1975

c 98 The City of Hamilton Act, 1975 (No. 2)

Ontario

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CHAPTER 98

An Act respecting the City of Hamilton

Assented to May 16th, 1975

WHEREAS The Corporation of the City of Hamilton, herein called the Corporation, hereby represents that the Hamilton Harbour Commissioners, herein called the Commissioners, as owners of lands on which is situate Lakeland Beach Swimming Pool, granted a licence of occupation dated the 1st day of February, 1961 to John Sebo, as owner and operator of the pool, which licence extended from 1961 until 1990; that the licence of occupation provided, inter alia, that the licensee shall pay a fee of $4,000 per year from 1961 to 1964, $5,000 per year from 1965 to 1974 and $6,000 per year from 1975 to 1989, and further provided that the Commissioners would apply to the Corporation, at the request of the licensee, for annual grants sufficient to pay any realty and business taxes; that applications for grants were made by the Commissioners and the grants applied for were paid by the Corporation to the Commissioners for each of the years 1961 to 1967 inclusive; that the licensee paid all realty and business taxes for each of the years 1961 to 1967 inclusive; that the Corporation acquired title to the lands from the Commissioners by deed dated the 27th day of September, 1968 and thereupon became the licensor in the licence of occupation in place of the Commissioners; that the Corporation made grants to the licensee for the years 1968 and 1969 and for the period January 1st, 1970 to May 11th, 1970 of amounts equivalent to the realty and business taxes by charging the grants account of the Corporation for each year; that, with the consent of the Corporation, the original licensee, John Sebo, assigned the licence of occupation to Santa Barbara Investments Limited, hereinafter called the Company, under date of June 16th, 1970; that the Corporation has, under the licence of occupation, the right to exercise an option, if the company is in default under the Agreement, to purchase the swimming pool at the price of $115,000, less 56 per cent in 1975 or less 58.93 per cent during the period from 1976 to 1988 or less 58.98 per cent in 1989; that the Company is in arrears of realty taxes and business taxes since May, 1970; and that in order to permit the pool to continue to operate it is desirable to cancel the arrears of business and realty
taxes and to forgive annually during the term of the licence of occupation the accruing business and realty taxes; and whereas the Corporation hereby applies for special legislation in respect of such matters; and whereas it is expedient 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. The council of the Corporation may pass by-laws authorizing the Corporation to cancel,

   (a) arrears of business and realty taxes from 1970; and

   (b) business and real property taxes in each year as they become due and payable to and including 1989,

in respect of Lakeland Beach Swimming Pool.

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

3. This Act may be cited as *The City of Hamilton Act, 1975 (No. 2)*.