



1980

c 359 Ontario Unconditional Grants Act

Ontario

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CHAPTER 359

Ontario Unconditional Grants Act

1.—(1) In this Act,

Interpre-
tation

(a) “area municipality” means an area municipality as defined in any Act establishing a metropolitan, regional or district municipality and in the *County of Oxford Act*; R.S.O. 1980,
c. 365

(b) “commercial assessment” means the total of,

(i) the assessment for real property that is used as a basis for computing business assessment including the assessment for real property that is rented and is occupied or used by the Crown in right of Canada, or any province or any board, commission, corporation, or other agency thereof, or by any municipal or regional corporation or local board thereof,

(ii) the business assessment, and

(iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipelines,

according to the last revised assessment roll;

(c) “density” means the total number of residential properties in an area municipality divided by the hectares in the area municipality correct to three places of decimals;

(d) “hectares in the area municipality” means the area in hectares of the municipality, excluding property held in trust for a band or body of Indians and land covered by water, as certified by the Assessment Commissioner or Assessor;

(e) “lower tier municipality” means a city, town, village, township or improvement district;

- (f) "merged area" means a merged area as defined in an Act establishing a regional municipality;
- (g) "Minister" means the Minister of Intergovernmental Affairs;
- (h) "net levy" means the net general dollar levy as prescribed;
- (i) "prescribed" means prescribed by the regulations under this Act;
- (j) "regional municipality" means a metropolitan, regional or district municipality as defined in the Act establishing such a municipality and includes the County of Oxford;
- (k) "residential property" means land separately assessed under paragraph 2 of subsection 13 (2) of the *Assessment Act* upon which there is a building used or intended to be used as a residence;
- (l) "upper tier municipality" means a county or regional municipality. 1975, c. 7, s. 1 (1); 1978, c. 87, s. 43 (1).

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c. 31

Population

(2) For the purposes of this Act, population shall be determined in the manner prescribed. 1975, c. 7, s. 1 (2).

Per capita
grants

2. In each year there shall be paid to each regional municipality a payment or payments in accordance with the population of the area municipalities within the regional municipality as follows:

1. \$10 per capita.
2. An amount per capita in accordance with Schedule 1 based on the density of each area municipality.
3. \$15 per capita where a regional municipality is deemed to be a city for the purposes of the *Police Act*.
4. \$10 per capita based on the population of each area municipality providing its own law enforcement by maintaining its own police force or being under contract for the policing of the municipality by the Ontario Provincial Police Force in accordance with the *Police Act*. 1977, c. 7, s. 1, *part*.

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c. 381

3. In each year, the regional municipality shall credit each area municipality with an amount calculated by multiplying the population of the area municipality by the sum of,

Credit to area municipalities

(a) \$10;

(b) the per capita amount in relation to the area municipality in accordance with Schedule 1 based on the density of the area municipality;

(c) \$15 where a regional municipality is deemed to be a city for the purposes of the *Police Act*; or

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(d) \$10 in relation to each area municipality to which paragraph 4 of section 2 applies. 1977, c. 7, s. 1, *part*.

4.—(1) For the purposes of this section, “municipality” means a city, town, village, township or improvement district but does not include an area municipality.

Interpretation

(2) In each year, payments shall be made to each municipality in accordance with the population of that municipality and Schedule 2 of this Act. 1975, c. 7, s. 5 (1, 2).

Payments to municipalities

(3) In each year, payments of \$10 per capita shall be made to each municipality providing its own law enforcement by maintaining its own police force, or being under contract for the policing of the municipality by the Ontario Provincial Police Force in accordance with the *Police Act*. 1977, c. 7, s. 2.

Idem

5.—(1) For the purposes of this section, “municipality” means a city, town, village, township, improvement district, county or regional municipality. 1975, c. 7, s. 6 (1).

Interpretation

(2) Where the Minister is of the opinion that property taxes in a municipality are unduly high or have been or may be unduly increased because of,

Minister may make grants or loans

(a) a substantial loss of revenue previously available to a municipality;

(b) a change in legislation;

(c) an unforeseen commitment imposed on a municipality;

(d) expenditures or anticipated expenditures related to an amalgamation or annexation or to a change in the responsibility for the provision of services; or

- (e) circumstances beyond the control of a municipal council and of an unusual or special nature,

the Minister may, by order, make a grant or a loan to the municipality under such terms and conditions as the Minister considers necessary in the circumstances. 1980, c. 75, s. 1.

Transitional
rates

6. Notwithstanding any provision in this or any other Act, where a lower tier municipality is affected by an annexation or amalgamation, the Minister may provide from time to time by order that, in the year or years and in the manner specified in the order, the council of the lower tier municipality shall levy, on the whole of the assessment for real property and business assessment according to the last revised assessment role in any area of the municipality specified in the order, rates of taxation for general purposes which are different from the rates which would have been levied for such purposes but for the provisions of this section. 1980, c. 75, s. 2.

Interpre-
tation

7.—(1) In this section,

- (a) “net county levy” means the amount required for county purposes including the sums required for any board, commission or other body, apportioned to each lower tier municipality by the county;
- (b) “net lower tier levy” means the amount required for lower tier purposes under section 164 of the *Municipal Act* including the sums required for any board, commission or other body excluding school purposes and sums included in the net regional levy or net county levy;
- (c) “net regional levy” means the amount required for general regional purposes including the sums required for any board, commission or other body but excluding school purposes apportioned to each area municipality and reduced by the amount credited to each area municipality under section 3;
- (d) “rateable property” includes business and other assessment made under the *Assessment Act*;
- (e) “residential and farm assessment” means the total assessment for real property according to the last revised assessment roll except the assessments for real property mentioned in subclauses 1 (1) (c) (i) and (iii);
- (f) “special lower tier levy” means an amount which is not included in the net lower tier levy, and

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excludes amounts required for school purposes and sums included in the net regional levy, net county levy and special regional levy;

- (g) "special regional levy" means an amount apportioned by a regional municipality to one or more area municipalities that is not included in the net regional levy and excludes amounts required for school purposes.

(2) Each lower tier municipality shall levy, in accordance with subsection (3), separate rates as applicable on commercial assessment and on residential and farm assessment in each year in respect of the, Levy

- (a) net regional levy;
- (b) net county levy;
- (c) net lower tier levy;
- (d) special regional levy; and
- (e) special lower tier levy.

(3) The rates to be levied in each year for each separate levy specified in subsection (2), Determination of rates

- (a) on residential and farm assessment shall be 85 per cent of the rates to be levied on commercial assessment; and
- (b) on commercial assessment shall be determined by multiplying the amount required for each such levy by 1,000 and dividing the product by 85 per cent of the sum of the residential and farm assessment plus the commercial assessment. 1975, c. 7, s. 7 (1-3).

(4) Notwithstanding subsection (2), except where there has been a different assessment generally of real property in an area municipality under section 63 of the *Assessment Act*, the net regional levy and the net lower tier levy charged against the whole rateable property of an area municipality shall be apportioned among the merged areas of such area municipality in the proportion that the total equalized assessment of each merged area bears to the total equalized assessment of the area municipality both according to the last revised assessment roll as equalized by the Ministry of Revenue. 1979, c. 10, s. 1 (1). Apportionment among merged areas
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c. 31

Levy by area municipality where different assessment generally under R.S.O. 1980, c. 31, s. 63

(5) Notwithstanding the provisions of any Act establishing a regional municipality, where there has been a different assessment generally of real property in an area municipality under section 63 of the *Assessment Act*, the rates levied by such area municipality shall be levied in accordance with subsection (2). 1979, c. 10, s. 1 (2).

Determination of rates

(6) The rates to be levied in each merged area shall be determined in accordance with subsection (3). 1975, c. 7, s. 7 (6).

Resource equalization grants

8.—(1) In each year there shall be paid a resource equalization grant in respect of each lower tier municipality whose equalized assessment per capita in the preceding year is below such standard equalized assessment per capita as may be prescribed, and the amount of the grant shall be based, in the manner prescribed, on the proportion that 60 per cent of such deficiency of equalized assessment per capita bears to the prescribed standard equalized assessment per capita as applied to the net levy of the lower tier municipality.

Payment of grants

(2) A grant payable under subsection (1) shall be paid to the lower tier municipality in respect of which it was determined and to the upper tier municipality within which that lower tier municipality is situate in the proportions prescribed, and the portion of the grant payable to the upper tier municipality in that year shall be deducted from the requisition or levy of that upper tier municipality upon that lower tier municipality in that year and the net amount shall be included in the levy of the lower tier municipality for purposes of section 158 of the *Municipal Act* and section 6 of this Act in that year. 1979, c. 111, s. 1.

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Equalized assessment of lower tier municipality deemed increased

9.—(1) For the purposes of any general or special Act, the equalized assessment of a lower tier municipality shall for apportionment purposes, other than for school purposes or for apportionment between merged areas, be increased by an amount that would have produced the amount of the resource equalization grant entitlement in the current year by the taxation of real property at the rate determined by dividing the total taxes levied for all purposes, other than school purposes, on commercial assessment in the preceding year, by the total equalized commercial assessment for the preceding year, times 1,000. 1975, c. 7, s. 10 (1); 1979, c. 111, s. 3 (1).

Exclusion of taxes added under

R.S.O. 1980, c. 31, s. 33

(2) In determining the taxes levied on commercial assessment under subsection (1), there shall be excluded the taxes added to the collector's roll under section 33 of the *Assessment Act* and the assessment on which such taxes are levied. 1975, c. 7, s. 10 (2).

General support grant

10. In each year there shall be paid a general support grant to each upper tier municipality and to each lower

tier municipality in an amount equal to 6 per cent, or such other percentage as may be prescribed, of the net levy of the municipality. 1975, c. 7, s. 15.

11. In each year there shall be paid a special support grant of 18 per cent, or such other percentage as may be prescribed, of the net levy of each upper tier municipality and each lower tier municipality, to each such municipality that is situate in the northern part of Ontario. 1977, c. 7, s. 11, *part.*

12. In each year there shall be paid to the Township of Chisholm, the Township of Airy, the Improvement District of Cameron and any lower tier municipality situated in the Territorial District of Parry Sound, a special support grant of 18 per cent, or such other percentage as may be prescribed, of the net levy of such municipality. 1977, c. 7, s. 11, *part.*

13. The moneys required for the purposes of this Act shall be paid out of the moneys appropriated therefor by the Legislature. 1975, c. 7, s. 18.

14.—(1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing anything that in this Act may be prescribed by regulation;
- (b) prescribing the conditions under which grants shall be made;
- (c) prescribing the method of calculating grants made under this Act and the conditions attached thereto;
- (d) prescribing the manner in which grants are to be made under this Act;
- (e) prescribing the manner in which population is to be determined for the purposes of this Act;
- (f) prescribing the forms and records to be used for the purposes of this Act or the regulations;
- (g) prescribing the area that is to comprise the northern part of Ontario;
- (h) providing for estimating the resource equalization grant payable in respect of a lower tier municipality and the portion thereof attributable to the upper tier municipality and providing for using such estimated amount in place of the actual amount pending the final determina-

tion of the actual amount. 1975, c. 7, s. 19 (1); 1979, c. 111, s. 5.

Regulations
may be
retroactive

(2) Regulations under subsection (1) may be made retroactive to a date not earlier than the 1st day of January, 1975. 1975, c. 7, s. 19 (2).

SCHEDULE 1

DENSITY	AMOUNT PER CAPITA
0.375 and under	\$5.00
Over 0.375 to and including 0.75	4.00
Over 0.75 to and including 1.125	3.00
Over 1.125 to and including 1.5	2.00
Over 1.5 to and including 1.875	1.00
Over 1.875	Nil

1978, c. 87, s. 43 (2).

SCHEDULE 2

POPULATION RANGE	RATE OF GRANT
0 - 5,000	\$7.00 × (Pop.)
5,001 - 10,000	\$ 35,000 + \$7.40 × (Pop. over 5,000)
10,001 - 15,000	\$ 72,000 + \$7.60 × (Pop. over 10,000)
15,001 - 20,000	\$ 110,000 + \$7.80 × (Pop. over 15,000)
20,001 - 25,000	\$ 149,000 + \$8.00 × (Pop. over 20,000)
25,001 - 50,000	\$ 189,000 + \$8.20 × (Pop. over 25,000)
50,001 - 75,000	\$ 394,000 + \$8.40 × (Pop. over 50,000)
75,001 - 100,000	\$ 604,000 + \$8.60 × (Pop. over 75,000)
100,001 - 200,000	\$ 819,000 + \$8.80 × (Pop. over 100,000)
200,001 or more	\$1,699,000 + \$9.00 × (Pop. over 200,000)

1977, c. 7, s. 12 (1).