annual deferral is the tax increase over the previous year.

•**LOW-INCOME DISABLED PERSON**

- **Disabled persons** must provide documentation to verify that they or their spouse are in receipt of benefits under one of the following programs:
  - Ontario Disability Support Program (ODSP) or in receipt of disability amounts or
  - Canada Pension Plan Disabilities Pension and claim a disability amount as defined under the Income Tax Act (Canada);
- The amount eligible for an annual deferral is the tax increase over the previous year.

The property for which the taxes are payable must be located in the United Counties of Leeds and Grenville and must be owned by an eligible senior or disabled person or the spouse of an eligible senior or disabled person as a principal residence on January 1<sup>st</sup> of the eligible year.

Tax relief shall be granted to only one eligible person per household.

All deferred taxes become payable upon disposition or transfer of the property except for a transfer of ownership to a spouse.

**PERSONS MUST APPLY ANNUALLY FOR THE TAX DEFERRAL BY JUNE 30<sup>th</sup> OF EACH  
TAXATION YEAR FOR WHICH A DEFERRAL IS REQUESTED**

Taxation Year For Which Deferral is Requested: \_\_\_\_\_

**APPLICATION  
FOR  
PROPERTY TAX DEFERRAL**

**LOW-INCOME SENIORS OR LOW-INCOME DISABLED PERSONS**

**By-Law No. 17-34**

Assessment Roll No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Year of Purchase \_\_\_\_\_

Name of Property Owner \_\_\_\_\_  
(please print)

Name of Spouse \_\_\_\_\_  
(if applicable)

Property Address \_\_\_\_\_

I qualify as a "Low-Income Senior" or the spouse of a "Low-Income Senior" and I have attached the following documentation

☒ Form T4-OAS

Proof of age \_\_\_\_\_

I qualify as a "Low-Income Disabled Person" or the spouse of a "Low-Income Disabled Person" and I have attached the following documentation:

- ☒ Ontario Disability Support Program (ODSP) or Social Assistance Reform Act disability amounts; or  
☒ Most recent income tax assessment notice and documentation verifying receipt of one of the above

I certify that the above information is true, correct and complete.

Signature of Applicant \_\_\_\_\_ Date: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Personal information being collected on this application will be used solely for the purposes of determining whether the applicant qualifies for the tax deferral program. Questions and concerns regarding the collection of personal information should be directed to the County Clerk at 613-342-3840 or by email at: [Lesley.todd@ucldg.on.ca](mailto:Lesley.todd@ucldg.on.ca)

**Office Use Only**

**Maximum cumulative deferral:** CVA \$ \_\_\_\_\_ x 75% \$ \_\_\_\_\_

**Current Year Property Taxes** \$ \_\_\_\_\_

minus previous year Property Taxes (\$ \_\_\_\_\_)

**Tax Increase** \$ \_\_\_\_\_

Minus \$100 threshold (\$ \_\_\_\_\_)

**Current Year Deferral** \$ \_\_\_\_\_

add Outstanding Taxes \$ \_\_\_\_\_

**Cumulative Deferral** \$ \_\_\_\_\_

Eligibility Verified ☐

Approved By \_\_\_\_\_

Date \_\_\_\_\_