

Authority: Planning and Housing Committee Item PH8.3,
as adopted by City of Toronto Council on October 2 and 3,
2019

CITY OF TORONTO

BY-LAW 1356-2019

To authorize the entering into of an agreement for the provision of a municipal capital facility for affordable housing at 1236 Birchmount Road and its exemption from the payment of development charges.

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(18) of Ontario Regulation 598/06 prescribes municipal facilities used for affordable housing for the purpose of section 252 of the City of Toronto Act, 2006; and

Whereas subsection 7(1) of Ontario Regulation 598/06 requires that in respect of municipal facilities used for housing, that all the housing units fall within the definition of "affordable housing" as that term is defined in the Municipal Facility Housing By-law 124-2016; and

Whereas Birchmount Green Inc. has agreed to provide affordable housing at the property currently known as 1236 Birchmount Road, Toronto; and

Whereas the portions of the Premises identified in Schedule A hereto are to be primarily used for affordable housing (the "Eligible Premises"); and

Whereas Council wishes to enter into an agreement with Birchmount Green Inc. for the provision of municipal capital facilities for use as affordable housing at the Eligible 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 Birchmount Green Inc. for the provision of affordable housing at the Eligible Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. Birchmount Green Inc. shall be exempt from the payment of development charges in respect of the Eligible Premises imposed by the City under the Development Charges Act, 1997, S.O. 1997, c.27, while this by-law is in force.

Enacted and passed on October 3, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule A
Description of Premises

Legal Description

PIN 06336-0007 (LT)

Part of Block A Plan 4329 as in TB252681 Scarborough, City of Toronto

The Eligible Premises

Construction of a building containing 220 units of which 220 units will be affordable housing units or such other number of units as approved by the City at 1236 Birchmount Road, Toronto.