

Authority: Strategic Policies and Priorities Committee  
Report No. 13(3), July 21 and 23, 1998  
Intended for first presentation to Council: July 29, 1998  
Adopted by Council: July 31, 1998

## **CITY OF TORONTO**

### **BY-LAW No. 603-1998**

#### **To Establish a Property Tax Assistance Program for Eligible Low Income Disabled Persons and Low Income Seniors who are Owners of Residential Real Property in the City of Toronto.**

WHEREAS Section 373 of the *Municipal Act*, as amended (the “Act”) 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 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 either low-income seniors as defined in the by-law or low-income persons with disabilities as defined in the by-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

**1. In this by-law:**

“Assessment-Related Tax Increase” means the portion of the “1998 Assessment-Related Tax Increase” as defined in By-law No. 472-1998 which is payable in a taxation year, pursuant to section 3 of By-law No. 472-1998;

“Deferred Assessment-Related Tax Increase” means a Full Deferral or a Partial Deferral of the Assessment-Related Tax Increase;

“Eligible person” means a Low-income disabled person or a Low-income senior or the spouse of such a person who meets the qualifications set out in section 3;

“Full Deferral” means tax relief in the form of a deferral of the full amount of the Assessment-Related Tax Increase;

“Household Income” means the combined gross income of all Eligible persons occupying the residential property in respect of which the application for tax deferral is made, but excludes any Pension amount received under the *Old Age Security Act (Canada)*;

“Low-income disabled person” means a person:

- (a) who has owned and occupied the residential real property for one year; and

- (b) who is in receipt of disability benefits under either the *Ontario Disability Support Program Act*, the *Family Benefits Act* or the *Ontario Guaranteed Annual Income Act*;

“Low-income senior” means a person:

- (a) who is 65 years of age or older, or in the case of a widowed person receiving the Spouse’s Allowance under the *Old Age Security Act (Canada)* is between the age of 60 and 64, or in the case of a person receiving a pension from a pension plan registered under the *Income Tax Act (Canada)* or a pension annuity resulting from a pension plan registered under the *Income Tax Act (Canada)* is 50 years of age or older;
- (b) who has owned and occupied the residential real property for one year; and
- (c) who has a Household Income of \$35,000.00 or less;

“Owner” means a person assessed as the owner of residential real property, and includes an owner within the meaning of the *Condominium Act*;

“Partial Deferral” means tax relief in the form of a deferral of a portion of the Assessment-Related Tax Increase, as determined pursuant to section 3 hereof.

**2.** Provided that an Eligible person meets the qualifications set out in section 3;

(1) Full Deferral shall be provided to:

- (a) an Eligible person who is a Low-income disabled person or the spouse of such a person;
- (b) an Eligible person who is a Low-income senior or the spouse of such a person who is in receipt of the Guaranteed Income Supplement under the *Old Age Security Act (Canada)*, or in the case of a widowed person, in receipt of the Spouse’s Allowance under the *Old Age Security Act (Canada)*; and
- (c) an Eligible person who is a Low-income senior or the spouse of such a person who has a Household Income of \$20,000.00 or less and is not in receipt of the Guaranteed Income Supplement or the Spouse’s Allowance under the *Old Age Security Act (Canada)*.

(2) Partial Deferral shall be provided to an Eligible person who is a Low-income senior or the spouse of such a person in respect of the percentage of the

Assessment-Related Tax Increase listed in Column II opposite the Household Income of the Eligible person in Column I, where such Eligible person is not in receipt of the Guaranteed Income Supplement or the Spouse's Allowance under the *Old Age Security Act (Canada)*:

Column I (Household Income)	Column II (Amount of the Partial Deferral)
greater than \$20,000.00 but less than or equal to \$25,000.00	75% of the Assessment-Related Tax Increase
greater than \$25,000.00 but less than or equal to \$30,000.00	50% of the Assessment-Related Tax Increase
greater than \$30,000.00 but less than or equal to \$35,000.00	25% of the Assessment-Related Tax Increase

3. A person is eligible to receive a Deferred Assessment-Related Tax Increase if:
- (a) the person is an Eligible person;
  - (b) the Eligible person is required to pay all or part of a "1998 Assessment-Related Tax Increase" under By-law No. 472-1998;
  - (c) the Eligible person occupies the residential real property as his or her personal principal residence;
  - (d) the Eligible person has made an application for tax relief in accordance with the provisions of section 9;
  - (e) the application for tax deferral is in respect of only those residential realty taxes levied in the year in which the application is made;
  - (f) the person agrees to notify the City Treasurer of any change in circumstances which would alter their status as an Eligible person, or the amount of Deferred Assessment-Related Tax Increase to which they are entitled;
  - (g) the Eligible person is an Owner who has occupied the residential real property for a period of not less than one year immediately preceding the date of application for relief;
  - (h) in a situation where title to the residential real property is held jointly, each Owner must qualify as an Eligible person; and

- (i) payment for all taxes payable for the current year and all previous years has been made in full.

**4.** A Deferred Assessment-Related Tax Increase for the 1998 taxation year, calculated pursuant to section 2 hereof, in respect of which an application for tax relief has been made, shall be added to the Collector's Roll.

**5.** In each subsequent taxation year in which an application for tax relief has been made, the Deferred Assessment-Related Tax Increase for that year, calculated pursuant to section 2 hereof, shall be added to the Deferred Assessment-Related Tax Increases for any previous year or years' taxes to determine the total of the deferred taxes payable in respect of the residential real property.

**6.** Interest shall be charged on Deferred Assessment-Related Tax Increase at the rate of 0% per annum.

**7.** All Deferred Assessment-Related Tax Increases plus any accrued interest shall become immediately due and payable if:

- (1) the residential real property for which the tax relief has been granted is sold;
- (2) an Eligible person ceases to occupy the residential real property as his or her personal residence;
- (3) an Owner ceases to be an Eligible person.

**8.** In a taxation year an Eligible person is entitled to make application in respect of only one residential real property.

**9.** Applications for tax relief must be in writing on a form prepared by the City Treasurer for this purpose, and must be submitted to the City of Toronto on or before November 30, 1998 for a Deferred Assessment-Related Tax Increase in respect of the 1998 taxation year, and in respect of a subsequent taxation year on or before March 31 of the year for which the property tax relief is sought. An application must include documentation in support thereof in a form satisfactory to the City Treasurer, to establish that the applicant is an Eligible person, that the residential real property with respect to which the application is made is eligible for such tax relief, and to establish the amount of Deferred Assessment-Related Tax Increase to which the Eligible Person is entitled.

ENACTED AND PASSED this 31st day of July, A.D. 1998.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)