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c 402 Provincial Parks Municipal Tax Assistance Act

Ontario

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CHAPTER 402
Provincial Parks Municipal Tax Assistance Act

1. In this Act,

(a) "municipality" means a city, town, village, township and improvement district;

(b) "Ministry" means the Ministry of Intergovernmental Affairs;

(c) "provincial park" means a provincial park, a park operated under the Niagara Parks Act, the St. Clair Parkway Commission Act, or the St. Lawrence Parks Commission Act, a wilderness area and a historical park or part thereof as determined under section 2. 1974, c. 110, s. 1.

2.—(1) Subject to section 7, the Minister of Natural Resources shall annually, on or before the 1st day of February, determine and advise the Ministry of

(a) the names of those municipalities in which there was located on the next preceding 1st day of January, one or more provincial parks or any part thereof;

(b) the number of hectares to the nearest whole hectare in each provincial park or part thereof so located within each such municipality. 1974, c. 110, s. 2 (1); 1978, c. 87, s. 44 (1).

(2) For the purposes of this Act, notwithstanding subsection 3 (5) of the Provincial Parks Act, any land set apart as a provincial park or added thereto shall be deemed not to be separated from the municipality of which it formed a part immediately before it became a provincial park or a part thereof.

(3) The determination of the Minister of Natural Resources under subsection (1) is final. 1974, c. 110, s (2, 3).

3.—(1) Subject to section 7, the Ministry shall annually, on or before the 1st day of February determine, in respect of each municipality whose jurisdiction includes any part of the Niagara Escarpment Planning Area within the meaning
of the Niagara Escarpment Planning and Development Act, or any part of the Parkway Belt Planning Area within the meaning of the Parkway Belt Planning and Development Act, the number of hectares to the nearest whole hectare of all land in such municipality situate within the planning areas and owned on the next preceding 1st day of January by Her Majesty in right of Ontario, excluding,

(a) "highways" within the meaning of the Municipal Tax Assistance Act;

(b) land that is included in a provincial park; and

(c) land upon which taxes or payments in lieu of taxes are payable to the municipality in the year in respect of such land under any other general or special Act. 1974, c. 110, s. 3 (1); 1978, c. 87, s. 44 (2).

(2) The determination of the Ministry under subsection (1) is final. 1974, c. 110, s. 3 (2).

4. The Ministry may pay in each year,

(a) to a municipality in which there are one or more provincial parks,

(i) $12.35 per hectare for each of the first forty hectares of each such park and $5 per hectare for each hectare in excess of forty hectares in each such park up to 4,000 hectares in each such park and $1.25 per hectare for each hectare in excess of 4,000 hectares in each such park, or

(ii) $100,

whichever is the greater; and

(b) to each municipality in respect of which a determination has been made under section 3,

(i) $12.35 per hectare for each of the first forty hectares of such land and $5 per hectare for each hectare in excess of forty hectares up to 4,000 hectares and $1.25 per hectare for each hectare in excess of 4,000 hectares, or

(ii) $100,

whichever is the greater. 1974, c. 110, s. 4; 1978, c. 87, s. 44 (3).
5.—(1) For the purposes of any general or special Act, the equalized assessment of a municipality that receives a payment under this Act shall be deemed for apportionment purposes, other than for school purposes or for county purposes or for apportionment between merged areas, to be increased by an amount that would have produced the amount of the payment received 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 and industrial assessment in the preceding year by the total equalized commercial and industrial assessment for the preceding year, multiplied by 1,000.

(2) In determining the taxes levied on commercial and industrial assessment under subsection (1), there shall be excluded taxes added to such assessment under section 33 of the Assessment Act, 1974, c. 110, s. 5.

6.—(1) Subject to subsection (2), the moneys required for the purposes of this Act are payable out of such moneys as may be appropriated therefor by the Legislature.

(2) In respect of a park owned and operated by a commission established under an Act mentioned in clause 1 (c), the moneys required for the purposes of this Act are payable out of the funds of the commission.