

Authority: Government Management Committee Item 31.9,
as adopted by City of Toronto Council on June 8 and 9, 2010
Enacted by Council: June 9, 2010

CITY OF TORONTO

BY-LAW No. 629-2010

To authorize the entering into of an agreement for the provision of a municipal capital facility at 1880 Eglinton Avenue East.

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 10 of subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities used for the provision of social and health services; and

WHEREAS the City of Toronto (the "City") as tenant has entered into an offer to lease for a 10 year term, with two options to renew for 5 years each, commencing on the earliest of the expiry of the fixturing period, and the tenant commencing business operations (the "Lease") with Loblaw Properties Limited (the "Landlord"), for the use of 50,000 square feet of rentable space at 1880 Eglinton Avenue East as further described in Schedule "A" hereto (the "Premises"); and

WHEREAS Council is desirous of entering into an agreement with the Landlord for the provision of municipal facilities for the provision of social and health services 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 provision of social and health services 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 This by-law shall be deemed repealed: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 provision of social and health services;
 - (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 latter of:
 - (a) the day the Agreement is entered into by the City and the Landlord; and
 - (b) the day the Lease commences.

ENACTED AND PASSED this 9th day of June, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"

DESCRIPTION OF PREMISES

50,000 square feet of space at 1880 Eglinton Avenue East, in the City of Toronto, being comprised of 45,000 square feet of space on the ground floor and 5,000 square feet of space on the mezzanine.

ASSESSMENT ROLL NUMBER:

1901-03-1-010-01201

LEGAL DESCRIPTION:

CON D PT LOT 35, PLAN 4722
PT BLK A PLAN 4362 PT BLK D
RP 66R20868 PARTS 5 TO 9 11 TO 13