

Authority: Executive Committee Item 30.1, adopted as amended,
by City of Toronto Council on March 31, 2009
Enacted by Council: May 27, 2009

CITY OF TORONTO

BY-LAW No. 605-2009

To amend City of Toronto Municipal Code Chapter 849, Water and Sewage Services and Utility Bill.

WHEREAS City Council, at its meeting on March 31, 2009, adopted certain enhancements to its water rebate program for low-income seniors and low-income disabled persons commencing in 2009 and delegated discretion to accept late applications for the 2008 calendar year; and

WHEREAS it is necessary to amend Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code, to reflect the enhancements made by Council;

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

1. Section 849-14.1, Definitions, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code, is amended as follows:
 - A. By deleting the definition of “ELIGIBLE PERSON” in its entirety and substituting the following definition:

“ELIGIBLE PERSON — A low-income person, or the spouse, or widow of such a person, who has a household income of \$50,000 or less.”
 - B. By deleting the definition of “ELIGIBLE PROPERTY” in its entirety and substituting the following definition:

“ELIGIBLE PROPERTY — Real property classified as residential property on the assessment roll, or a portion of real property classified as residential property on the assessment roll which:

 - (1) Is occupied by the eligible person making the application for the water rebate as his or her principal residence; and,
 - (2)
 - (a) Is owned solely by one or more eligible persons for a period of not less than one year immediately preceding August 31 of the year in respect of which the application for the water rebate is made; or
 - (b) Is owned solely by the estate of a low-income person, by the widow, or by both.

- C. By deleting the definition of “LOW-INCOME DISABLED PERSON” in its entirety and substituting the following definition:

“LOW-INCOME DISABLED PERSON — A person who is in receipt of one or more of the following:

- A. A disability pension under the *Canada Pension Plan Act (Canada)*;
- B. Income support under the *Ontario Disability Support Program Act, 1997*;
- C. Benefits under the *Workplace Safety and Insurance Act, 1997*;
- D. Benefits for the interruption of earnings due to a prescribed illness, injury or quarantine under the *Employment Insurance Act (Canada)*; or
- E. Benefits under a contract of individual or group accident, sickness or disability insurance, or any other disability benefits arising from a contract of insurance, which contracts are consistent with the *Ontario Insurance Act* or any similar legislation governing contracts of insurance in another Canadian province.”

- D. By deleting the definition of “LOW-INCOME SENIOR” in its entirety and substituting the following definition:

“LOW-INCOME SENIOR — A person who is:

- A. (1) 65 years of age or older; or
 - (2) Between 60 and 64 years of age, and
 - (a) is in receipt of the Guaranteed Income Supplement Allowance under the *Old Age Security Act (Canada)*; or
 - (b) is a widowed person receiving the spouse’s allowance under the *Old Age Security Act (Canada)*; or
 - (3) 50 years of age or older, and:
 - (a) is in receipt of a pension from a pension plan registered under the *Income Tax Act (Canada)*; or
 - (b) is in receipt of a pension annuity resulting from a pension plan registered under the *Income Tax Act (Canada)*;

and, any reference in this definition to the age of a person is reference to the age of the person during any part of the year for which the application for the water rebate is made.”

- E. By adding, in alphabetical order, the following definition of “TREASURER”:
- “TREASURER — A person appointed to the management position of Treasurer in the City’s administrative organization and who has also been appointed as a deputy treasurer under section 138 of the *City of Toronto Act, 2006*.
- F. By deleting the definition of “OWNER” in its entirety.
- G. By adding, in alphabetical order, the following definition of “LOW-INCOME PERSON”:
- “LOW-INCOME PERSON — A low-income disabled person or a low-income senior.”
- H. By adding, in alphabetical order, the following definition of “SPOUSE”:
- “SPOUSE — has the same meaning as in section 29 of the *Family Law Act, R.S.O. Ontario, 1990*.”
- I. By adding, in alphabetical order, the following definition of “WIDOW”:
- “WIDOW — A surviving spouse of a deceased low-income person who is also a low-income person.”
2. Subsections 849-14.3F and G, Eligibility to receive a water rebate, are deleted in their entirety and, accordingly, the remaining subsections are renumbered § 849-14.3F to I.
3. Subsection 849-14.3B is amended by deleting the word “personal” in the second line.
4. Section 849-14.4, Applications for water rebate, is deleted in its entirety and substituted with the following:
- “For a calendar year, an application for the water rebate in respect of an eligible property may be made by one eligible person, which application:
- A. Must be in writing, on a form prepared by the Treasurer for this purpose.
- B. Must be received by the Treasurer as follows:
- (1) Subject to Subsections B(2) or B(3), as may be applicable, on or before August 31 of the year for which the water rebate is sought;
- (2) Despite Subsection B(1), the Treasurer may, in his or her discretion, accept a late application for the water rebate after August 31, but before December 31, of the year for which the water rebate is sought provided that the Treasurer has not previously, under this Subsection, Subsection B(3) or any other applicable provision, accepted any

application made in respect of the eligible property after the August 31 deadline in any previous calendar year;

(3) Despite Subsection B(1), in respect of the 2008 calendar year, the Treasurer may, in his or her discretion, accept an application for the water rebate on or before May 31, 2009 in which case the application shall be governed by the eligibility criteria and applicable provisions in effect in § 849-14.1 to 849-14.5, inclusive, as at December 31, 2008, subject to the following change:

(a) Despite any other provision in effect as at December 31, 2008, the surviving spouse of an eligible person who has a household income of \$40,000 or less, is deemed to be an eligible person and an owner of the eligible property for the 2008 calendar year.

C. Must include documentation in support thereof in a form satisfactory to the Treasurer, to establish that the applicant is an eligible person, that the eligible property with respect to which the application is made is eligible for such water rebate and to establish the amount of water rebate to which the eligible person is entitled.

5. This by-law is deemed to have come into effect on January 1, 2009.

ENACTED AND PASSED this 27th day of May, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)