

Authority: Community Services Committee Report 7, Clause 20,
as adopted by City of Toronto Council on September 22, 23, 24 and 25, 2003
Enacted by Council: June 14, 2006

CITY OF TORONTO

BY-LAW No. 489-2006

To repeal By-law No. 61-2006 being a by-law “To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as 131 Coxwell Avenue.”

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

WHEREAS Section 110(6) of the *Municipal Act 2001*, provides that the council of a municipality may pass by-laws exempting property, or a portion of it, from taxation for municipal and school purposes on which municipal capital facilities are located; and

WHEREAS paragraph 18 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities for municipal housing project facilities as eligible municipal capital facilities; and

WHEREAS Council at its meeting on February 2, 2006 enacted By-law No. 61-2006; and

WHEREAS a typographical error was noted in By-law No. 61-2006, and it must be repealed and replaced with a by-law correcting the error; and

WHEREAS at its meeting on April 18, 2002, Council enacted By-law No. 282-2002 which enacted a municipal housing facility by-law as required by section 6.1 of Ontario Regulation 46/94, as amended; and

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

1. The Premises shall, subject to paragraph 2, be exempt from taxation for municipal and school purposes while this by-law is in force and so long as the Premises are used by the Housing Provider as a municipal capital facility, namely as affordable housing.
2. This by-law shall be deemed to have effect from the 2nd day of February, 2006 for a period of 20 years thereafter.
3. This by-law shall be deemed repealed:
 - (a) if the Housing Provider fails to enter into an municipal housing project facility agreement with the City which meets the requirements set out in City of Toronto By-law No. 282-2002 (the “Agreement”);
 - (b) if the Housing Provider ceases to occupy the Premises without having assigned the Agreement to a person approved by the City in accordance with the Agreement;

- (c) if the Housing Provider or its successor in law ceases to use the Premises for the purposes of affordable housing in accordance with City of Toronto By-law No. 282-2002; and/or
- (d) if the Agreement is terminated for any reason whatsoever.

4. By-law No. 61-2006 is hereby repealed.

ENACTED AND PASSED this 14th day of June, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”**DESCRIPTION OF PREMISES AND PROJECT****LEGAL DESCRIPTION**

PIN: 21024-0081.

Part of Lot 8, Concession 1 from the Bay, City of Toronto, municipally known as 131 Coxwell Avenue, Toronto.

PROJECT

Renovation and construction of a building to contain 19 transitional housing units or such other number of units as approved by the City at 131 Coxwell Avenue, Toronto.