

Authority: Government Management Committee Item GM18.4, as adopted by City of Toronto Council on March 28 and 29, 2017

CITY OF TORONTO

BY-LAW 300-2017

To authorize the entering into of an agreement for the provision of municipal capital facilities at 524 Oakwood Avenue.

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 cultural, recreational or tourist purposes, provided that the property upon which the facility is located is owned by the City or another prescribed public sector entity and the City has declared by resolution that the facility is for the purposes of the City and for public use; and

Whereas the City as owner has entered into a lease (the "Lease") with Nia Centre for the Arts Incorporated (the "Tenants") for the use of the premises particularly described in Schedule A hereto (the "Premises") for the provision of cultural and recreational facilities at 524 Oakwood Avenue; and

Whereas Council has passed a resolution declaring that the municipal capital facility on the Premises is for the purposes of the City and for public use; and

Whereas Council is desirous of entering into an agreement with the Tenant 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 Tenant 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 This by-law shall be deemed repealed: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 City ceases to own the Premises;
 - (b) if the Premises cease to be used for the provision of cultural and recreational facilities;
 - (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 March 29, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A

DESCRIPTION OF THE PREMISES

Approximately 7,070 square feet of space at 524 Oakwood Avenue

Assessment Roll No.: 1914-03-1-150-06600-0000

Legal Description: PLAN 2544 LOTS 37 to 39 PT LOT 36