CITY OF HAMILTON

MOTION

Committee Date: September 17, 2008

MOVED BY COUNCILLOR .................................................................

SECONDED BY COUNCILLOR ...........................................................

Whereas the Federal Government does not pay Property Taxes on any real property owned in Canada but do pay Payments in Lieu of Taxes (PILT);
And whereas the Federal Government purchased real property at 55 Bay St N (the Federal Building) from their landlord on June 30, 2008;
And whereas section 14 of the Federal PILT Act states “that no payment shall be made under this Act in respect of that property for any part of the taxation year during which it was acquired”;

And whereas there are $1,267,462.97 in commercial taxes owing as of September 30, 2008 that is no longer payable by the original owner and not payable under section 14 of the PILT act;

And whereas section 7(a) of the Federal Real Property Regulations reads “A Minister may in an acquisition, agree to pay, in addition to the purchase price of and other consideration for the real property, such amounts as the Minister may approve in respect of legal fees and disbursements of the real property owner that are reasonably incurred, and any taxes and other adjustments”.

Now be it resolved that the City of Hamilton formally request that the Minister of Public Works and Government Services Canada authorize the Federal Government to pay the remaining 2008 property taxes on 55 Bay Street South under section 7(a) of the Federal Real Property Regulations in the amount of $1,267,462.97.