

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2024-035**

**By-law to authorize agreements for the use of land and to designate municipal property at 179 Victoria Street South as municipal capital facilities**

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**WHEREAS** subsection 110 (1) of The Municipal Act, 2001, c. 25, as amended, provides that the Council of a municipality may enter into agreements for the provision of municipal capital facilities with any person;

**AND WHEREAS** subsection 110 (6) of The Municipal Act, 2001, c. 25 provides that the Council of a municipality may pass by-laws exempting property, or a portion of it, from taxation for municipal and school purposes on which they are located;

**AND WHEREAS** subsection 2 (1), paragraph 14, of O. Reg. 603/06, as amended, prescribes community centres as eligible municipal capital facilities;

**AND WHEREAS** Section 5 (1) of O. Reg. 603/06, as amended, identifies that municipal capital facilities described in paragraph 14 are to be used primarily for local community activities;

**AND WHEREAS** pursuant to clause 68 (1)(a) and subsection 8(2) of O. Reg. 401/02, as amended, Council has passed a by-law adopting a statement of the Town's financing lease policies and goals that provides for a special category of leases which, in the opinion of both the Treasurer and Council, would not result in a material impact to the Town;

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. In this By-law.
  - a. "Agreements" means the lease and license agreements listed in Schedule "A";
  - b. "Town" means the Corporation of the Town of Amherstburg, in the County of Essex;
  - c. "Council" means the Council for the Town of Amherstburg;
  - d. "Property" means the property listed in Schedule "A";
2. The Corporation of the Town of Amherstburg is authorized to enter into agreements pursuant to section 110 of the Municipal Act, 2001, as amended, with the lessee for the provision of a community centre, as an eligible Municipal Capital Facility;
3. The Town is authorized to amend any of the Agreements for the purpose of compliance within the Municipal Act, 2001, or O. Reg. 603/06, as required;
4. The Property is exempt from all taxation for municipal and school purposes while this by-law is in force and so long as the Properties are used as municipal capital facilities;
5. The tax exemptions referred to herein are effective on the date of enactment by this By-law. New lessee agreements shall come into force on the date that the

Agreement is entered into between the Corporation of the Town of Amherstburg and the Lessee; and,

6. The Schedule "A", attached hereto, forms part of this by-law.

Read three times and finally passed this 13<sup>th</sup> day of May, 2024.

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MAYOR – MICHAEL PRUE

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CLERK – KEVIN FOX

**Schedule "A"**

Parties to Lease	Roll Number	Address/Legal Description
Fort Malden Golden Age Club	372915000000100	Malden Con 1 Pt Lot 2 Plan 1066 Pt Alley RP 12R27349, Parts 3 and 5