



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 21-2001

To exempt the Chinguacousy Wellness Centre from all taxes for municipal and school purposes

WHEREAS section 210.1(2) of the Municipal Act, R.S.O. 1990, c.M. 45, as amended, (the "Municipal Act") provides that the Council of The Corporation of the City of Brampton (the "City"), may enter into agreements for the provision of municipal capital facilities by any person;

AND WHEREAS section 210.1(7) of the Municipal Act provides that, despite any act, the Council of the City may exempt from taxation for municipal and school purposes, land or a portion of it on which municipal capital facilities are or will be located that is the subject of an agreement under section 210.1(2) of the Municipal Act, that is owned or leased by a person who has entered an agreement to provide facilities under section 210.1(2) of the Municipal Act, and that is entirely occupied and used or intended for use for a service or function that may be provided by the City;

AND WHEREAS sections 2(14) and 2(15) of Ontario Regulation 46/94, as amended (the "Regulation"), provide that municipal facilities used for municipal community centres, and ancillary parking facilities thereto, constitute two of the classes of municipal capital facilities for which a municipality may enter into an agreement under section 210.1(2) of the Municipal Act;

AND WHEREAS the definition of "municipal capital facility" in section 1 of the Regulation includes lands;

AND WHEREAS the City has entered into a ground lease (the "Ground Lease") dated September 1, 1997 with Chinguacousy Health Services Centre ("Chinguacousy") by which Chinguacousy leased the lands described in Schedule A hereto (the "Lands") to the City for a term of 99 years at a total rent of \$2.00;

AND WHEREAS the terms of the Ground Lease contemplated that the Ground Lease would be declared to provide a municipal capital facility within the meaning of section 210.1 of the Municipal Act.

AND WHEREAS the City has constructed a municipal community centre known as the Chinguacousy Wellness Centre, together with ancillary parking, (collectively the "Facility") on the Lands;

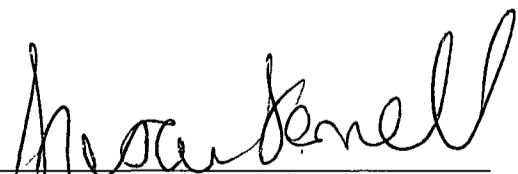
AND WHEREAS the City deems it appropriate to exempt the Lands and the Facility from taxation for municipal and school purposes;

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. The City hereby confirms that the Facility and the Lands are a municipal capital facility pursuant to section 2(14) and 2(15) of Ontario Regulation 46/94, as amended and that the Ground Lease is an agreement to provide a municipal capital facility pursuant to section 210.2(2) of the Municipal Act.
2. All elements of the Facility and the Lands are for the purposes of the City and are for public use. The Facility and the Lands are primarily used for local community activities.
3. Effective from the date this by-law is finally passed, the City exempts the lands and the Facility from taxation for municipal and school purposes other than with respect to rates and levies under sections 218 and 221 of the Municipal Act.
4. Upon passing of this by-law, the Clerk of the City shall give written notice of the passing of this by-law to the Minister of Education and Training pursuant to section 210.1(6) of the Municipal Act.
5. Upon passing of this by-law, the Clerk of the City shall give written notice of the passing of this by-law to (a) the Assessment Commissioner; (b) the Clerk of any other municipality that would, but for this by-law, have authority to levy rates on the assessment for the land and property exempted by this by-law; and (c) the secretary of any school board that would, but for this by-law, have the authority to require a municipality to levy rates on the assessment for the land exempted by this by-law.
6. This by-law shall remain in effect for as long as the Facility is located upon the Lands and is operated as a municipal community centre.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 29th day of January, 2001.

Approved as to
content and form.
01/01/22
WCA


SUSAN FENNELL MAYOR


LEONARD J. MIKULICH CLERK

SCHEDULE "A" TO BY-LAW 21-2001

LEGAL DESCRIPTION OF THE LANDS

Part of Lot 11, Concession 5 East of Hurontario Street,
former Township of Chinguacousy,
and Part of Block 159, Plan 43M-1222;
Parts 1, 2, 3, 4, 5, 8, 9 and 10 on
Plan 43R-22799; Brampton.