

PROVINCE OF QUEBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER PC-2906

BY-LAW TO GRANT A SUBSIDY TO
SUPPORT SENIORS AGED 65 AND OVER.

In force on July 10th, 2019

AT THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE,
HELD AT CITY HALL, 451 SAINT-JEAN BOULEVARD, POINTE-CLAIRE, QUEBEC, ON
JULY 2nd, 2019 AT 7:30 P.M.

PRESENT: Councillors C. Homan, T. Stainforth, K. Thorstad-Cullen, P.
Bissonnette, C. Cousineau, B. Cown, E. Stork and D. Webb, chaired
by His Worship Mayor John Belvedere forming a quorum of council.

ABSENT: Councillor T. Stainforth.

AMONGST OTHER BUSINESS TRANSACTED AT SAID MEETING
WAS THE FOLLOWING:

BY-LAW NUMBER: PC-2906

RESOLUTION NUMBER: **2019-435**

MOVED BY COUNCILLOR COUSINEAU
SECONDED BY COUNCILLOR STORK
AND RESOLVED:

WHEREAS it is in the public interest to promote the autonomy of seniors aged 65 and over in the City and their capacity to remain in their homes;

WHEREAS the City wishes to act on its commitment to this part of the population, who are more likely to be physically, socially or economically disadvantaged;

WHEREAS granting a subsidy is an incentive that will promote autonomy, help people remain at home and, in general, support seniors aged 65 or older;

WHEREAS the City has the enabling powers required, under sections 85 and 90 to 92 of the *Municipal Powers Act*;

WHEREAS a notice of motion to adopt this by-law was given on June 11th, 2019;

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

IT IS HEREBY ENACTED AND ORDAINED by a by-law of the Council of the City of Pointe-Claire as follows:

SECTION 1 – PREAMBLE

The preamble is an integral part of this by-law.

SECTION 2 – APPLICATION

This by-law applies to the City's entire territory.

SECTION 3 – TERMINOLOGY

3.1 Spouse: Any person:

1. married to another person;
2. in a civil union with another person;
3. cohabiting and presenting publicly as a couple with another person for at least one year without interruption on May 1 of the year for which the subsidy application is being filed under this by-law;
4. cohabiting and presenting publicly as a couple with another person for less than one year but having become, with that person, the parent of a child before May 1 of the year for which the subsidy application is being filed under this by-law;

3.2 Applicant: Any person who applies for the subsidy;

3.3 Dwelling:

Room or set of rooms, for the private use of one or more tenants or owners, located in a duplex, a multi-family rental building, a building held in divided co-ownership, used as a private principal residence, and equipped with one or more private facilities to prepare and consume meals, one or more private sources of drinking water, complete and private sanitary facilities and identified by a civic number and, if applicable, a separate unit number, duly authorized by the City, and excluding a room, bachelor flat or intergenerational dwelling;

3.4 Intergenerational dwelling:

Set of rooms that is an integral part of a housing unit, exclusively destined to be occupied by persons related to the owner, tenant or occupant of the housing unit, in a directly ascending or descending line only, which, although possibly equipped with one or more private facilities for preparing and consuming meals, one or more private sources of drinking water and complete and private sanitary facilities, is not equipped with an independent electrical supply or that is not equipped with a separate exit to the outside or a separate civil number and, if applicable, a separate apartment number, duly authorized by the City;

3.5 Occupant:

Person who occupies a dwelling or intergenerational dwelling without being the owner or leaseholder;

3.6 Owner:

Person in whose name an assessment unit is registered in the current property assessment roll;

3.7 Housing unit:

Single-family dwelling, free-standing, semi-attached, contiguous or held in divided co-ownership, for the private use of one or more tenants or owners (including a house, condominium, cottage, mobile home), used as a private principal residence, and equipped with one or more private facilities to prepare and consume meals, one or more private sources of drinking water, complete and private sanitary facilities and identified by a civic number and, if applicable, a separate unit number, duly authorized by the City, and excluding a room, bachelor flat or intergenerational dwelling;

3.8 City:

The City of Pointe-Claire.

SECTION 4 – PURPOSE OF THE BY-LAW

The purpose of this by-law is to promote the autonomy, maintenance at home and, in general, the support of seniors 65 and over by granting a subsidy, in the form of a cash remittance payable to seniors 65 or over who reside in the City's territory as tenants,

owners or occupants of a dwelling or housing unit and who receive the guaranteed income supplement paid under the *Old Age Security Act* (RSC (1985), ch.O-9).

SECTION 5 – DESCRIPTION AND TERMS OF CALCULATION AND PAYMENT OF THE SUBSIDY

- 5.1 At the end of the period established to receive applications for the subsidy, as set out in paragraph 6.8, the City will determine the amount of the subsidy based on the funds allocated by the Municipal Council in the adoption of the annual budget, divided by the number of valid applications received, to a maximum of \$100 per dwelling, intergenerational dwelling or housing unit occupied by at least one person aged 65 or over who lives there as a tenant, occupant or owner, or as the spouse or related person of the tenant, occupant or owner, as applicable, and who receives the guaranteed income supplement under the *Old Age Security Act* (RSC (1985), ch.O-9).
- 5.2 When several people identified in Section 4 have their principal residence in the same room, dwelling or housing unit, a single cheque in the amount calculated under paragraph 5.1, if applicable, will be issued in payment of the subsidy, in the name of the first of these people who applies. For a joint application, the cheque may be issued in the names of a maximum of two applicants.
- 5.3 For an intergenerational dwelling, the people identified in Section 4 who make it their principal residence are deemed to reside in the same housing unit as the tenant or owner of the housing unit in which the bachelor flat or intergenerational dwelling, as the case may be, is located. In this case, the rule set out in paragraph 5.2 applies.
- 5.4 No subsidy may be granted retroactively.

SECTION 6 – ELIGIBILITY CONDITIONS

For an application to be accepted, the applicant must:

- 6.1 Complete the subsidy application form provided by the City and provide all the documents required by this by-law.
- 6.2 The applicant must be the tenant or owner of a dwelling in a housing unit or the tenant or occupant of an intergenerational dwelling located in the City's territory or the spouse of the tenant, occupant or owner, as the case may be, and use that dwelling, intergenerational dwelling or housing unit as a principal residence.
- 6.3 The applicant must be 65 years old or older and reside in the City's territory on May 1 of the year for which the subsidy application is being filed. To prove that they meet these eligibility conditions, the applicant must provide copies in duplicate of the documents mentioned in the subsidy application form, the first stating the name and date of birth of the applicant and the second bearing the name and address of the applicant on May 1 of the year for which the subsidy application is being filed.

The document showing the applicant's name and birth date is only required for the first subsidy application.

- 6.4 The applicant must append to the subsidy application form a copy of the T4A (OAS) slip provided by the Canada Revenue Agency or a confirmation of receipt of the guarantee income supplement issued by Human Resources Development Canada for the tax year preceding the year of application.
- 6.5 Where applicable, the owner of the dwelling or intergenerational dwelling where the applicant resides must attest that the applicant lived there on May 1 of the year for which the subsidy application is being filed.
- 6.6 The subsidy application form must be signed by the person who meets the eligibility conditions that justify receipt of the subsidy or by their proxy, duly authorized by a protection mandate or power of attorney.
- 6.7 The City reserves the right to require any other document that may be needed to verify that the eligibility conditions of the subsidy program have been met.
- 6.8 The subsidy application form (including all documents mentioned in the form) must be submitted to the City between May 1 and the last Friday of September of the current year, at the following address:

City of Pointe-Claire – Culture, Sports, Leisure and Community Development
94 Douglas-Shand Avenue
Pointe-Claire, Québec H9R 2A8

PC-2906-1, a. 1

SECTION 7 – TERMS OF PAYMENT

Subsidies under this by-law will be paid by the City's Treasurer, to the person identified on the subsidy application form, in the form of a cheque made out to that person and will be sent to that person's address.

SECTION 8 – MISCELLANEOUS PROVISION

If a person knowingly makes a false declaration, forges documents or uses any other fraudulent means to benefit from the subsidy under this by-law, the City may, subject to all other means of recourse at its disposal, forbid that person from applying for a subsidy under this by-law for a maximum period of three years.

SECTION 9 – EFFECTIVE DATE

This by-law comes into effect on July 10th, 2019, in accordance with the law.

John Belvedere, Mayor

Caroline Thibault, City Clerk