

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2007-269

A BY-LAW TO PROVIDE FOR MUNICIPAL CAPITAL FACILITIES
IN THE CITY OF KAWARTHA LAKES

Recitals

1. Subsection 110 (1) of the *Municipal Act, 2001, as amended*, provides that a municipality may enter into agreements for the provision of municipal capital facilities with any person.
2. Subsection 110 (6) of the *Municipal Act, 2001, as amended*, provides that the municipal council 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.
3. Paragraph 2 of section 2 of O. Reg. 603/06, as amended, prescribes facilities used for the general administration of the municipality as eligible Municipal Capital Facilities.
4. Paragraph 13 of section 2 of O. Reg. 603/06, as amended, prescribes parking facilities ancillary to facilities described in paragraphs 1 to 12 of section 2 as eligible Municipal Capital Facilities.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2007-269.

Article 1.00: Definitions and Interpretation

1.01 **Definitions** In this by-law,

- (a) “**Agreement**” means the lease agreement listed in Schedule “A”.
- (b) “**City**”, “**City of Kawartha Lakes**” or “**Kawartha Lakes**” means The Corporation of the City of Kawartha Lakes.
- (c) “**Council**” means the elected municipal council for the City.
- (d) “**Property**” means the property listed in Schedule “A”.

1.02 **Interpretation Rules:**

- (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- (b) References to items in the plural include the singular, as applicable.
- (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

Article 2.00: 12/16 Peel Street, Lindsay

- 2.01 **Lease Agreement Term:** The Corporation of the City of Kawartha Lakes entered into a five year lease agreement on August 1, 2007 for the Property located at 12/16 Peel Street and the property at the north east corner of William and York Streets in the Geographic Town of Lindsay.
- 2.02 **Municipal Capital Facility:** The facilities located at 12/16 Peel Street and the property at the north east corner of William and York Streets, Lindsay are considered to be a municipal capital facility under Section 110(1) of the *Municipal Act, 2001* as amended.
- 2.03 **Taxation Exemption:** Council exempts the Property located at 12/16 Peel Street and the property at the north east corner of William and York Streets, Lindsay from taxation for municipal and school purposes. (Assessment Roll Numbers 1651 010 002 06600 and 1651 010 002 18100)
- 2.04 **Notification:** The Manager of Revenue and Taxation shall notify all parties as outlined within the *Municipal Act, 2001* of this by-law.

Article 3.00: Effective Date

- 3.01 **Effective Date:** This By-law shall come into force on the 13th day of November, 2007.

By-law read a first, second and third time, and finally passed, this 13th day of November, 2007.

Mayor

Clerk