

Authority: Executive Committee Item 8.7, adopted as amended,
by City of Toronto Council on May 23, 24 and 25, 2007
Enacted by Council: May 27, 2009

CITY OF TORONTO

BY-LAW No. 561-2009

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 180 Sudbury Street, formerly known as 48 Abell Street, Toronto.

WHEREAS the City's By-law No. 282-2002, a municipal housing facility by-law provides that the City may enter into agreements for the provision of affordable housing, as a municipal capital facility and that the City may exempt, from taxation for municipal and school purposes, land or a portion of land on which an affordable housing facility is or will be located; and

WHEREAS the *City of Toronto Act* also 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 from municipal capital facilities may allow for the provision of the facilities; and

WHEREAS St. Clare's Multifaith Housing Society, has been approved by Council for funding and an exemption from taxation for municipal school purposes for 180 Sudbury Street; and

WHEREAS the City has entered into a municipal capital facility agreement for setting out the terms and conditions of the funding and to provide an exemption from taxation for municipal and school purposes, with St. Clare's Multifaith Housing Society;

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

1. The land and municipal capital facility located at 180 Sudbury Street, Toronto, and described in Schedule "A" (the "Premises") shall, subject to paragraph 2, be exempt from taxation for municipal and school purposes.
2. The tax exemption referred to herein shall be effective June 1, 2009 and shall continue for a period of 42 years thereafter.
3. St. Clare's Multifaith Housing Society (the "Housing Provider") shall be exempt from the payment of development charges in respect of the Premises imposed by the City under the *Development Charges Act, 1997*, S.O. 1997, c.27, while this by-law is in force.

4. This by-law shall be deemed repealed:
- (a) if 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 27th day of May, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”**DESCRIPTION OF PREMISES AND PROJECT****LEGAL DESCRIPTION**

PIN: PIN 21298-0194 (LT)

Part of Block 5, Ordnance Reserve and Part of Abell Street Registered Plan 878, City of Toronto, being Parts 8 and 9, Reference Plan of Survey 66R-23505 and Part 1, Reference Plan of Survey 66R-23756, being part of PIN 21298-0194.

PROJECT

Construction of a building to contain 190 affordable housing units or such other number of units as approved by the City at the property 180 Sudbury Street, formerly know as 48 Abell Street Toronto.