1997

c Pr7 Young Women's Christian Association of Niagara Falls Act, 1997

Ontario
CHAPTER Pr7

An Act respecting
Young Women’s Christian Association of
Niagara Falls

Assented to July 21, 1997

Preamble

The Young Women’s Christian Association of Niagara Falls has applied for special legislation to authorize the cancellation of taxes for municipal and school purposes in respect of certain land it owns in the City of Niagara Falls. The applicant represents that it was incorporated by letters patent dated August 5, 1920 and that it is a registered charitable organization within the meaning of the Income Tax Act (Canada). The applicant also represents that it has a freehold interest in land and premises known municipally as 6135 Culp Street in the City of Niagara Falls.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

"Corporation" means The Corporation of the City of Niagara Falls;

"YWCA of Niagara Falls" means the Young Women’s Christian Association of Niagara Falls.

2. (1) The council of the Corporation may pass by-laws cancelling the taxes payable for municipal purposes, other than local improvement rates, on the land, as defined in the Assessment Act, described in the Schedule and owned by the YWCA of Niagara Falls if,

(a) the land is owned, occupied and used solely for the purposes of the YWCA of Niagara Falls; and

(b) the YWCA of Niagara Falls is a registered charity within the meaning of the Income Tax Act (Canada).

3. (1) A school board entitled to share in the assessment for school purposes of the land described in the Schedule may by resolution direct the Corporation to cancel the taxes payable on the land for the purposes of the board.

(2) A school board that passes a resolution under subsection (1) shall forward a copy of it to the Corporation and to any other school board entitled to share in the assessment.

(3) When the Corporation receives a resolution passed under this section from a school board, it shall by by-law cancel the taxes directed to be cancelled by the resolution.

(4) A by-law passed under subsection (3) remains in effect so long as the resolution passed under subsection (1) remains in effect.

(5) The clerk of the Corporation shall forward a copy of a by-law passed under subsection (3) to the Minister of Education and Training and shall notify the Minister if the by-law ceases to be in effect.

4. (1) The Corporation of The Regional Municipality of Niagara may by resolution direct the Corporation to cancel the taxes payable on the land described in the Schedule for regional purposes.

(2) The Corporation of The Regional Municipality of Niagara shall forward a copy of a resolution passed under subsection (1) to the Corporation.

(3) When the Corporation receives a resolution passed under this section from The Regional Municipality of Niagara, it shall by by-law cancel the taxes directed to be cancelled by the resolution.

(4) A by-law passed under subsection (3) remains in effect so long as all resolutions passed under subsection (1) remain in effect.

5. A by-law passed under this Act ceases to have effect if either of the conditions set out in clause 2 (1) (a) or (b) is not met.

6. (1) The clerk of the Corporation shall forward a copy of any by-law passed under this Act to the assessment commissioner and shall notify the assessment commissioner if the by-law ceases to be in effect.

(2) The treasurer of the Corporation shall strike from the collector’s roll each year that portion of the taxes that is no longer due and payable by reason of a by-law passed under this Act.
7. (1) Section 421 of the Municipal Act applies with necessary modifications to taxes cancelled under subsections 3 (3) and 4 (3).

(2) The clerk of the Corporation shall notify the Minister of Education and Training of the amount of taxes charged back to a school board under subsection (1).

8. A by-law passed under this Act may be retroactive to January 1, 1996.

9. No by-law shall be passed under this Act in respect of land used for a commercial purpose even if that commercial purpose has a cultural or recreational aspect to it.

10. This Act comes into force on the day it receives Royal Assent.

11. The short title of this Act is the Young Women’s Christian Association of Niagara Falls Act, 1997.

SCHEDULE

The land situate in the City of Niagara Falls in the Regional Municipality of Niagara and being composed of part of Lot 13, formerly under Plan 653 of the Village of Niagara, now under Plan 998 of the City of Niagara Falls and known municipally as 6135 Gulp Street, Niagara Falls, Ontario, L2G 2B6.