

CORPORATION OF THE COUNTY OF GREY

BY-LAW 3887-2001

**A By-Law to Establish a Tax
Rebate Program for the purposes of
Providing relief from taxes on Eligible Property
Occupied by Eligible Charities**

WHEREAS the Corporation of the County of Grey is required to have a tax rebate program for eligible charities for the purposes of giving relief from taxes on eligible property they occupy, pursuant to s.442.1 of the *Municipal Act*, R.S.O. 1990, c.M.45, as amended (hereinafter referred to as the "Act");

AND WHEREAS s.442.1 of the *Act* has been amended by the *Continued Protection for Property Taxpayers Act, 2000*, and regulations thereto;

AND WHEREAS the Council of the County of Grey deems it appropriate to enact this By-Law for the purpose of establishing a tax rebate program to be administered by its lower-tier municipalities;

NOW THEREFORE the Council of the Corporation of the County of Grey hereby enacts as follows:

1. In this By-Law:

"eligible charity" means a registered charity as defined in s.248(1) of the *Income Tax Act* (Canada) that has a registration number issued by the Canada Customs and Revenue Agency;

"eligible property" means property that is in one of the commercial property classes or in one of the industrial property classes within the meaning of s.363(20) of the *Act*;

"qualified application" means an application for a property tax rebate that demonstrates to the satisfaction of the lower-tier Treasurer the entitlement of the applicant charity or other similar organization to receive a property tax rebate in accordance with this By-Law.

2. An eligible charity that pays taxes on eligible property that it occupies may make application to the lower-tier municipality where the eligible property is located for a rebate of the property taxes or estimated property taxes in respect of the eligible property.
3. The application shall be in a form hereto set out in Schedule "A" attached to this by-law.
4. The application for a taxation year shall be made after January 1 of the taxation year and no later than the last day of February of the year following the taxation year.
5. A charity that is otherwise eligible for a rebate on eligible property under this By-Law is not entitled to any rebate if the eligible property has received a property tax reduction pursuant to s.442.2 of the *Act*.

6. Upon receipt of a qualified application for a taxation year the lower-tier municipality shall:
 - a) Pay one-half (1/2) of the rebate amount within sixty (60) days after receipt by the lower-tier municipality of the application;
 - b) Pay the balance of the rebate amount within one hundred twenty (120) days after receipt by the lower-tier municipality of the application.
7. The amount of the rebate shall be:
 - a) 40% of the taxes or estimated taxes payable by the eligible charity or other similar organization on the eligible property that it occupies; or,
 - b) such other percentage as may have been prescribed by the Minister of Finance; or,
 - c) if the eligible charity is required to pay an amount under s.444.1 or s.444.2 of the *Act*, the amount of the rebate shall be the total of the amounts the charity is required to pay under those sections;
8. Where the rebate amount has been determined based on the estimated property taxes of the eligible property the amount of the rebate shall be recalculated after the determination of the property taxes and the appropriate adjustments made between the estimated rebate paid by the lower-tier municipality and the rebate to which the eligible charity or other similar organization is entitled.
9. The lower-tier municipality may deduct an adjustment under s.8 of this By-Law from amounts payable in the next year for the next year's rebates in respect of an eligible property.

FINALLY PASSED this 2nd day of October, 2001.

WARDEN: Rod Knott

COUNTY CLERK: Sharon Vokes

The Corporation of the County of Grey

ELIGIBLE CHARITIES REBATE APPLICATION FORM

In accordance with County of Grey By-Law No. 3887-01, which is a By-Law to provide rebates to eligible charities, on an annual basis, an eligible charity which has a registration number issued by the Canada Customs and Revenue Agency under Section 248(1) of the Income Tax Act, must submit an application to the lower-tier municipality in which the eligible charity resides, after January 1 of the taxation year and no later than the last day of February of the year following the taxation year. The eligible charity's property(ies) must reside within the commercial and industrial property class.

Payments to eligible charities will be made in accordance with the County of Grey By-Law No. 3887-01.

Charities that move to another lower tier municipality (either within or outside the County of Grey) within a taxation year are required to repay a prorated amount of the rebate to the lower tier municipality that issued the rebate. Charities that move within a lower tier municipality within a taxation year may be required to repay portions of the rebate.

The undersigned agrees that they have read and understand the contents of this application and By-Law No. 3887-01 and agree to abide by the requirements of the By-Law. Proof of Canada Customs and Revenue Agency registration number under section 248(1) of the Income Tax Act is required.

Name of Charity:

Canada Customs and Revenue
Agency Registration No.

Assessment Roll Number:

Date

Signature of Eligible Charity