

Authority: Notice of Motion J(6), moved by Councillor Ootes, seconded by Councillor Shiner, as adopted by City of Toronto Council on December 4, 5 and 6, 2001

Enacted by Council: December 6, 2001

## **CITY OF TORONTO**

### **BY-LAW No. 1093-2001**

#### **To levy and collect taxes for 2001 on railway roadways and rights of way owned by the Greater Toronto Transit Authority.**

WHEREAS paragraph 1 of subsection 368.3(1) of the *Municipal Act* provides that every local municipality shall impose taxes, in accordance with the regulations on the roadway or right of way of a railway company, other than the structures, substructure and superstructures, rails, ties, poles and other property on the roadway or right of way, not including land leased by the railway company to another person for rent or other valuable consideration; and

WHEREAS paragraph 1 of subsection 257.7(1) of the *Education Act* provides that every municipality shall in each year levy and collect the tax rates prescribed for school purposes on the business property in the municipality; and

WHEREAS section 257.5 of the *Education Act* defines "business property" to include the railway and power utility properties described in paragraphs 1 and 2 of subsection 368.3(1) of the *Municipal Act*; and

WHEREAS Ontario Regulation No. 387/98, as amended, prescribes the 2001 tax rates for municipal purposes for such railway properties, and Ontario Regulation No. 392/98, as amended, prescribes the 2001 tax rates for school purposes for such railway properties, and the tax rates levied for municipal and school purposes by section 1 hereof are in accordance with the tax rates so prescribed; and

WHEREAS at its meeting of November 6, 7, and 8, 2001, City Council enacted By-law No. 923-2001 being a by-law to levy and collect taxes for 2001 on certain railway company and power utility lands, and By-law No. 923-2001 did not levy taxes for the rights of way formerly owned by the Toronto Terminal Railway Company Limited; and

WHEREAS the railway rights of way formerly owned by the Toronto Terminal Railway Company Limited were purchased by the Greater Toronto Transit Authority in 2000;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. There shall be levied and collected as taxes for 2001 in the City of Toronto on all roadways or rights of way of the Greater Toronto Transit Authority, other than the structures, substructures and superstructures, rails, ties, poles and other property on the roadway or right of way, but not including land leased by the railway company to another person for rent or other valuable consideration, the rate of 611.33 per acre for municipal purposes and the rate of 822.69 per acre for school purposes, which taxes shall be due and payable on or before the 10th day of January, 2001.

2. Sections 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21 and 22 respectively of By-law No. 324-2001 apply to the taxes levied by section 1 hereof.

ENACTED AND PASSED this 6th day of December, A.D. 2001.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)