

Authority: Policy and Finance Committee Report No. 4, Clause No. 27,
as adopted by City of Toronto Council on April 12, 13 and 14, 2005
Enacted by Council: April 14, 2005

CITY OF TORONTO

BY-LAW No. 293-2005

To authorize the entering into of an agreement for the provision of a municipal capital facility by 994480 Ontario Limited, at 123 Rexdale Boulevard, the Northern Elms Branch Library.

WHEREAS Section 110(1) of the *Municipal Act, 2001* provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person and may pass by-laws exempting from property taxation for municipal and school purposes land, or a portion of it, on which municipal capital facilities are located; and

WHEREAS paragraph 11 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities for public libraries as eligible municipal capital facilities; and

WHEREAS the Toronto Public Library Board (“the “Board”) has entered into a lease with 994480 Ontario Limited (the “Owner”), dated October 6, 2004, for the use of the premises particularly described in Schedule “A” hereto (the “Premises”) as a public library;

WHEREAS Council is desirous of entering into an agreement with the Owner for the provision of municipal facilities for a public library at the Premises;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The City of Toronto is authorized to enter into an agreement under section 110 of the *Municipal Act, 2001* with the Owner for the provision of municipal facilities for a public library at the Premises, in accordance with O.Reg. 46/94 (the “Agreement”).
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
 - (a) If the Owner ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
 - (b) If the Board or its successor in law ceases to use the Premises for purposes of a public library;
 - (c) When the Lease, or any renewal or extension of the Lease, expires;
 - (d) If the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - (e) If the Agreement is terminated for any reason whatsoever.

4. (1) Sections 1, 3 and 4 of this by-law shall come into force on the day that the by-law is enacted.
- (2) Section 2 of this by-law shall come into force on the day that the Agreement is entered into by the City and the Owner.

ENACTED AND PASSED this 14th day of April, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”**DESCRIPTION OF PREMISES**

Three Thousand (3000) square feet of space at 123 Rexdale Boulevard, being Part of Lot 26, Concession A fronting the Humber River, designated as Parts 1 and 2 on Plan 66R-17489, City of Toronto.

Assessment Roll No. 1919-04-2-010-00600