

Authority: Government Management Committee Item 16.13,
as adopted by City of Toronto Council on October 2, 3 and 4, 2012
Enacted by Council: October 4, 2012

CITY OF TORONTO

BY-LAW No. 1271-2012

To authorize the entering into of an agreement for the provision of a municipal capital facility at 1030 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 section 2 of Ontario Regulation 598/06 prescribes municipal facilities used for City community centres as eligible municipal capital facilities, provided that the facilities are primarily used for local community activities and Council has declared that the facilities are for the purposes of the City and are for a public use; and

WHEREAS the City intends to enter into a lease for the use of the premises particularly described in Schedule "A" hereto (the "Premises") for use as a City community centre (the "Lease"), and has declared that the facility to be located at the Premises are for the purposes of the City, for local community activities, and are for a public use; and

WHEREAS Council is desirous of entering into an agreement with the landlord under the Lease 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 landlord under the Lease (the "Landlord") for the provision of a municipal capital facility for a City community centre 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 This by-law shall be deemed repealed: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 Landlord ceases to own or manage the Premises without having assigned the Agreement to the new landlord of the Premises;
 - (b) if the City ceases to use the Premises for a City community centre;
 - (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 the tax exemption by-law is enacted; and
 - (b) the day that the Agreement is entered into by the City and the Landlord.

ENACTED AND PASSED this 4th day of October, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE "A"

DESCRIPTION OF THE PREMISES

Assessment Roll No. 1908 101 350 00600

Legal Description:

PLAN 4545 PT BLK F