

Authority: Policy and Finance Committee Report 7, Clause 10,
as adopted by City of Toronto Council on September 25, 26 and 27, 2006
Enacted by Council: September 27, 2006

CITY OF TORONTO

BY-LAW No. 883-2006

To authorize the entering into of an agreement for the provision of a municipal capital facility at 481 University 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 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 2 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities used for the general administration of the municipality as eligible municipal capital facilities; and

WHEREAS the City of Toronto (the “City”) has entered into a lease (the “Original Lease”) with First University Corporation Ltd. and Second University Corporation Ltd. (together referred to as the “Landlord”) dated October 2, 2001 for the use of 2nd and 4th floor of the premises described in Schedule “A” hereto by the Court Services Division, and is in the process of finalizing an agreement amending the Original Lease for the use of the 2nd and 9th floor of the premises described in Schedule “A” hereto (the “Premises”) by the Court Services Division; and

WHEREAS Council is desirous of entering into an agreement with the Landlord for the provision of municipal facilities for the general administration of the municipality 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 Landlord for the provision of municipal facilities for the general administration of the municipality 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 This by-law shall be deemed repealed: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 Landlord ceases to own or manage the Premises without having assigned the Agreement to the new Landlord of the Premises;
 - (b) If the City or its successor in law ceases to use the Premises for purposes of the general administration of the municipality;
 - (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 is the latter of:
 - (a) the day the Agreement is entered into by the City and the Landlord; and
 - (b) the day the Lease is entered into by the City and the Landlord.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”**DESCRIPTION OF PREMISES**

The second and ninth floors at 481 University Avenue, being Lot 16, 17, 18, 19 and 20 on the East Side of University Avenue and Lots 16, 17, 18, 19 and 20 on the West Side of Centre Avenue, Plan 147, City of Toronto, being the whole of the block bounded on the west by University Avenue, on the north by Edward Street, on the east by Centre Avenue, and on the south by Dundas Street, which lands are subject to Plan BA-1267, being a plan under the *Boundaries Act*.

Assessment Roll No.: 1904-06-6-500-00100