

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW 2020-53

By-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 182 Pickering Drive, in the Town of Amherstburg

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 exempt from all or part of the taxes levied for municipal and school purposes land or a portion of it on which municipal capital facilities are located;

And whereas Ontario Regulation 603/06, as amended, prescribes the classes of as eligible municipal capital facilities;

And whereas the owner of 182 Pickering Drive entered into an agreement with the City of Windsor for the provision of affordable housing at that location on Dec 12, 2016;

And whereas at its meeting of May 11, 2015 Council received, approved and authorized the signing of By-law 2015-35, to authorize an agreement with the City of Windsor as the Service Manager for the County of Essex, including the Town of Amherstburg, to provide for Municipal Housing in Amherstburg and to establish provisions for municipal housing facility agreements;

And whereas By-law 2015-35 provides that the Town of Amherstburg will provide financial assistance to the housing provider through a reduction in property taxes for the rental housing project by the setting the tax rate for the portions of the municipal housing facility which are affordable housing at the Single Family Residential Tax Rate, subject to compliance with the affordable housing agreement with the Service Manager;

Now therefore the Council of the Corporation of the Town of Amherstburg enacts as follows:

1. That a tax rebate shall be applied for the thirty-one (31) residential units under the affordable housing agreement on the property located at 182 Pickering Drive in the Town of Amherstburg, legally described as MALDEN CON 1 PT LOT 3 RP12R26450 PARTS 1 TO 3 (Assessment Roll Number 3729 090 000 07100.0000) (the "Premises") to adjust taxes to the single residential tax rate for municipal purposes so long as the Premises are used by the Housing Provider as a municipal capital facility, namely as affordable housing, in accordance with the agreement.
2. The tax adjustments referred to herein shall be effective from the date the first unit of affordable housing in this development is occupied by a tenant selected in accordance with the agreement, which occupancy date is March 1, 2019, and annually thereafter subject to submission of supporting documentation by the property owner to the satisfaction of the Town.
3. This By-law shall be deemed repealed if the Housing Provider or its successor in law ceases to use the premises for the purposes of affordable housing.

Read a first, second and third time and finally passed this 28th day of September 2020.



Mayor – Aldo DiCarlo



Clerk – Paula Parker