



The Corporation of the Town of Pelham

By-law No. 72-2024

Being a by-law to authorize the Mayor and Clerk to enter into a Municipal Capital Facility Agreement and to exempt the lands described in the said agreement from taxation for municipal and school purposes.

WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*") provides that the powers of a municipality under statute shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its statutory authority;

AND WHEREAS section 110 of the *Municipal Act, 2001* provides that a municipality may enter into agreements for the provision of municipal capital facilities and may exempt the lands on which such facilities are located from taxes levied for municipal and school purposes;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to enter into such an agreement with Wellspring Niagara Cancer Support Foundation in relation to its use of lands municipally known as 50 Wellspring Way and to exempt the said lands from taxes levied for municipal and school purposes;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. That the lands municipally known as 50 Wellspring Way in the Town of Pelham ("the Lands") are hereby declared to constitute a municipal capital facility used for the provision of social and health services;
2. That the Lease and Municipal Capital Facility Agreement between the Corporation of the Town of Pelham and Wellspring Niagara Cancer Support Foundation ("the Agreement"), attached hereto and made part of this By-law, is hereby approved;
3. That the Agreement is hereby declared to be a municipal capital facility agreement for the purposes of section 110 of the *Municipal Act, 2001*;
4. That during the term of the Agreement, the Lands shall be exempt from taxes levied for municipal and school purposes;
5. That the Mayor and Clerk are hereby authorized and directed to execute the Agreement, and any other documents necessary to implement the intent of this By-law, and to affix the corporate seal thereto; and
6. That this By-law shall come into force on the date that it is passed.

Read, enacted, signed and sealed this 6th day of November 2024.

Marvin Junkin, Mayor

Sarah Leach, Acting Town Clerk