

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW 2022-102

Bylaw to authorize agreements for the use of land and to designate municipal properties for the provision of Town of Amherstburg municipal capital facilities.

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 paragraph 10 of section 2 of O.Reg 46/94 , as amended, prescribes municipal facilities related to the provision of social and health services, including homes under the Homes for the Aged and Rest Homes Act as eligible Municipal Capital Facilities;


AND WHEREAS paragraph 16 of section 2 of O.Reg 46/94 , as amended, prescribes municipal cultural, recreational or tourist facilities as eligible Municipal Capital Facilities;

AND WHEREAS pursuant to clause 68 (1)(a) and subsection 8(2) of O.Reg 401/02 , as amended, Council has passed a bylaw 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 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. "Properties" means those properties 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 social and health services, including homes under the Homes for the Aged and Rest Homes Act and for cultural, recreational or tourist facilities as eligible Municipal Capital Facilities
3. The Town is authorized to amend any of the Agreements for the purpose of compliance within the Municipal Act, 2001 or O.Reg. 46/94, as amended.
4. The Properties are 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.
6. The Schedule "A: attached hereto forms part of this by-law.

Enacted and passed this 25th day of October, 2022.



Mayor – Aldo DiCarlo



Clerk – Valerie Critchley

SCHEDULE "A"

Parties to Lease	Roll Number	Address / Legal Description
Amherstburg Community Services and the Corporation of the Town of Amherstburg	3729 210 000 00100	320 Richmond Street PLAN 1066 BLK A PT BLK B RP 12R27695 PART 2
Essex County Nurse Practitioner and the Corporation of the Town of Amherstburg	3729 210 000 00100	320 Richmond Street PLAN 1066 BLK A PT BLK B RP 12R27695 PART 2
Fighting Island Boxing Club and the Corporation of the Town of Amherstburg	3729 210 000 00100	320 Richmond Street PLAN 1066 BLK A PT BLK B RP 12R27695 PART 2
House Youth Centre and the Corporation of the Town of Amherstburg	3729 210 000 00100	320 Richmond Street PLAN 1066 BLK A PT BLK B RP 12R27695 PART 2
Verdi Club and the Corporation of the Town of Amherstburg	3729 210 000 00100	320 Richmond Street PLAN 1066 BLK A PT BLK B RP 12R27695 PART 2
E. Water Physiotherapy Professional Corporation and the Corporation of the Town of Amherstburg	3729 640 000 01000	3295 Meloche Road MALDEN CON 3 PT LOTS 27 AND 28 AND RP 12R16570 PT PART 4
LeBlanc Skate Shop and the Corporation of the Town of Amherstburg	3729 640 000 01000	3295 Meloche Road MALDEN CON 3 PT LOTS 27 AND 28 AND RP 12R16570 PT PART 4
M&M Concessions and the Corporation of the Town of Amherstburg	3729 640 000 01000	3295 Meloche Road MALDEN CON 3 PT LOTS 27 AND 28 AND RP 12R16570 PT PART 4