

Authority: Government Management Committee Item 17.7,
as adopted by City of Toronto Council on September 24 and 25, 2008
Enacted by Council: September 25, 2008

CITY OF TORONTO

BY-LAW No. 1020-2008

To authorize the entering into of an agreement for the provision of a municipal capital facility at 112 Elizabeth Street.

WHEREAS Section 252 of the *City of Toronto Act, 2006* provides that the City may exempt from taxation for municipal and school purposes land or a portion of it on which municipal capital facilities are, or will be, located, and an agreement for municipal capital facilities may allow for the lease, operation or maintenance of the facilities; and

WHEREAS paragraph 2 of subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities used for the general administration of the City as eligible municipal capital facilities; and

WHEREAS the City of Toronto (the "City") as tenant entered into a lease dated March 17, 1986 (the "Original Lease") with the Toronto Community Housing Company, which lease has subsequently been assumed by to the current owner of a newly severed parcel of the leased premises, 2001064 Ontario Inc. (the "Landlord"), for the use of the 14,517 square feet of space at the premises described in Schedule "A" hereto (the "Premises"); and

WHEREAS the Original Lease has expired, and the City continues possession of the Premises as a tenant on a month-to-month basis on the same terms as those of the Original Lease and the Landlord and the City are currently in the process of negotiating a new lease for the Premises (the Original Lease, the current overholding under the terms of the Original Lease and any new lease to be entered into during the term of this Agreement are hereafter referred to as the "Lease"); and

WHEREAS Council is desirous of entering into an agreement with the Landord for the provision of municipal facilities for the general administration of the City at the Premises, and of providing an exemption from taxation for municipal and school purposes to 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 252 of the *City of Toronto Act, 2006* with the Landlord for the provision of City facilities used for the general administration of the City at the Premises, in accordance with O.Reg. 598/06 (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 the Premises without having assigned the Agreement to the new owner of the Premises;

- (b) If the Premises cease to be used for the purposes of the general administration of the City;
 - (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 the Agreement is entered into by the City and the Landlord.

ENACTED AND PASSED this 25th day of September, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"**DESCRIPTION OF PREMISES**

14,517 square feet of space at 112 Elizabeth Street, Toronto

ASSESSMENT ROLL NUMBER:

1904-066-100-01700 and 1904-066-100-01750

LEGAL DESCRIPTION:

Part of Lots 26, 27 and 28 on the west side of Elizabeth Street and Parts of Lots 36, 37 and 38 on the east side of Chestnut Street, Plan 13-A designated as Parts 2, 10, 14, 15 and 20 on Plan 66R-18445.