

Authority: Executive Committee Item EX10.6, as adopted by City of Toronto Council on December 9 and 10, 2015

## CITY OF TORONTO

### BY-LAW 1420-2017

#### **To authorize the entering into of an agreement for the provision of municipal capital facilities at 33 King Street.**

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 (the "Regulation") prescribes municipal facilities related to the provision of a community centre and parking ancillary to a community centre; and

Whereas section 5 of the Regulation requires that a municipal capital facility for community centre use be primarily used for local community activities, and that Council declare the facility for the purposes of the City and for public use; and

Whereas Artscape has entered into a lease for the use of the premises particularly described in Schedule A hereto at 33 King Street (the "Premises") for use as a community centre and ancillary parking (the "Lease"); and

Whereas the community centre to be operated by Artscape at the Premises will be primarily for local community activities and for public use; and

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

The Council of the City of Toronto enacts:

1. (1) The City of Toronto is authorized to enter into an agreement under section 252 of the *City of Toronto Act, 2006* with the Artscape for the provision of municipal facilities at the Premises for community centre use and ancillary parking (the "Agreement").
  - (2) The facility described in subsection (1) is for the purposes of the City and for public use.
2. The Premises are exempt from:
  - (1) taxation for municipal and school purposes;
  - (2) development charges; and
  - (3) planning application and building permit fees.

3. This by-law shall be deemed repealed:
- (1) if the Artscape ceases to lease the Premises without having assigned the Agreement to the new tenants of the Premises;
  - (2) if the Premises cease to be used as a community centre and ancillary parking;
  - (3) when the Lease, or any renewal or extension of the Lease, expires;
  - (4) if the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
  - (5) if the Agreement is terminated for any reason whatsoever.
4. (1) Subject to subsection (2), this by-law shall come into force on the day that the by-law is enacted.
- (2) Section 2(a) 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 December 8, 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**SCHEDULE A**

## DESCRIPTION OF THE PREMISES

The premises on the ground floor of the Building located at 33 King Street, comprised of (i) an indoor area of approximately 8,236 square feet shown as Part 27 on the Reference Plan, as improved by the Landlord's Work, and (ii) the Outdoor Space (means Part 7 of reference plan).

Assessment Roll No.: 19-14-06-4-220-02900-0000-0 4

Legal Description:

Part of PIN 10323-0002 (LT)

Part of Lots 15, 16, and 17, Plan 36, York and Part of Lot 6, Concession 5, WYS York,  
Designated as Part 7 and 27 on Plan 66R-287657; City of Toronto