

THE CORPORATION OF THE SEPARATED TOWN OF GANANOQUE

BY-LAW NO. 2014-058

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BEING A BY-LAW TO AUTHORIZE THE ENTERING INTO A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE THOUSAND ISLANDS FOUNDATION OF THE PERFORMING ARTS FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT 175 SOUTH STREET AND AT 690 CHARLES STREET SOUTH, GANANOQUE.

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WHEREAS subsection 110(1) of the Municipal Act, 2001, S.O. 2001, c. 25, provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting lands on which municipal capital facilities are located from property taxation for municipal and school purposes land;

AND WHEREAS paragraph 16 of subsection 2(1) of Ontario Regulation 603/06, as amended, prescribes municipal capital facilities for cultural, recreational or tourist purposes as eligible municipal capital facilities;

AND WHEREAS the Thousand Islands Playhouse (the "Playhouse") has been occupying the premises municipally known as 175 South Street, Gananoque, and more particularly described in Schedule "A1" attached hereto (the "Firehall Theatre Lands") owned by The Corporation of the Town of Gananoque (the "Town") since on or about the 01<sup>st</sup> day of July, 2004, as a cultural, recreational and tourist attraction;

AND WHEREAS the Playhouse has been occupying the premises municipally known as 690 Charles Street South, Gananoque, and more particularly described in Schedule "A2" attached hereto (the "Springer Theatre Lands") owned by the Town since on or about the 01<sup>st</sup> day of December, 1982, as a cultural, recreational and tourist attraction;

THEREFORE the Council of The Corporation of the Town of Gananoque enacts as follows:


1. The Town is authorized to enter into an agreement pursuant to section 110 of the Municipal Act, 2001, with the Playhouse for the provision of a municipal capital facility for a cultural, recreational and tourist attraction on the Firehall Theatre Lands and on the Springer Theatre Lands, in accordance with Ontario Regulation 603/06, as amended (the "Agreement").
2. The Town Clerk shall give the necessary notice of this by-law to the Minister of Education, as required pursuant to subsection 110(5) of the Municipal Act, 2001.
3. The Town Clerk shall give written notice of the contents of this by-law 2014-058 to the Municipal Property Assessment Corporation and the secretary of any school board, if the area of jurisdiction of any such board includes the land that is exempted by this by-law, pursuant to 110(8) of the Municipal Act, 2001.
4. This by-law shall be deemed repealed if:
  - (a) the Playhouse or any approved successor ceases to use the Lands for the purposes of a cultural, recreational or tourist purposes or as may be otherwise legislated or permitted for its intended purpose; or,

(b) if the Agreement is terminated for any reason.

5. This by-law shall come into force on the day that this by-law is enacted.

**READ THREE TIMES** and finally passed this 20<sup>th</sup> day of May, 2014.

  
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Mayor, Erika Demchuk

  
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Clerk, Bonnie Dingwall