

A By-law to remove a Municipal Capital Facility designation for a specified property from taxation for municipal and school purposes and to repeal By-Law 0015-2023

WHEREAS section 110(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act*") provides that council of a municipality may enter into agreements for the provision of municipal capital facilities ("Municipal Capital Facilities") with any person;

AND WHEREAS section 110(6) of the *Municipal Act* provides that council of a municipality may enact by-laws exempting property or a portion of it from taxation for municipal and school purposes on which Municipal Capital Facilities are or will be located;

AND WHEREAS subsection 2(1) of O. Reg 603/06 prescribes classes of Municipal Capital Facilities which may be exempt from taxation under section 110(6) of the *Municipal Act*;

AND WHEREAS The Corporation of the City of Mississauga (the "City") entered into a commercial lease agreement dated September 15, 2022 ("Commercial Lease Agreement") with Lakeview Community Partners Limited ("LCPL"), as authorized by Bylaw 0015-2023, for the provision of a Municipal Capital Facility, to occupy an area of approximately 4,129 square metres (44,444.19 square feet) of lands located on a portion of the property legally described as Part 1 on Reference Plan 43R-40389, in the City of Mississauga, being part of PIN 13485-0776 (LT), (formerly known as PIN 13485-0771 (LT)) (the "Leased Lands"), to operate a municipal parks depot building, including driveway access, to support the maintenance and operation of the Lakefront Promenade Park and other City parks within the surrounding community;

AND WHEREAS on February 1, 2023, the Council of the City enacted By-law 0015-2023 to exempt the Leased Lands from taxation for municipal and school purposes;


AND WHEREAS the Commercial Lease Agreement was terminated and the City ceased occupation of the Leased Lands as of September 30, 2023;

AND WHEREAS the Council of the City has determined that it is appropriate to remove the Municipal Capital Facility designation and the Leased Lands revert back to being taxable for municipal and school purposes effective as of September 30, 2023;

NOW THEREFORE the Council of the City ENACTS as follows:

1. That a by-law be enacted to repeal By-law 0015-2023 so that the Leased Lands are no longer designated as a Municipal Capital Facility for the purposes of Section 110 of the *Municipal Act, 2001*, S.O. 2001, c. 25.
2. That the Clerk be directed to notify the Minister of Education, Municipal Property Assessment Corporation, the Regional Municipality of Peel and the secretary of any school board which includes the land exempted, of the enactment of this By-law;

ENACTED AND PASSED this _____ day of _____ 2024.

Approved by Legal Services City Solicitor City of Mississauga

Domenic Tudino
Date: January 24, 2024
File: PO.13.LAK-15

MAYOR

CLERK