

CORPORATION OF THE TOWN OF GANANOQUE

BY-LAW NO. 2014-097

BEING A TO AMEND THE TOWN OF GANANOQUE
COMMUNITY IMPROVEMENT PLAN

WHEREAS by Section 5 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Subsection 2 of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of every Council are to be exercised by Bylaw;

AND WHEREAS the Planning Act R.S.O. 2001, Part IV, section 28 authorizes a Council of a municipality pass a by-law adopting a Community Improvement Plan designating a whole or part of an area of the municipality as a Community Improvement area.

AND WHEREAS section 106 of the Municipal Act, R.S.O., 2001, S.O. 2001, c.25, prohibits municipalities from providing assistance to business that would favour a business over its competitors.

AND WHEREAS section 106 (3) of the Municipal Act, R.S.O., 2001, S.O. 2001, c.25, provides an exception to providing assistance to businesses for the purpose of providing a Community Improvement Plan adopted under the authority of the Planning Act or under section 365.1 of the Municipal Act.

AND WHEREAS section 365.1 of the Municipal Act, R.S.O., 2001, S.O. 2001, c.25 gives authority to a municipality to adopt a Community Improvement Plan which provides financial assistance to eligible property owners.

AND WHEREAS the Council of the Corporation of the Town of Gananoque has adopted By-law 2012-034 adopting a Community Improvement Area.

AND WHEREAS the Council of the Corporation of the Town of Gananoque has adopted By-law 2012-073 adopting a Community Improvement Plan.

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

1. That the Community Improvement Plan clause 5.7 h) be amended to read:

The Tax increment grant is provided to the property owner annually after all real property taxes have been paid. Once approval is given by Council, a by-law is passed and all applicable agreements are entered into, the Owner will receive an annual grant from the Municipality in accordance with the following formula, commencing the year the property is occupied after remediation and redevelopment. In year five, the Owner shall no longer receive tax increment grants.

- i. Year one, 100% of the value of the tax increment;
- ii. Year two, 75% of the value of the tax increment;
- iii. Year three, 50% of the value of the tax increment;
- iv. Year four, 25% of the value of the tax increment.

2. That the Community Improvement Plan clause 5.7 j) be amended to read:

The total of all grants provided under this program shall not exceed the total of eligible costs.

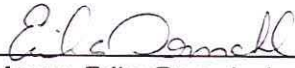
3. That the Community Improvement Plan clause 5.7 l) be amended to read:

The property tax increment grant will be paid to the owner of eligible property. The owner of eligible property may assign the


entitlement to receive the grant to any person. The Town will only pay grants to eligible property owners, unless the eligible property owner has provided the Town with a written assignment and direction to pay the grant to another person. The Town shall not be responsible for payments made in accordance with the Plan and/or any written assignment provided by the owner.

4. That the aforementioned amendments take effect immediately.

READ THREE TIMES and finally passed this 2nd day of September, 2014.



Mayor, Erika Demchuk



Clerk, Bonnie Dingwall