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Bill Pr87

An Act respecting the Korean Canadian Cultural Association of Metropolitan Toronto

Mr. Brown
(Scarborough West)

Private Bill

1st Reading August 21, 1997
2nd Reading
3rd Reading
Royal Assent

*(Reprinted as amended by the Regulations and Private Bills Committee and
as reported to the Legislative Assembly October 8, 1997)*

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EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

An Act respecting the Korean Canadian Cultural Association of Metropolitan Toronto

Preamble	<p>The Korean Canadian Cultural Association of Metropolitan Toronto has applied for special legislation to authorize the cancellation of taxes for municipal and school purposes in respect of two parcels of land. The applicant represents that it was incorporated by letters patent on August 10, 1976 under the laws of Ontario and that it is a registered charity within the meaning of the <i>Income Tax Act</i> (Canada). The applicant also represents that it has a freehold interest in the land described first in the Schedule to this Act and a leasehold interest in the land described second in the Schedule to this Act. Both parcels of land are known municipally as 1133 Leslie Street in the City of North York.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>3. (1) Despite Parts VIII and XVII of the <i>Municipality of Metropolitan Toronto Act</i>, if a tax cancellation by-law is in effect under section 2 before January 1, 1998, Metro may by resolution direct the City to cancel the taxes payable on the land for metropolitan purposes.</p> <p>(2) Metro shall forward to the City a copy of a resolution passed under subsection (1).</p> <p>(3) When the City receives the copy of the resolution, it shall by by-law cancel the taxes that the resolution directs it to cancel.</p> <p>4. (1) Despite Parts VIII and XVII of the <i>Municipality of Metropolitan Toronto Act</i>, if a tax cancellation by-law is in effect under section 2, a school board entitled to share in the assessment for school purposes of the land may by resolution direct the City to cancel the taxes payable on the land for the purposes of the board.</p> <p>(2) The school board that passes a resolution under subsection (1) shall forward a copy of it to the City and to all other school boards entitled to share in the assessment.</p> <p>(3) When the City receives the copy of the resolution, it shall by by-law cancel the taxes that the resolution directs it to cancel.</p> <p>(4) The clerk of the City shall forward to the Minister of Education and Training a copy of a by-law passed under subsection (3) and shall notify the Minister if the by-law ceases to be in effect.</p> <p>5. (1) The clerk of the City shall forward to the assessment commissioner a copy of all by-laws passed by the City under this Act and shall notify the assessment commissioner if the by-laws cease to be in effect.</p> <p>(2) The treasurer of the City 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 by the City under this Act.</p> <p>6. (1) Section 421 of the <i>Municipal Act</i> applies with necessary modifications to taxes cancelled under sections 3 and 4.</p> <p>(2) The clerk of the City shall notify the Minister of Education and Training of the amount of taxes charged back to a <u>school board</u> under subsection (1).</p>	<p>Metro resolution</p> <p>Notice</p> <p>Metropolitan tax cancellation</p> <p>School board resolution</p> <p>Notice</p> <p>School tax cancellation</p> <p>Notice to Minister</p> <p>Notice to assessment commissioner</p> <p>Collector's roll</p> <p>Chargeback</p> <p>Notification</p>
Definition	<p>1. In this Act,</p> <p>“City” means The Corporation of the City of North York or, after January 1, 1998, its successor;</p> <p>“land” means the land, as defined in the <i>Assessment Act</i>, that is described in the Schedule;</p> <p>“Metro” means The Corporation of the Municipality of Metropolitan Toronto.</p>		
Tax cancellation	<p>2. (1) Despite Parts VIII and XVII of the <i>Municipality of Metropolitan Toronto Act</i>, the City may pass by-laws cancelling the taxes payable for municipal and school purposes, other than local improvement rates, on the land so long as,</p> <p>(a) the land is occupied by the Korean Canadian Cultural Association of Metropolitan Toronto and used solely for the purposes of the Association; and</p> <p>(b) the Korean Canadian Cultural Association of Metropolitan Toronto is a registered charity within the meaning of the <i>Income Tax Act</i> (Canada).</p>		
Conditions	<p>(2) A tax cancellation mentioned in subsection (1) may be subject to the conditions set out in the by-law.</p>		

Duration of by-law **7.** (1) A by-law passed under subsection 3 (3) remains in effect so long as the resolution passed under subsection 3 (1) remains in effect.

Same, school board (2) A by-law passed under subsection 4 (3) remains in effect so long as the resolution passed under subsection 4 (1) remains in effect.

By-law ceases to have effect (3) A by-law passed under this Act ceases to have effect if any of the conditions set out in clauses 2 (1) (a) and (b) ceases to be met.

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

Repeal **9. The *Korean Canadian Cultural Association Act, 1993* is repealed.**

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

11. The short title of this Act is the *Korean Canadian Cultural Association of Metropolitan Toronto Act, 1997.* Short title

SCHEDULE

1. The parcel of land being part of Lot 3, Concession 3, East of Yonge Street, in the City of North York, Municipality of Metropolitan Toronto, more particularly described as the first parcel in Instrument Number T.B. 980771 registered in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).
2. The parcel of land being part of Lot 3, Concession 3, East of Yonge Street, in the City of North York, Municipality of Metropolitan Toronto, designated as Part 5 on Plan 64R-10039 deposited in the Land Registry Office for the Registry Division of Metropolitan Toronto (No. 64).