

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NUMBER 2010-028

A by-law to grant assistance to eligible property owners
who are elderly residents or persons with disabilities
and to repeal By-law 92-100 and By-law 2009-71

WHEREAS subsection 365(1) of the *Municipal Act, 2001*, S.O., c. 25, as amended (hereinafter called "the Act"), authorizes a local municipality to pass a by-law to provide for the cancellation, reduction or refund of taxes for eligible property owners whose taxes are considered by the Council to be unduly burdensome, as defined in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon shall give notice to the Regional Municipality of Peel in accordance with subsection 365(2) of the Act, of the fact that it has passed a by-law in accordance with subsection 365(1) of the Act;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it desirable and in the public interest to enact such a by-law;

NOW THEREFORE the Council of The Corporation of the Town of Caledon
ENACTS AS FOLLOWS:

DEFINITIONS

"**owner**" means a person assessed as the owner of residential real property situate in the municipality of the Town of Caledon and includes an owner within the meaning of the *Condominium Act*;

"**personal residence**" means the residence ordinarily inhabited by the owner;

"**spouse**" means a person

- (1) to whom the person is married, or
- (2) with whom the person is living outside marriage in a conjugal relationship, if the two persons,
 - (i) have cohabited for at least five years,
 - (ii) are together the parents of a child, or
 - (iii) have together entered into a cohabitation agreement under section 53 of the *Family Law Act*;

"**Town**" means The Corporation of the Town of Caledon;

"**Treasurer**" means the Treasurer of The Corporation of the Town of Caledon;

"**unduly burdensome**" means either

- (1) such owner or the spouse of such owner or both who has or have attained the age of sixty-five (65) years; and such owner or the spouse of such owner or both is or are receiving a monthly guaranteed income supplement under Part II of the *Old Age Security Act (Canada)*; or
- (2) such owner is a person with a disability and in receipt of benefits under the *Ontario Disabilities Support Program Act (ODSPA)*.

ASSISTANCE

1. The Treasurer is hereby authorized and directed to allow owners of residential real property located in the Town of Caledon a tax reduction of Four Hundred Dollars (\$400.00) against the real property taxes imposed by the Town for such real property for property owners whose taxes are unduly burdensome provided that

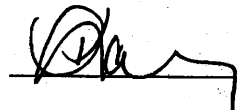
- (a) such owner or the spouse of such owner or both occupies or occupy the property in respect of which real property taxes are imposed as his, her or their personal residence;
 - (b) such owner or the spouse of such owner or both has or have been assessed as the owner of residential property in the Town for a period of not less than five years immediately preceding the date of application for the tax reduction;
 - (c) such owner has filed with the Treasurer an application form, with a declaration of qualification, by the 30th day of April in the year for which assistance is requested.
2. No tax reduction shall be allowed under paragraph 1 to an owner in respect of more residential property than one single family dwelling unit in any year.
 3. Tax reductions provided under this by-law shall not be pro-rated.
 4. Tax reductions provided under this by-law will not be transferable to estates of deceased owners.
 5. Should any section, clause or provision of this by-law be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the part which was declared to be invalid.
 6. By-law 92-100 and By-law 2009-71 are hereby repealed.
 7. This by-law becomes effective on January 1, 2010.

READ THREE TIMES AND FINALLY

PASSED IN OPEN COUNCIL

THIS 2nd DAY OF MARCH 2010.


Marilyn Morrison, Mayor


Karen Landry, Clerk

