

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW 2012-86**

Being a by-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing located on land known municipally as 440 Simcoe Street

**WHEREAS** Section 110(1) of the *Municipal Act, 2001* provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person;

**AND WHEREAS** Section 110(6) of the *Municipal Act 2001*, 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 municipal capital facilities are located; and

**AND WHEREAS** paragraph 18 of section 2 of Ontario Regulation 603/06, as amended, prescribes municipal facilities for municipal housing project facilities as eligible municipal capital facilities;

**AND WHEREAS** at its meeting of January 14, 2008, Council authorized the execution of an agreement with the City of Windsor pursuant to the Canada-Ontario Affordable Housing Program to support the application by Great Lakes Properties (aka 1741059 Ontario Ltd.) (herein, the "Housing Provider") to develop 20 residential units for property located at 440 Simcoe Street, and more particularly described in Schedule "A";

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

1. Twenty residential units on the Premises known as 440 Simcoe Street, shall be assessed at a single residential tax rate for municipal purposes while this by-law is in force and so long as the Premises are used by the Housing Provider as a municipal capital facility, namely as affordable housing.
3. The tax exemptions referred to herein shall be effective from the date that the first unit of affordable housing on the Premises is occupied by a tenant selected in accordance with the Canada-Ontario Housing Program.
4. This by-law shall be repealed, by further act of this Council, in the event that the Premises ceases to be used as a municipal capital facility.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY ENACTED THIS 10<sup>TH</sup> DAY OF SEPTEMBER, 2012.**

  
DEPUTY MAYOR, RON SUTHERLAND

  
DEPUTY CLERK PAULA PARKER

**SCHEDULE "A"**

**DESCRIPTION OF PREMISES AND PROJECT**

PIN 70558-03487 LT

PART OF LOT 23, CONCESSION 2, ALSO KNOWN AS PART OF PARTK LOT 3, RANGE 1 BEING PART 1 OF RP 12R23956; AMHERSTBURG KNOWN MUNICIPALLY AS 440 SIMCOE STREET, CONTAINING 20 UNITS OF AFFORDABLE HOUSING.  
(ROLL NUMBER 3729-160-000-02100)