

Authority: Government Management Committee Item 22.13,
as adopted by City of Toronto Council on April 29 and 30, 2009
Enacted by Council: March 7, 2012

CITY OF TORONTO

BY-LAW No. 340-2012

To authorize the entering into of an agreement for the provision of a municipal capital facility at 1500 Don 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 10 of section 8 of Ontario Regulation 598/06 prescribes municipal facilities related to policing, fire-fighting and by-law enforcement, as eligible municipal capital facilities; and

WHEREAS the City has entered into a Lease Proposal dated February 26, 2009 with El-Ad (1500 Don Mills) Limited, (the "Owner") for the use of the premises particularly described in Schedule "A" hereto (the "Premises") for a term expiring June 30, 2014 (the "Lease"); and

WHEREAS Council is desirous of entering into an agreement with the Owner for the provision of a municipal capital facility at 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 Owner for the provision of municipal facilities related to policing at the Premises, in accordance with Ontario Regulation 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 This by-law shall be deemed repealed: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 Owner ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
 - (b) if the City ceases to use the Premises for the purposes of policing;
 - (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 later of the following:
- (a) the date this by-law is enacted; and
 - (b) the day that the Agreement is entered into by the City and the Owner.

ENACTED AND PASSED this 7th day of March, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE "A"**DESCRIPTION OF THE PREMISES**

Assessment Roll No. 1908-102-180-01400

34,899 square feet of space at 1500 Don Mills Road

PART LOT 10, CON 3, EYS (CITY OF NORTH YORK) DESIGNATED AS PARTS 1, 2, 3, 4, 5, 6, 7 and 8 ON PLAN 66R-17662. SUBJECT TO TB981024, NY499108, NY765474, TB24553 and TB119624.

CITY OF TORONTO