

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. 1298-2008

To authorize the entering into of an agreement for the provision of a municipal capital facility at 2340 Dundas Street West.

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 September 1, 2001 with 690981 Ontario Limited (the "Landlord"), for the use of the 34,940 square feet of space at the premises described in Schedule "A" hereto (the "Premises") for a term commencing on December 15, 2001 (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 This by-law shall be deemed repealed: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**

34,940 square feet of space at 2340 Dundas Street West, consisting of 33,900 square feet of office space identified as Suites G-09 and G-10 on the ground floor, and 1,040 square feet of storage space identified as G-42 in the basement.

ASSESSMENT ROLL NUMBER:

1904-01-3-060-00100

LEGAL DESCRIPTION:

PIN 21328-0501(LT)

Part Lot 34 Concession 2

FTB TWP of York as in CT832372, CA747170 City of Toronto