

Authority: MM25.32, by Mayor John Tory, seconded by Councillor Ana Bailão, as adopted by City of Toronto Council on October 27, 28 and 30, 2020 and Planning and Housing Committee Item PH26.4, adopted as amended, by City of Toronto Council on October 1 and 4, 2021

CITY OF TORONTO

BY-LAW 423-2022

To repeal By-law 178-2022 and replace it with this by-law to correct the description of the Eligible Premises and to authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at the property municipally known in 2021 as 4626 Kingston Road.

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, the housing units fall within the definition of "affordable housing" as the term is defined in the Municipal Housing Facility By-law 72-2022; and

Whereas By-law 178-2022 erroneously described the Eligible Premises specifically with reference to the number of affordable housing units to be provided; and

Whereas the Premises, being lands owned by the City of Toronto, currently known as 4626 Kingston Road, Toronto and identified in Schedule A hereto are primarily to be used for affordable housing (the "Eligible Premises"); and

Whereas Fred Victor Centre has been selected by the City through a request for proposals process to lease the Eligible Premises from the City for a term of 50 years less a day for the purpose of providing affordable housing; and

Whereas Council has authorized entry into an agreement with Fred Victor Centre for the provision of municipal capital facilities for use as affordable housing at the Eligible Premises, and for the provision of an exemption from taxation for municipal and school purposes to the Eligible Premises (the "Agreement");

The Council of the City of Toronto enacts:

1. City of Toronto By-law 178-2022 is hereby repealed.
2. The Eligible Premises are exempt from taxation for municipal and school purposes.

3. The tax exemptions referred to herein shall be effective, in accordance with City of Toronto By-law 72-2022, upon the initial commencement date of the lease in connection with the Eligible Premises, execution of the municipal housing facility agreement, or the date this by-law is enacted, whichever is later, and shall continue for a period of 50 years, less a day, thereafter.
4. This by-law shall be deemed repealed:
 - (a) if Fred Victor Centre ceases to occupy the Eligible Premises without having assigned the municipal housing facility agreement to a person approved by the City in accordance with the lease and municipal housing facility agreement;
 - (b) if Fred Victor Centre or its successor in law ceases to use the Eligible Premises for the purposes of affordable housing in accordance with City of Toronto By-law 72-2022, the lease or the municipal housing facility agreement; and/or
 - (c) if the lease or the municipal housing facility agreement is terminated for any reason whatsoever.

Enacted and passed on May 12, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

Description of Eligible Premises

Legal Description

PIN 06488-0072

PART OF LOT 5 ON PLAN 2253, DESIGNATED AS PARTS 3 AND 4 ON PLAN 66R16885; T/W AN EASEMENT OVER PARTS 1, 2 AND 5 ON PLAN 66R16885, AS SET OUT IN C955407; S/T AN EASEMENT OVER PART 3 ON PLAN 66R16885 IN FAVOUR OF PARTS 1, 2 AND 5 ON PLAN 66R16885, AS SET OUT IN C955407; CITY OF TORONTO FORMELY SCARBOROUGH, CITY OF TORONTO

PIN 066488-0073

PART OF LOT 5 ON PLAN 2253, DESIGNATED AS PARTS 1, 2 AND 5 ON PLAN 66R16885; S/T AN EASEMENT OVER PART 5 ON PLAN 66R16885 IN FAVOUR OF THE PUBLIC UTILITIES COMMISSION OF THE CITY OF SCARBOROUGH, AS SET OUT IN C949163; S/T AN EASEMENT OVER PTS 1, 2 AND 5 ON PLAN 66R-16885 FAVOUR OF PARTS 3 AND 4 ON PLAN 66R-16885 AS IN C955407. T/W AN EASEMENT OVER PART 3 ON PLAN 66R16885, AS SET OUT IN C955407; CITY OF TORONTO, FORMERLY CITY OF SCARBOROUGH, CITY OF TORONTO

The Eligible Premises

22 affordable housing rental units in a converted motel building and 64 affordable housing rental units in a newly constructed modular building, all located at the property known in 2021 as 4626 Kingston Road, Toronto.