

Authority: Policy and Finance Committee Report 7, Clause 44, adopted as amended,
by City of Toronto Council on July 19, 20, 21 and 26, 2005
Enacted by Council: December 6, 2006

CITY OF TORONTO

BY-LAW No. 18-2007

**To authorize the exemption from taxation for municipal and school purposes for the
municipal capital facility for affordable housing located on land municipally known as
418 Dawes Road.**

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

WHEREAS Section 110(6) of the *Municipal Act 2001*, provides that the council of a municipality may pass by-laws exempting property, or a portion of it, from taxation for municipal and school purposes on which municipal capital facilities are located; and

WHEREAS paragraph 18 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities for municipal housing project facilities as eligible municipal capital facilities; and

WHEREAS at its meeting of April 18, 2002, Council enacted By-law No. 282-2002 which enacted a municipal housing facility by-law as required by section 6.1 of Ontario Regulation 46/94, as amended; and

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

1. The land and municipal capital facility located at 418 Dawes Road, Toronto, and described in Schedule “A” (the “Premises”) shall, subject to paragraph 2, be exempt from taxation for municipal and school purposes while this by-law is in force and so long as the Premises are used as a municipal capital facility, namely as affordable housing.
2. The tax exemptions referred to herein shall be effective upon substantial completion of the construction of the building or the date this by-law is enacted, whichever is later, and shall continue for a period of 25 years thereafter.
3. This by-law shall be deemed repealed:
 - (a) if Fred Victor Community Homes (the “Housing Provider”) fails to enter into an municipal housing project facility agreement with the City which meets the requirements set out in City of Toronto By-law No. 282-2002 (the “Agreement”);
 - (b) if the Housing Provider ceases to occupy the Premises without having assigned the Agreement to a person approved by the City in accordance with the Agreement;

- (c) if the Housing Provider or its successor in law ceases to use the Premises for the purposes of affordable housing in accordance with City of Toronto By-law No. 282-2002; and/or
- (d) if the Agreement is terminated for any reason whatsoever.

ENACTED AND PASSED this 6th day of December, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

DESCRIPTION OF PREMISES AND PROJECT

LEGAL DESCRIPTION

PIN: 10441-0211

Lot 18, Plan 3433, subject to an easement registered as Instrument No. CA672865, municipally known as 418 Dawes Road, Toronto, Ontario.

PROJECT

Renovation and construction of a building to contain 48 transitional housing units or such other number of units as approved by the City at 418 Dawes Road, Toronto.