

Authority: Government Management Committee Item 20.10,  
as adopted by City of Toronto Council on January 27 and 28, 2009  
Enacted by Council: January 28, 2009

**CITY OF TORONTO**

**BY-LAW No. 70-2009**

**To authorize the entering into of an agreement for the provision of a municipal capital facility at 348 Unwin Avenue.**

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 paragraph 7 of subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities used for the collection and management of waste and garbage; and

WHEREAS the City of Toronto (the "City") as tenant has entered into or will enter into a lease agreement for a five year term, commencing on December 1, 2008 (the "Lease") with the City of Toronto Economic Development Corporation (the "Landlord"), for the use of 183,750 square feet of vacant land at Unit A, 348 Unwin Avenue as further described in Schedule "A" hereto (the "Premises"); and

WHEREAS Council is desirous of entering into an agreement with the Landlord for the provision of municipal facilities for the collection and management of waste and garbage at the Premises, and of providing an exemption from taxation for municipal and school purposes to 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 252 of the *City of Toronto Act, 2006* with the Landlord for the provision of City facilities used for the collection and management of waste and garbage 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 This by-law shall be deemed repealed: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 Landlord ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
  - (b) If the Premises cease to be used for the purposes of the collection and management of waste and garbage by the City;
  - (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 the Agreement is entered into by the City and the Landlord.

ENACTED AND PASSED this 28th day of January, A.D. 2009.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE "A"**

**DESCRIPTION OF PREMISES**

183,750 square feet of vacant land at Unit A, 348 Unwin Avenue, in the City of Toronto

ASSESSMENT ROLL NUMBER:

1904-08-1-020-01000

LEGAL DESCRIPTION:

Plan 675 E Part Block F RP 64R14718 Part 35, 36, 40 and 41.