

Authority: Planning and Housing Committee Item PH13.6,
as adopted by City of Toronto Council on June 26, 27 and
28, 2024

CITY OF TORONTO

Bill 644

BY-LAW -2024

To authorize the entering into of an agreement for the provision of a municipal capital facility for affordable housing at 267 and 275 Merton Street 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;

Whereas paragraph 18 of subsection 2(1) 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;

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 183-2022 or its successor;

Whereas Markee Missing Middle (Merton) Limited Partnership (and/or a related entity or entities) has agreed to provide affordable housing at the property currently known as 267 and 275 Merton Street, Toronto;

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 Markee Missing Middle (Merton) Limited Partnership (and/or a related entity or entities) 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 Markee Missing Middle (Merton) Limited Partnership (and/or a related entity or entities) for the provision of affordable housing at the Eligible Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. Markee Missing Middle (Merton) Limited Partnership (and/or a related entity or entities) 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 June , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A
Description of Premises

Legal Description

267 Merton Street

PIN: 21123-0021 (LT)

PCL 2073 SEC N TORONTO; PT LT 153 S/S MERTON ST PL M5 TORONTO COMM AT THE NE ANGLE OF THE SAID LT; THENCE SLY ALONG THE ELY LIMIT OF THE SAID LT, 118 FT, MORE OR LESS, TO A POINT DISTANT NLY 59 FT FROM THE SE ANGLE THEREOF; THENCE WLY PARALLEL WITH THE SLY LIMIT OF THE SAID LT, 50 FT, MORE OR LESS, TO THE LINE DIVIDING THE SAID LT INTO THE E AND W HALVES; THENCE NLY ALONG THE SAID LINE 118 FT 6 INCHES, MORE OR LESS, TO THE SLY LIMIT OF MERTON ST; THENCE ELY ALONG THE SAID LIMIT, 50 FT, MORE OR LESS TO THE POC; TORONTO, CITY OF TORONTO

275 Merton Street

PIN: 21123-0010 (LT)

PCL 152-1 SEC M5; PT LT 152 S/S MERTON ST PL M5 TORONTO FIRSTLY: COMM AT THE N ELY ANGLE OF THE SAID LT; THENCE WLY ALONG THE NLY LIMIT OF THE SAID LT, 50 FT; THENCE SLY, PARALLEL, TO THE ELY LIMIT OF SAID LT, 118 FT, MORE OR LESS, TO A POINT, DISTANT 59 FT, MEASURED NLY FROM THE SLY LIMIT OF THE SAID LT; THENCE ELY, PARALLEL, TO THE SLY LIMIT OF THE SAID LT, 50 FT, MORE OR LESS, TO THE ELY LIMIT OF THE SAID LT; THENCE NLY ALONG THE ELY LIMIT OF THE SAID LT, 117 FT, MORE OR LESS, TO THE POB; SECONDLY: COMM IN THE SLY LIMIT OF MERTON ST, 50 FT W OF THE N E ANGLE OF SAID LT 152; THENCE SLY AND PARALLEL TO THE ELY LIMIT OF SAID LT, 118 FT, MORE OR LESS, TO A POINT, DISTANT 59 FT, MEASURED NLY FROM THE SLY LIMIT OF SAID LT; THENCE WLY, PARALLEL TO THE SLY LIMIT OF THE SAID LT, 50 FT, MORE OR LESS TO THE WLY LIMIT OF SAID LT; THENCE NLY ALONG THE WLY LIMIT OF THE SAID LT, 118 FT, MORE OR LESS, TO THE N W ANGLE OF SAID LT; THENCE ELY ALONG THE NLY LIMIT OF SAID LT, 50 FT, MORE OR LESS, TO THE POB; TORONTO, CITY OF TORONTO

PIN: 21123-0011 (LT)

PCL 151-1 SEC M5; PT LT 151 S/S MERTON ST PL M5 TORONTO COMM AT THE N W ANGLE OF SAID LT; THENCE SLY ALONG THE WLY LIMIT OF THE SAID LT, 117 FT, MORE OR LESS, TO A POINT DISTANT 59 FT NLY FROM THE S W ANGLE OF THE SAID LT; THENCE ELY, CURVING TO THE RIGHT ON A RADIUS OF 1560 FT FROM A CENTRE SITUATED S OF THE LAND HEREIN DESCRIBED, 101 FT, MORE OR LESS, TO THE ELY LIMIT OF SAID LT, AT A POINT DISTANT 55 FT NLY FROM THE S E ANGLE OF THE SAID LT; THENCE NLY ALONG THE ELY LIMIT OF THE SAID LT, 120 FT, MORE OR LESS, TO THE N E ANGLE OF THE SAID LT; THENCE WLY ALONG THE NLY LIMIT OF THE SAID LT; 100 FT, MORE OR LESS, TO THE POB; TORONTO, CITY OF TORONTO

The Eligible Premises

Construction of a building containing 447 newly constructed units of which 135 units will be affordable housing units or such other number of units as approved by the City at 267 and 275 Merton Street, Toronto.