

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

## BYLAW NO. 25-1814

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**Being a bylaw to repeal Bylaw No. 09-886 and provide for updated municipal property tax relief for low income seniors and persons with disabilities in the Municipality of Temagami.**

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### WHEREAS

1. Subsection 319(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes municipalities to cancel, reduce, or defer taxes for eligible residential properties; and
2. The Council of the Corporation of the Municipality of Temagami deems it expedient to align its tax relief program to address economic inequities;

### NOW THEREFORE

The Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

#### 1. Definitions

In this Bylaw, unless the context otherwise requires:

##### 1.1. Bank of Canada Prime Rate

The annual interest rate published by the Bank of Canada as its prime business rate on January 1 of the taxation year in which a tax deferral is granted. This rate remains fixed for the duration of the deferral.

##### 1.2. Base Year

The most recent full taxation year preceding the submission of an application under this Bylaw.

##### 1.3. Eligible Person

An applicant who meets one of the following criteria:

1.3.1. Low Income Senior means an individual who:

- a. Is 65 years of age or older;
- b. Receives the Guaranteed Income Supplement under the *Old Age Security Act*;
- c. Occupies the property as their primary residence for at least ten (10) months per taxation year; and
- d. Has a total gross household income not exceeding the thresholds set out in Schedule "A".

1.3.2. Low Income Person with Disabilities is an individual who:

1.3.2.1. Receives financial assistance under one of the following programs:

- a. Ontario Disability Support Program Act, 1997;
- b. Canada Pension Plan Disability Pension; or

1.3.2.2. Occupies the property as their primary residence; and

1.3.2.3. Meets the income thresholds in Schedule "A".

1.4. Owner(s)

1.4.1. A person or persons registered on title to a residential property under the Land Titles Act, R.S.O. 1990, c. L.5, as the legal owner(s).

1.4.2. For the purposes of this By-law, "Owner" also includes a spouse as defined in Section 1.6 of this by-law who holds a legal interest in the property.

1.5. Primary Residential Property

A property occupied by the applicant as their principal dwelling for at least ten (10) months per taxation year. Residency must be verified by one of the following:

1.5.1. Municipal tax bill;

1.5.2. Land title deed; or

1.5.3. Two (2) forms of residency documentation, such as utility bills, voter registration records, or government issued identification.

#### 1.6. Spouse

As defined according to Section 1(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, "Spouse" means a person:

1.6.1. to whom the person is married, or

1.6.2. with whom the person is living outside of marriage in a conjugal relationship, if the two persons:

1.6.2.1. have cohabited for at least one year,

1.6.2.2. are together the parents of a child, or

1.6.2.3. have together entered into a cohabitation agreement under section 53 of the *Family Law Act*; ("conjoint").

#### 1.7. Tax Increase

The difference between the total property tax payable for the current taxation year and the total property tax payable for the base year. Both amounts include municipal and education levies as determined under the *Assessment Act, R.S.O. 1990, c. A.31*, and any other applicable legislation.

## 2. Tax Relief Eligibility and Requirements

2.1. An applicant qualifies for tax relief under this By-law only if they meet the criteria as a Low-Income Senior (Section 1.3.1) or Low-Income Person with Disabilities (Section 1.3.2), and their gross household income does not exceed the thresholds set out in Schedule "A" of this By-law.

#### 2.2. Ownership and Residency Criteria

2.2.1. The applicant must be the registered owner(s) or a spouse(s) with a proven legal interest in the Primary Residential Property for at least one year prior to the application.

2.2.2. The property must not be used for commercial, rental, or investment purposes.

2.3. Gross household income must be verified using documentation as outlined in Schedule "B" of this By-law, including CRA T1 General forms, employer or pension statements, or ODSP.

2.4. Relief applies only if the tax increase exceeds \$30 in the base year.

2.5. All owner(s) must sign the application, acknowledging shared liability.

### **3. Tax Relief Program Structure**

#### **3.1. Relief Coverage**

3.1.1. The Municipality shall cover 100% of the tax increase exceeding \$30, up to a maximum of \$300 for each base year.

3.1.2. The Municipality shall allocate funds for this program from the general revenue fund, unless otherwise designated by Council resolution or through a special reserve fund established for tax relief programs.

3.2. Relief is applied to the property as a whole, regardless of the number of owners.

### **4. Implementation Procedure**

4.1. Tax relief under this Bylaw shall be granted as either a cancellation or deferral of the eligible amount. These options are mutually exclusive and may not be combined.

4.2. The applicant shall select either cancellation; or deferral as the tax relief method in the application.

#### **4.3. Cancellation Process**

4.3.1 Where an application under this by-law is approved, the amount of taxes cancelled shall be applied solely as a credit to the property tax account of the applicant

in respect of the subject property and the taxation year to which the cancellation relates. The credit shall be applied within thirty (30) days of the approval date.

4.3.2. Any amount cancelled pursuant to this section is strictly non-refundable. No payment shall be made to the applicant or to any other person by way of cash, cheque, electronic funds transfer, or any other form of disbursement.

4.3.3. Cancelled tax amounts shall not be transferred or assigned to any other individual, corporation, or entity, nor shall they be applied to any property other than the property to which the approved application pertains.

#### 4.4. Deferral Process

4.4.1. Deferred amounts shall accrue simple interest at the fixed Bank of Canada Prime Rate as defined in Section 1.1 of this Bylaw. The rate shall be determined on January 1 of the taxation year and remain fixed for the duration of the deferral period.

4.4.2. Deferred taxes plus interest become due upon:

4.4.2.1. Sale or transfer of the property;

4.4.2.2. Death of the owner(s)

4.4.2.3. Loss of eligibility.

#### 4.4.3. Estate Deferral Terms

4.4.3.1. The estate of the deceased taxpayer shall repay all deferred taxes, together with any accrued interest, within twenty-four (24) months of the date of death.

4.4.3.2. A beneficiary or legal representative of the estate may apply to continue the deferral within ninety (90) days of the date of death by submitting proof of eligibility in accordance with Section 1 of this By-law or by providing a new statutory declaration.

4.4.4. Deferred amounts pursuant to this section are strictly non-refundable. No payment shall be made to the applicant or to any other person by way of cash, cheque, electronic funds transfer, or any other form of disbursement.

4.4.5. Deferred tax amounts shall not be transferred or assigned to any other individual, corporation, or entity, nor shall they be applied to any property other than the property to which the approved application pertains.

## **5. Application Process**

### **5.1. Requirements**

5.1.1. Applications in the form prescribed in Schedule "B" of this By-law shall be submitted to the Treasurer on or before December 31 of the taxation year, or forty-five (45) days after the issuance of the final tax bill, whichever is later.

5.1.2. The application shall be considered complete and processed if it contains all required information and is accompanied by the supporting documents outlined in Schedule "B".

5.1.3. It is the applicant's sole responsibility to submit all required information and ensure the completeness of the application as outlined in Schedule "B".

### **5.2. Late Submission**

Applications may be accepted upon submission of documented evidence of extenuating circumstances, including:

5.2.1. Medical emergencies;

5.2.2. Natural disasters;

5.2.3. Administrative errors;

### **5.3. Incomplete Applications**

An incomplete application that fails to provide all required information within thirty (30) days of submission shall be deemed abandoned.

### **5.4. Notification**

Only for complete applications as described in Section 5.1.2 and submitted in accordance with Schedule "B", the applicant shall receive written notice of approval or denial within forty-five (45) days of the Municipality receiving the complete application.

## 5.5. Appeals

5.5.1. An applicant may appeal a denial of tax relief by submitting a written request to the Treasurer within thirty (30) days of the denial.

5.5.2. The Treasurer shall review the appeal and issue a written decision within forty-five (45) days of receipt.

## 6. Administration

### 6.1. Treasurer's Responsibilities

6.1.1. Administering the tax relief program in accordance with the fixed criteria set out in this Bylaw, including verifying applications and calculating relief amounts. The Treasurer shall not create or modify eligibility requirements or discretionary rules.

6.1.2. Allocating tax relief between municipal and education levies based on the tax ratio for the base year.

6.1.3. Adjusting remittances to school boards in accordance with Section 6.1.2 of this Bylaw.

### 6.2. Reassessment

If a property assessment is revised by the Municipal Property Assessment Corporation (MPAC) or the property is sold:

6.2.1. Deferred taxes become due immediately and are registered as a lien against the property;

6.2.2. If reassessment lowers taxes, the relief amount is recalculated proportionally.

## **7. False or Misleading Information**

7.1. Any applicant who knowingly provides false or misleading information in an application shall:

7.1.1. Forfeit all tax relief granted under this Bylaw;

7.1.2. Be required to repay any cancelled or deferred taxes, inclusive of accrued interest;

7.2. The Municipality shall register a lien against the property for all deferred taxes and interest owing under this section.

## **8. Privacy Compliance**

8.1. Personal information is collected under the authority of the Municipal Act, 2001 and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and shall be retained for a period of seven (7) years before being securely destroyed.

8.2. With the applicant's informed and written consent, personal information may be shared with the Canada Revenue Agency (CRA), Ontario Disability Support Program (ODSP), or other applicable agencies solely for the purpose of verifying eligibility for tax relief. All disclosures shall comply with MFIPPA and applicable privacy legislation.

## **9. Schedules**

This Bylaw includes:

9.1. Schedule "A" - Income Thresholds

9.2. Schedule "B" - Tax Relief Application Form

## **REPEAL OF PREVIOUS BYLAWS**

Bylaw No. 09-886 is hereby repealed in its entirety upon the passing of this bylaw.



## **REVIEW AND AMENDMENT**

The Municipality shall review the tax relief amounts every two (2) years to ensure alignment with economic conditions and municipal financial capacity.

## **CLERICAL AMENDMENTS**

The Clerk of the Municipality of Temagami is authorized to make minor corrections to this Bylaw after its passage. These corrections are limited to grammatical or typographical errors and must not alter the intent, substance, roles, responsibilities, or procedural requirements outlined in this Bylaw.

## **EFFECTIVE DATE**

This Bylaw comes into effect on the date of final passing.

## **FINAL PASSING**

Taken as read a first, second, and third time, and finally passed this 10th day of April, 2025.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_

## SCHEDULE "A" - INCOME THRESHOLDS

Household Size	Maximum Gross Income
1 person	\$35,000
2 persons	\$50,000
3+ persons	\$50,000 + \$5,000 per additional member

## **SCHEDULE "B" - PROPERTY TAX RELIEF APPLICATION**

### **For Low Income Seniors and Persons with Disabilities**

#### **INSTRUCTIONS**

1. Complete all sections of this form.
2. Attach required supporting documents (see Section 3).
3. Submit the application to the Municipal Treasurer by December 31 of the tax year or 45 days after the final tax bill, whichever is later.
4. All owners, spouses, and common-law partners must sign this application.
5. If the information required in the application is not provided completely or supporting documents are not attached, the application will be deemed incomplete and will not be processed.
6. Missing information not received within 45 days of submission will result in the application being considered abandoned.

#### **SECTION 1: APPLICANT INFORMATION**

Full Legal Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Property Address (for which relief is sought): \_\_\_\_\_

Assessment Roll Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email (optional): \_\_\_\_\_

## SECTION 2: ELIGIBILITY CATEGORY

Check one category below (refer to Section 3 for required documents):

- ☐ Low Income Senior (65+ years, receiving GIS)
- ☐ Low Income Person with Disabilities (receiving ODSP or CPPD)

## SECTION 3: REQUIRED DOCUMENTATION

Attach copies of the following documents based on your eligibility category in Section 2:

- Proof of Identity:

- ☐ Government issued photo ID (e.g., driver's license, passport)

- Proof of Eligibility:

- ☐ Most recent GIS statement (seniors)
- ☐ ODSP/CPPD (persons with disabilities)
- ☐ Ontario Works enrollment confirmation (Ontario Works recipients)

Proof of Income:

- ☐ CRA Notice of Assessment or T1 General Form (all applicants)

- Proof of Residency:

- ☐ Municipal property tax bill or land title deed
- ☐ Two (2) of the following:
  - Utility bill (hydro, water, gas) dated within the last 3 months
  - Voter registration record
  - Ontario driver's license/photo card showing property address
  - Bank statement or lease agreement (if applicable)

## SECTION 4: TAX RELIEF REQUEST

Select one relief type:

- ☐ Cancellation of Tax Increase (up to \$300 for the base year)
- ☐ Deferral of Tax Increase (up to \$300 annually, with interest accruing on deferred amounts)

## SECTION 5: COOWNER/SPOUSE DECLARATION

All owners, spouses, or common law partners must sign below. Attach additional sheets if needed.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Spouse/Common Law Partner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## SECTION 6: STATUTORY DECLARATION

I, \_\_\_\_\_ (Applicant's Name), solemnly declare that:

1. The information provided is true, complete, and accurate.
2. I meet all eligibility criteria under By-Law No. 25-1814.
- 3 I consent to the Municipality of Temagami collecting and sharing my personal information with the Canada Revenue Agency, Ontario Disability Support Program and other relevant agencies for the sole purpose of verifying my eligibility for tax relief under this by-law. I understand that this information will be collected, used, and disclosed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).
4. I understand that false information may result in forfeiture of tax relief, repayment of taxes/interest, and potential prosecution under the *Provincial Offences Act, R.S.O. 1990, c. P.33*.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ (Name/Title)

Must be a commissioner of oaths, notary, or authorized municipal officer.

## **SECTION 7: PRIVACY NOTICE AND DATA COLLECTION**

Authority: Municipal Act, 2001 (Section 319) and Ontario Home Property Tax Relief for Seniors Act, 2003.

Purpose: Determine eligibility for tax relief.

Retention: 7 years, then securely destroyed.

Disclosure: Shared with provincial/federal agencies for verification.

By signing, I authorize the Municipality to collect, use, and disclose my information as described.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **SECTION 8: MUNICIPAL USE ONLY**

Date Received: \_\_\_\_\_

☐ Approved ☐ Denied

Reason for Denial: \_\_\_\_\_

Relief Amount: \$ \_\_\_\_\_

Effective Date: \_\_\_\_\_

Processed By: \_\_\_\_\_ (Name/Title)

Treasurer's Signature: \_\_\_\_\_

## IMPORTANT NOTES

1. Applicant Responsibility: You are solely responsible for submitting a complete application.

2. Submission Options:

- In Person: Municipality of Temagami Office, 7 Lakeshore Dr, Temagami ON P0H2H0.
- Mail: Municipality of Temagami Office, P O Box 220, Temagami ON P0H2H0.
- Email: [CAO@temagami.ca](mailto:CAO@temagami.ca) (Digital Copy).