

Authority: Government Management Committee Item 33.10,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1149-2010

To authorize the entering into of an agreement for the provision of a municipal capital facility at 730 Military Trail.

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 16 of subsection 2(1) of Ontario Regulation 598/06 prescribes City facilities used for cultural, recreational or tourist purposes as eligible municipal capital facilities; and

WHEREAS the City of Toronto (the "City"), as landlord, will enter into a Lease with Tam Heather Curling & Tennis Club (the "Tenant") for the use of the premises particularly described in Schedule "A" hereto (the "Premises") as a recreational facility; and

WHEREAS Council is desirous of entering into an agreement with the Tenant for the provision of City facilities for use for cultural, recreational or tourist purposes 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 Tenant for the provision of City facilities for cultural, recreational or tourist purposes 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 This by-law shall be deemed repealed: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 City 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 cultural, recreational or tourist purposes;
 - (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 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"

DESCRIPTION OF PREMISES

An area of approximately 56,500 square feet of space within the property municipally known as 730 Military Trail, Toronto, Ontario

ASSESSMENT ROLL NUMBER: 1901-08-4-270-04000

LEGAL DESCRIPTION: CON 2 PT LOT 11RP64R12551
PART 1 & 2