

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW 2012-87

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 448 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 September 11, 2006, 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 16 residential units for property located at 448 Simcoe Street, and more particularly described in Schedule "A";

AND WHEREAS the Council of the Town of Amherstburg, through the passing of By-law 2010-15, A by-law to authorize the signing of a development agreement, has approved the exemption of property taxes for a period of 5 years;

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

1. Sixteen residential units on the Premises known as 448 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.
2. The tax rate exemption 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.
3. That a full tax exemption referred to herein shall be effective for a 5 year period commencing January 1, 2012 and extending to December 31, 2016.
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 This by-law shall be repealed, by further act of this Council, in the event that the Premises ceases to be used as a municipal capital facility.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 10TH DAY OF SEPTEMBER, 2012.


DEPUTY MAYOR, RON SUTHERLAND


DEPUTY CLERK, PAULA PARKER

SCHEDULE "A"

DESCRIPTION OF PREMISES AND PROJECT

PIN: 70558-0347 LT

PART OF LOT 23, CONCESSION 2, ALSO KNOWN AS PART OF PARTK LOT 2, RANGE 1 BEING PART 2 OF RP 12R-23956; AMHERSTBURG KNOWN MUNICIPALLY AS 448 SIMCOE STREET, CONTAINING 16 UNITS OF AFFORDABLE HOUSING.
(ROLL NUMBER 3729-160-000-02000)