

THE CORPORATION OF THE TOWN OF PETROLIA

BY-LAW NUMBER 50 of 2021

Being a By-Law to provide for property tax rebates in respect of an eligible heritage property.

WHEREAS the Council of the Corporation of the Town of Petrolia is empowered by Section 365.2 of the Municipal Act, 2001, S.O.2001, c25, as amended, to pass a by-law establishing a program to provide heritage tax rebates. In respect of eligible heritage properties;

NOW THEREFORE the Council of the Corporation of the Town of Petrolia Enacts As Follows:

1. Definitions
 - a) **"built heritage resource"** means a building or structure of historic or architectural value that reveals some of the broad architectural, cultural, social, political, economic or military patterns of our local history or that has some association with specific events or people that have shaped the details of that history;
 - b) **"Town"** means The Corporation of the Town of Petrolia;
 - c) **"Council"** means the Council of The Corporation of the Town of Petrolia;
 - d) **"eligible heritage property"** means a property or portion of a property,
 - i. that is located within Town of Petrolia boundaries;
 - ii. that is designated under Part IV of the Ontario Heritage Act or is part of a heritage conservation district under Part V of the Ontario Heritage Act; and
 - iii. An agreement with the Town respecting the preservation and maintenance of a built heritage resource on the property.
 - e) **"heritage tax rebate"** means an amount of property tax that may be rebated in respect of an eligible heritage property. The amount of a heritage tax rebate, unless otherwise specified, shall be 25% of the taxes for municipal, county and school purposes levied on the property that are attributable to;
 - i. the building or structure or portion of the building or structure that is the eligible heritage property; and
 - ii. the land used in connection with the eligible heritage property, as determined by the Town.
 - f) **"municipal"** means the Town of Petrolia;
 - g) **"owner(s)"** includes a corporation and partnership and the heirs, executors, administrators and other legal representatives of a person to whom the context can apply according to law;;
 - h) **"person(s)"** includes a corporation and partnership and the heirs, executors, administrators and other legal representatives of a person to whom the context can apply according to law;
2. THAT the heritage tax rebate program set out in this by-law is always subject to the availability of funding for the program. This by-law may

be eliminated by Council through repeal of the by-law at any time with no notice whatsoever to affected persons; and

3. THAT this heritage tax rebate program is subject to any regulations that the Minister of Finance may make governing by-laws on tax rebates and reductions for heritage properties; and
4. THAT subject to the conditions set out in this by-law, one heritage tax rebate may be made annually for each maintenance agreement in respect of an eligible heritage property in the property tax class of residential/farm, industrial, commercial, or multi-residential as defined by the Assessment Act, R.S.O. 1990. 1990, c.A.31 and Ontario Regulation 282/98 thereunder, as amended.
 - a. Subject to the conditions set out in this by-law, one heritage tax rebate may be made annually;
 - b. To a maximum dollar value of \$15,000.00 for all eligible properties; and
5. THAT whereas preservation and maintenance agreements are registered on one parcel of land, multiple rebates will not be provided in respect of the same heritage features; and
6. THAT the portion of a property's total assessment that is attributable to the building or structure or portion of the building or structure that is eligible heritage property and the land used in connection with it may be determined by the Municipal Property Assessment Corporation at the request of the Town; and
7. THAT the owner of an eligible heritage property must make application between the first business day of September and not later than the 15th day of November the year before the rebate will be paid. Applications received outside of this time frame, whether earlier or later, will not be considered.
 - a. The Town's Heritage Advisory Committee will review the applications and provide its recommendations to the Town annually, by 15th day of December. Council approval will be sought in January in order for the rebate to be applied to the interim tax bills issued annually, in early February.
 - b. Where funding is insufficient to give a heritage tax rebate to each otherwise eligible applicant, applications will be considered in the order they are received. No priority will be given to applicants who have previously obtained a heritage tax rebate.
 - c. An application for a heritage tax rebate must be made for every year that an owner wishes a property to be considered for a heritage tax rebate.
 - d. Upon application, the owner must consent to the Town conducting an inspection to ensure that the relevant maintenance and preservation agreement is being complied with.
 - e. No heritage tax rebate will be given under this by-law where the Town determines that the maintenance and preservation

agreement is not complied with to the satisfaction of the Petrolia Heritage Advisory Committee.

- f. The Heritage Tax Rebate will be a credit applied to the following year's property tax.
8. THAT heritage tax rebates shall be calculated using the assessed value of the property for tax purposes; and
9. THAT if the owner of an eligible heritage property demolishes the eligible heritage property or breaches the terms of the preservation and maintenance agreement, the Town may require the owner to repay part or all of any heritage tax rebate(s) provided to the owner for one or more years under this by-law.
 - a. The Town may require the owner to pay interest on the amount of any repayment required under this section, at a rate not exceeding the lowest prime rate reported to the Bank of Canada by any of the banks listed in Schedule 1 of the Bank Act (Canada), calculated from the date or dates the heritage tax rebate(s) were provided.
 - b. Any amount repaid under this section will be shared by the Town, County and school boards that share in the revenue from taxes on the property, in the same proportion that they shared in the cost of the heritage tax rebate(s) on the property; and
10. THAT if a property to which application has been made is in any tax arrears, a heritage tax rebate will not be granted; and
11. THAT the Clerk of the Town is hereby directed to give notice, of this by-law to the Minister of Finance within 30 days of its passing; and
12. THAT the Treasurer of the Town is hereby directed to inform the County of Lambton and the applicable Boards of Education of the amount of taxes to be rebated in the form of a credit by the Town, under this By-Law; and
13. THAT the attached application "Schedule A" shall be deemed to form part of this By-Law; and
14. THAT This By-Law shall be deemed to have come into force and effect upon passing; retroactive to September 1, 2021; and
15. THAT all By-Laws and motions of Council found to be inconsistent with the Provisions found in this By-Law, including the previous 2003 by-law shall be and are Hereby Repealed

By-Law Read a First and Second Time this 13th day of September 2021

By-Law Read a Third Time and Finally Passed this 13th day of September 2021

R.Brad Loosley
Mayor

Mandi Pearson
Clerk/Operations Clerk

Schedule "A"
By-Law 50-2021



**TOWN OF PETROLIA HERITAGE DESIGNATED PROPERTY
PROPERTY TAX REBATE APPLICATION**

REFERENCE BY-LAW 50-2021

This application is to be submitted to the Town of Petrolia between **1 September to 15 November** of the year in which the owner is seeking a rebate. Applications received outside of this time frame ***will not*** be considered.

Completed application can be forwarded for consideration to:

Town of Petrolia Heritage Committee
411 Greenfield Street
Petrolia, ON N0N 1R0

or in person at 411 Greenfield Street or email clerksdepartment@petrolia.ca

The Heritage Rebate (if approved) is for 25% of the property taxes

PROPERTY ADDRESS: _____

NAME OF PROPERTY: _____

PROPERTY OWNER(S): _____

SIGNATURE OF PROPERTY OWNER(S): _____ DATE: _____

For Office Use Only:

Received at Town Hall on: _____ Received by: _____

Provided to Heritage Committee on: _____ Received by: _____

Note the Petrolia Heritage Committee is the authorizing body

Approved by Heritage Committee on: _____

Approved by: _____
(signature)

Returned to Town Hall for processing on: _____

Returned by: _____

REBATE AMOUNT OF \$ _____ PROCESSED ON: _____ BY: _____