

Authority: Planning and Housing Committee  
Item PH21.4, as adopted by City of Toronto  
Council on March 10, 2021

## CITY OF TORONTO

### BY-LAW 177-2021

**To authorize the entering into of an agreement for the provision of a municipal capital facility for affordable housing at 34 Kessack Court 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 Housing Facility By-law 1756-2019; and

Whereas Wigwamen Incorporated has agreed to provide affordable housing at the property currently known as 34 Kessack Court, 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 Wigwamen Incorporated 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 Wigwamen Incorporated for the provision of affordable housing at the Eligible Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. Wigwamen Incorporated 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 March 10, 2021.

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)

**Schedule A**  
**Description of Premises**

**Legal Description**

PIN: 06066-0022 (LT)

PARCEL 288-1, SECTION M1594 LOT 288, PLAN 66M1594 SCARBOROUGH, CITY OF TORONTO

**The Eligible Premises**

Construction of a building containing 2 units of which 2 units will be affordable housing units or such other number of units as approved by the City at 34 Kessack Court, Toronto.