

Authority: Government Management Committee Item 8.5,
as adopted by City of Toronto Council on October 22 and 23, 2007
Enacted by Council: October 23, 2007

CITY OF TORONTO

BY-LAW No. 1149-2007

To authorize the entering into of an agreement for the provision of a municipal capital facility at 2965-3049 Kingston Road, the Cliffcrest Branch Library.

WHEREAS Section 25(2) 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 paragraph 11 of section 2 of Ontario Regulation 598/06 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 Relocation and Extension Agreement with Cliffcrest Plaza Limited. (the “Owner”), dated July 31, 2007, for the use of the premises particularly described in Schedule “A” hereto (the “Premises”) as a public library; and

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 252 of the *City of Toronto Act, 2006* with the Owner for the provision of municipal facilities for a public library at the Premises, in accordance with O.Reg. 598/06 (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 This by-law shall be deemed repealed: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 latter of the following:
- (a) the day that the Agreement is entered into by the City and the Owner; and
 - (b) the day the Lease commences; and
 - (c) January 1, 2008.

ENACTED AND PASSED this 23rd day of October, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

DESCRIPTION OF PREMISES

Assessment Roll No. 1901-07-1-270-02900

4500 square feet of ground floor area, comprising units 11, 12 and the rear part of unit 14 situate immediately behind unit 13, and 350 square feet as part of common area storage room immediately adjacent to the rear easterly wall of unit 11, of the development known as Cliffcrest Plaza, 2965 – 3049 Kingston Road, Scarborough.

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