

Authority: Government Management Committee Item 19.3,
as adopted by City of Toronto Council on December 1, 2 and 3, 2008
Enacted by Council: December 3, 2008

CITY OF TORONTO

BY-LAW No. 1296-2008

To authorize the entering into of an agreement for the provision of a municipal capital facility at 225 Duncan Mills Road.

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 renewal dated May 1, 2004 with Skyline 225 Duncan Mill Ltd. (the "Landlord") for the use of 7,198 square feet of office space (Suite 205), at the premises described in Schedule "A" hereto (the "Premises") for a term commencing on February 1, 2004 (the "Lease Renewal"); and

WHEREAS the City as tenant entered into a lease proposal dated April 6, 2006 with the Landlord for the use of 5,330 square feet of office space (Suite 202) at the Premises for a term commencing on June 1, 2006 (the "Lease Proposal"); and

WHEREAS the City as tenant also occupies 2,361 square feet of space (Suite 200) at the Premises; and

WHEREAS the Lease Renewal for Suite 205, the Lease Proposal for Suite 202, and renewal thereof, and any lease for Suite 200 between the City and the Landlord are hereafter together referred to as the "Lease"; 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 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 3rd day of December, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"**DESCRIPTION OF PREMISES**

14,859 square feet of space at 225 Duncan Mills Road, consisting of Suites 200, 202 and 205.

ASSESSMENT ROLL NUMBER:

1908-10-3-145-00100

LEGAL DESCRIPTION:

PIN 10088-0066(R)

Lot 73-75 Plan 7607 North York
Part Lot 12 Concession 3
Twp of York, Toronto (formerly North York)
City of Toronto