



Hamilton

Corporate Real
Estate

Memorandum

Date: October 9, 2024

To: Mayor and Members
City Council

From: Raymond Kessler, Chief Corporate Real Estate Officer
Planning and Economic Development Department

Subject: **Municipal Capital Facility John C. Munro International Airport
(PED24061) (City Wide)**

As a follow-up to October 2, 2024, General Issues Committee in respect of the above noted subject.

For greater clarity by the passing of the requisite Municipal Capital Facility By-law, TradePort International Corporation (TradePort) will not be receiving any additional municipal tax benefit beyond what is currently in place and as has been detailed in the completed new Lease Agreement approved by Council May 22, 2024, in approving GIC Report 24-009 approving Airport Subcommittee Report 24-001 approving confidential Report PED19084(j). For additional clarity, all Occupants (meaning each subtenant, licensee, concessionaire, franchisee or any other third party who holds any part of the Airport Lands under any Occupant Agreement) will be required to pay any and all taxes that may be assessed and billed in respect to their business being carried on at the airport, which was outlined in the Financial Implications section of Report PED24061.

The Occupant Agreements (defined in the new Lease Agreement as meaning a sublease, licence, concession, franchise or any other agreement between TradePort and a third party whereby TradePort grants a right to such third party to occupy and use a part of the Airport Lands) are required to contain covenants, obligations and agreements by a respective Occupant on such terms which shall not bonus (as defined in the *Municipal Act, 2001*) and provides that a respective Occupant shall pay all municipal taxes and fees as will be separately assessed and billed, by the City as a regulatory Authority, relating to an Occupant Agreement and an Occupant's use, occupancy and business carried on at John C. Munro International Airport.

To best depict the Legal Descriptions that are attached as Appendix "A" to Report PED24061 and Appendix "B" to Report PED24061, the below plan, including all the Property Identification Numbers (PINs) listed in these legal descriptions has been included with the MCF By-law to be passed.

The plan outlines the Airport Lands being consistent with existing, that are contiguous with and associated with the airport, its operations and expansion.

