

Authority: Government Management Committee Item GM17.2, as adopted by City of Toronto Council on January 31, 2017

CITY OF TORONTO

BY-LAW 87-2017

To authorize the entering into of an agreement for the provision of municipal capital facilities at 1900 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 subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities related to the provision of social and health services, including long-term care homes under Part VIII of the *Long-Term Care Homes Act, 2007*; and

Whereas the City as tenant has entered into a lease (the "Lease") with Nestle Canada Inc. (the "Landlords") for the use of the premises particularly described in Schedule A hereto (the "Premises") for the provision of social and health services at 1900 Dundas Street West, namely space occupied by the Toronto Employment and Social Services division; and

Whereas Council is desirous of entering into an agreement with the Landlord for the provision of a municipal capital facility at the Premises;

The Council of the City of Toronto enacts:

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 municipal facilities (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 This by-law shall be deemed repealed: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 landlord of the Premises;
 - (b) if the Premises cease to be used for 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 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 Landlord.

Enacted and passed on January 31, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A**DESCRIPTION OF THE PREMISES**

Approximately 25,680 square feet of space at 1900 Dundas Street West

Assessment Roll No.: 1904-02-4-370-01200

Legal Description: PLAN 1160 PT BLK D PLAN 287 LOT 60