

Authority: Notice of Motion J(12) moved by Councillor Duguid, seconded by Councillor Ootes,
as adopted by City of Toronto Council on September 28 and 29, 1999

Enacted by Council: September 29, 1999

CITY OF TORONTO

BY-LAW No. 649-1999

To authorize the issue of an instalment debenture in the amount of \$600,000.00 for the purpose of City of Toronto.

WHEREAS City of Toronto Act, 1997 (No. 2) (the "Act") provides that City of Toronto may borrow money and issue debentures for its purposes in accordance with the provisions of the Act and Part X of the Municipal Act; and

WHEREAS the Municipal Act provides that a municipality may borrow money or incur a debt for municipal purposes and may issue debentures for the money borrowed or for the debt, subject to the limitation in that or any other Act, without the approval of the Ontario Municipal Board ("the OMB") under section 65 of the Ontario Municipal Board Act if the municipality does not thereby exceed its updated debt and financial obligation limit; and

WHEREAS effective January 1, 1999 City of Toronto received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit and the Treasurer of City of Toronto updated such limit in accordance with the applicable regulation prior to the authorization of the purpose described in Column 1 of Schedule "A" which was authorized after January 1, 1999. Such Treasurer determined that the estimated annual amount payable in respect of such purpose did not cause City of Toronto to exceed its updated limit with the result that the Council of City of Toronto, in accordance with the applicable legislation, authorized such purpose, without the approval of the OMB under section 65 of the Ontario Municipal Board Act; and

WHEREAS City of Toronto has complied with all of the provisions of the aforesaid Acts relating to the borrowing of money for the purpose described in Column 1 of Schedule "A", and the issue of a debenture to provide the amount set out in Column 2 of Schedule "A"; and

WHEREAS it is deemed necessary to issue a debenture on the credit of City of Toronto in the principal amount of \$600,000.00 in order to provide the amount set out in Column 2 of Schedule "A" after providing for the discount, if any, and expenses incidental to the negotiation and sale of the debenture, such debenture to be payable within the term of years set out in Column 3 of Schedule "A" which term of years does not exceed the lifetime of the purpose described in Column 1 of Schedule "A"; and

WHEREAS it is expedient that the said debenture bears interest at the rate set out in section 3 payable annually in arrears with the principal amount of such debenture payable in annual instalments during the period of years set out in Column 3 of Schedule "A";

The Council of City of Toronto HEREBY ENACTS as follows:

1. The borrowing of the said sum of \$600,000.00.00 for the purpose described in Column 1 of Schedule "A" and the issue of an instalment debenture therefor on the credit of City of Toronto to be repaid in annual instalments during the period of years set out in Column 3 of Schedule "A" are hereby authorized.

2. The Mayor and the Treasurer of City of Toronto are hereby authorized to cause an instalment debenture to be made for such sum of money as may be required for the purpose aforesaid not exceeding in the whole the said sum of \$600,000.00.00. The said debenture shall be sealed and signed in accordance with the provisions of the Municipal Act. The said debenture shall be issued in the name of Canada Mortgage and Housing Corporation with provision for payment of principal and interest by cheque at the office of the Treasurer of City of Toronto.

3. The said debenture shall be dated the 1st day of October, 1999 and shall be issued within two years after the date on which this By-law is passed and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The said debenture shall be payable in eight equal annual instalments of principal on the 1st day of October in each of the years 2000 to 2007, both inclusive, and shall bear interest payable annually on the 1st day of October in each year of the currency of the said debenture. The principal payable under the said debenture in each of the years 2000 to 2007, both inclusive, shall bear interest at the rate of 7.5 per cent per annum.

The respective amounts of principal and interest payable in each year in such period shall be as follows:

11 ORDNANCE STREET

YEAR	TOTAL	INTEREST	PRINCIPAL
October 1st	\$	\$	\$
2000	120,000.00	45,000.00	75,000.00
2001	114,375.00	39,375.00	75,000.00
2002	108,750.00	33,750.00	75,000.00
2003	103,125.00	28,125.00	75,000.00
2004	97,500.00	22,500.00	75,000.00
2005	91,875.00	16,875.00	75,000.00
2006	86,250.00	11,250.00	75,000.00
2007	80,625.00	5,625.00	75,000.00
TOTAL:	802,500.00	202,500.00	600,000.00

4. The said debenture shall bear interest at the rate aforesaid from the date thereof, which interest shall be payable annually in arrears on October 1 in each year commencing October 1, 2000. Interest shall be payable to the 1st day of October in each of the years 2000 to 2007, both inclusive, on the outstanding principal balance and shall be payable on default both before and after default and judgment. Any amounts payable by City of Toronto on overdue principal in respect of the said debenture shall be paid out of current revenues.

5. There shall be raised in each year during the said eight year period from the date of the said debenture the yearly sum of interest or of principal and interest set out in the last column of the table at the end of Section 3 hereof, and in each such year, for the purpose set out in Column 1 of Schedule "A", the said yearly sum shall be levied and raised by a special rate sufficient therefor, on all the rateable property in City of Toronto to the extent that the sums have not been provided for by special rates imposed on persons or property made specially liable for them by a by-law of the Council of City of Toronto.

6. (1) The said Mayor and Treasurer are hereby authorized to complete the sale of the said debenture in accordance with an agreement dated the 23rd day of July, 1999, with Canada Mortgage and Housing Corporation. The Mayor and the Treasurer are hereby authorized to complete the sale of the said debenture in accordance with the terms of the agreement and generally to do all things and execute all documents and other papers in the name of City of Toronto in order to complete the sale of the debenture contemplated by the said agreement and this By-law and the seal of City of Toronto shall be affixed to all such documents and papers, including the agreement.

(2) The proceeds of the sale or hypothecation of the said debenture, after providing for the discount, if any, and the expenses of the negotiation and sale thereof, shall be applied for the purpose described in Column 1 of Schedule "A" and for no other purpose except as permitted by the Municipal Act.

7. The debenture to be issued hereunder may contain or have endorsed upon it a provision to the following effect: "This debenture, or any interest therein, shall not, after a certificate of ownership has been endorsed thereon by the Treasurer of City of Toronto (or by such other person authorized by By-law of City of Toronto to endorse such certificate of ownership), be transferable except by entry by the Treasurer (or by such other person so authorized), in the Debenture Registry of City of Toronto at the City of Toronto".

ENACTED AND PASSED this 29th day of September, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

SCHEDULE "A" TO BY-LAW NO. 649-1999

1	2	3
Purpose	Amount \$	Term Repayment Years
Community and Neighbourhood Services		
Renovation of property at 11 Ordnance Street	\$600,000.00	8