

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2006-230**

**BEING A BY-LAW TO PROVIDE  
FOR MUNICIPAL CAPITAL FACILITIES**

**WHEREAS** The Corporation of the City of North Bay, pursuant to Section 110 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, may enter into agreements for the provision of municipal capital facilities by any person;

**AND WHEREAS** Ontario Regulation 189/01 was filed May 31, 2001, to amend Ontario Regulation 46/94 to add "municipal capital facilities" to the class of municipal capital facilities for which municipal councils may enter into agreements pursuant to Section 110 of the *Municipal Act 2001, S.O. 2001, c.25, as amended*;

**AND WHEREAS** the City of North Bay has a need to provide Senior Citizen leisure services, programming and facilities for the community;

**AND WHEREAS** the North Bay Golden Age Club Inc. has existing leisure services, programs and facilities at the North Bay Golden Age Centre located at 135 Worthington Street West in the City of North Bay;

**AND WHEREAS** the City has passed By-Law No. 75-74 designating the premises leased by the North Bay Golden Age Club Inc., more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West, in the City of North Bay as an Elderly Persons Centre pursuant to Section 3 of the *Elderly Persons Centres Act*;

**AND WHEREAS** Council is of the opinion that making use of Section 110 of the *Municipal Act 2001, S.O. 2001, c.25, as amended*, is a desirable means of recognizing the North Bay Golden Age Club Inc.'s role in community service, including contributing to the cultural, recreational, social and physical development of the community;

**AND WHEREAS** Council authorized the designation of the space leased by the North Bay Golden Age Club Inc., more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West in the City of North Bay as a Municipal Capital Facility by Resolution No. 2005-503 passed on July 11, 2005;

**AND WHEREAS** a Service Agreement was entered into between the Corporation of the City of North Bay and the North Bay Golden Age Club Inc. on October 26, 2006, declaring the space leased by the North Bay Golden Age Club Inc. more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West in the City of North Bay to be a Municipal Capital Facility effective January 1, 2005;

**AND WHEREAS** Section 110(6) (c) of *The Municipal Act 2001, S.O. 2001, c.25* provides Council with the authority to exempt from taxation for municipal and school board purposes land or a portion of it on which municipal capital facilities are or will be located that is entirely occupied and used or intended for use for a service or function that may be provided by a municipality;

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:**


1. That the premises leased by the North Bay Golden Age Club Inc., more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West in the City of North Bay is hereby designated a "Municipal Capital Facility";

2. That the space leased by the North Bay Golden Age Club Inc. more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West in the City of North Bay be exempt from taxation for municipal and school board purposes effective January 1, 2005;
3. That pursuant to Section 110 (8) of *Municipal Act 2001, S.O. 2001, c.25. as amended*, the Clerk of the municipality shall give written notice to the assessment corporation and the secretary of any school board if the area of jurisdiction of the board includes the land exempted by the by-law.
4. That this by-law may be cited as the Municipal Capital Facilities By-Law for the premises leased by the North Bay Golden Age Club Inc., more particularly described as 10,524 square feet of the ground floor space at 135 Worthington Street West in the City of North Bay.

READ A FIRST TIME IN OPEN COUNCIL THIS 11<sup>TH</sup> DAY OF DECEMBER, 2006.

READ A SECOND TIME IN OPEN COUNCIL THIS 11<sup>TH</sup> DAY OF DECEMBER, 2006.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 11<sup>TH</sup> DAY OF DECEMBER, 2006.

  
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MAYOR VIC FEDELI

  
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CITY CLERK CATHERINE CONRAD