

Authority: Administration Committee Report 2, Clause 18,
as adopted by City of Toronto Council on April 25, 26 and 27, 2006
Enacted by Council: April 27, 2006

CITY OF TORONTO

BY-LAW No. 278-2006

To authorize the entering into of an agreement for the provision of a municipal capital facility by the owner of 1229 Ellesmere Road.

WHEREAS Section 110(1) of the *Municipal Act, 2001* provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting from property taxation for municipal and school purposes land, or a portion of it, on which municipal capital facilities are located; and

WHEREAS paragraph 10 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities related to the provision of social and health services as eligible municipal capital facilities; and

WHEREAS the City of Toronto (the "City") has entered into a lease with Lafontaine Lodge Limited (the "Owner") dated October 7, 2005, for the use of the premises particularly described in Schedule "A" hereto (the "Premises") as a shelter for the homeless; and

WHEREAS Council is desirous of entering into an agreement with the Owner for the provision of municipal facilities for a shelter for the homeless at the Premises;

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

1. The City of Toronto is authorized to enter into an agreement under section 110 of the *Municipal Act, 2001* with the Owner for the provision of municipal facilities for a shelter for the homeless at the Premises, in accordance with O.Reg. 46/94 (the "Agreement").
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
 - (a) If the Owner ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
 - (b) If the City or its successor in law ceases to use the Premises for purposes of a shelter for the homeless;
 - (c) When the Lease, or any renewal or extension of the Lease, expires;
 - (d) If the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - (e) If the Agreement is terminated for any reason whatsoever.

- 4.** (1) Sections 1, 3 and 4 of this by-law shall come into force on the day that the by-law is enacted.
- (2) Section 2 of this by-law shall come into force on the day that the Agreement is entered into by the City and the Owner.

ENACTED AND PASSED this 27th day of April, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"**DESCRIPTION OF PREMISES**

1229 Ellesmere Road

PIN 06300- 0121 (LT)

All of Block B, PL 5645 Scarborough, City of Toronto as in Instrument No. CB853214 registered in the land Titles Division of the Toronto Registry Office (No. 66).

Assessment Roll No.: 1901-05-1-270-02500