

Authority: Item 6, Planning & Economic  
Development Committee  
Report 04-014 (PD04196)  
CM: August 12, 2004

Bill No. 045

## **CITY OF HAMILTON**

### **By-law No. 05-045**

#### **To Authorize a Tax Exemption for space leased by the City of Hamilton for the purposes of Municipal Parking Lot # 80**

WHEREAS pursuant to section 110(6) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, the council of a municipality 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;

AND WHEREAS pursuant to section 110(17) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, municipal capital facilities related to municipal parking lots are eligible municipal capital facilities for the purposes of a tax exemption;

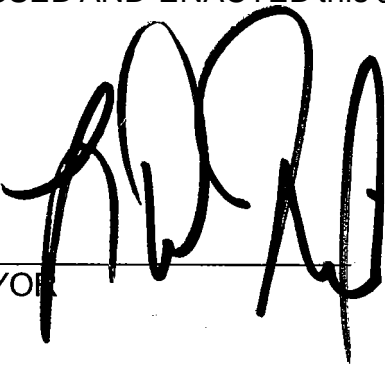
AND WHEREAS the City of Hamilton has entered into a lease agreement with Leggat Investments Limited and Oakland "6" Limited, for the properties known municipally as 191 King Street West and 22 & 30 Bay Street South, Hamilton, to lease space for the purposes of a municipal parking lot, known as Municipal Parking Lot # 80;

NOW THEREFORE, THE COUNCIL OF THE CITY OF HAMILTON (the "City")  
ENACTS AS FOLLOWS:

1. The municipal capital facility known as Municipal Parking Lot # 80 located at 191 King Street West and 22 & 30 Bay Street South, Hamilton, comprising approximately 6,306 square metres (67,882 square feet), shall be exempt from taxation for municipal and school purposes effective as of October 1, 2004, being the date of commencement of the lease agreement between the City and the landlord and continuing thereafter until such time as the lease agreement has been terminated, in accordance with the terms thereof.

2. The Clerk shall give written notice of the contents of this By-law, pursuant to section 110(5) of the Municipal Act, 2001, to the Minister of Education.
3. The Clerk shall give written notice of the contents of this By-law pursuant to section 110(8) of the Municipal Act, 2001, to the Assessment Corporation, the Secretary of the Hamilton-Wentworth District School Board, and the Secretary of the Hamilton-Wentworth Roman Catholic District School Board.
4. This By-law shall not be considered to be a tax exemption in respect of any rates under sections 311 or 312 on the Municipal Act, 2001, for sewer and water.
5. Pursuant to section 110(17) of the Municipal Act, 2001, the City Treasurer may allow for a refund of taxes that are no longer payable as a result of this by-law being passed.
6. This By-law shall come into effect on the date of passing.

PASSED AND ENACTED this 9<sup>th</sup> day of March, 2005.

  
MAYOR

  
CLERK