

# Corporation of the County of Grey

## By-Law 4938-16

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### A By-law to Adopt Municipal Options Related to Part IX of the *Municipal Act, 2001, "Limitations on Taxes for Certain Property Classes"*

WHEREAS The Corporation of the County of Grey (hereinafter referred to as "The Municipality") may, in accordance with Section 329.1 of the *Municipal Act, 2001, S.O. c25*, as amended (hereinafter referred to as "*The Act*") and Ontario Regulation 73/03, as made and amended under *The Act*, modify the provisions and limits set out in Part IX of *The Act*, with respect to the calculation of taxes for municipal and school purposes for properties in the Commercial property class;

AND WHEREAS The Municipality may, in accordance with the terms and provisions of Ontario Regulation 73/03 as made and amended under *The Act*, pass a by-law ending the application of Part IX of *The Act* for the Multi-Residential and Industrial property classes;

AND WHEREAS for the purpose of this by-law the Commercial classes shall be considered a single property class and the Industrial classes shall be deemed to be a single property class;

AND WHEREAS "uncapped taxers" means, the taxes for municipal and school purposes that shall be levied for the taxation year but for the application of Part IX of *The Act*;

AND WHEREAS "capped taxes" means, the taxes for municipal and school purposes that shall be levied for the taxation year as a result of the application of Part IX of *The Act*;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS TO PROVIDE FOR THE ADMINISTRATION AND APPLICATION OF PART IX OF *THE ACT*:

1. THAT having determined that the eligibility requirements set out under Section 8.2 of Ontario Regulation 73/03 have been met in respect of the Multi-Residential and Industrial property classes, The Municipality opts to end the application of Part IX of *The Act* for these classes for 2016 and subsequent taxation years;

2. AND THAT paragraphs 1, 2, 3 and 4 of Subsection 329.1 (1) of *The Act* shall apply to the Commercial property classes for 2016, whereby
  - 2.1 In determining the amount of taxes for municipal and school purposes for the year under Subsection 329 (1) and the amount of the tenant's cap under Subsection 332 (5), the amount to be added under paragraph 2 of Subsection 329 (1), and the increasing amount under paragraph 2 of Subsection 332 (5) shall be the greater of:
    - a) The amount of the uncapped taxes for the previous year multiplied by ten percent (10%); and
    - b) The amount of the capped taxes for the previous year multiplied by ten percent (10%).
  - 2.2 The amount of the taxes for municipal and school purposes for a property for a taxation year shall be the amount of the uncapped taxes for the property for that year if the amount of the uncapped taxes exceeds the amount of the taxes for municipal and school purposes for the property for the taxation year as determined under Section 329, as modified under Section 329.1 of *The Act* and this Section, by five hundred dollars (\$500.00) or less.
  - 2.3 The amount of the taxes for municipal and school purposes for a property for a taxation year shall be the amount of the uncapped taxes for the property for that year if the amount of the taxes for municipal and school purposes for the property for the taxation year as determined under Section 329, as modified under Section 329.1 of *The Act* and this by-law exceed the uncapped taxes, by two hundred and fifty dollars (\$250.00) or less.
3. AND THAT paragraphs 1, 2 and 3, of Subsection 8.0.2 (2) of Ontario Regulation 73/03 shall apply to the Commercial property class for 2016 whereby properties that meet any of the following conditions shall be exempt from the capping calculations set out under Part IX of *The Act* for the taxation year:
  - 3.1 The capped taxes for the property in the previous year were equal to its uncapped taxes for that year.
  - 3.2 The capped taxes for the property in the previous year were lower than the property's uncapped taxes for that year, and the current year's capped taxes would be higher than the current year's uncapped taxes if Part IX were applied.
  - 3.3 The capped taxes of the property in the previous year were higher than the property's uncapped taxes for that year, and the current year's capped taxes would be lower than the current year's uncapped taxes if Part IX were applied.

ENACTED AND PASSED this 7<sup>th</sup> day of June, 2016.

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WARDEN: Alan Barfoot

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CLERK: Sharon Vokes