

Authority: Executive Committee Item 3.3, adopted as amended,  
by City of Toronto Council on February 23 and 24, 2011  
Enacted by Council: February 24, 2011

## **CITY OF TORONTO**

### **BY-LAW No. 332-2011**

#### **To authorize temporary borrowing for the years 2011, 2012, 2013 and 2014 for a capital work or permanent improvement to be financed by the issue of debentures or bank loan agreements.**

WHEREAS section 7 of the *City of Toronto Act, 2006* (the "Act") provides that the City has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS subsection 8(2) of the Act provides that the City may pass by-laws respecting the financial management of the City and its local boards; and

WHEREAS paragraph 1 of section 245 of the Act provides that, without limiting sections 7 and 8 of the Act, those sections of the Act authorize the City to undertake financial activities related to borrowing money in accordance with such conditions and restrictions as may be prescribed; and

WHEREAS subsection 4(1) of Ontario Regulation 610/06 (the "Regulation") provides that the City may authorize temporary borrowing for a capital work or permanent improvement to be financed in whole or in part by the issue of debentures or by entering bank loan agreements if it has approved the issue of debentures or entering a bank loan for a capital work; and

WHEREAS subsection 4(2) of the Regulation provides that the City may authorize temporary borrowing for a work or improvement under subsection 4(1) of the Regulation only if the City applies the proceeds of the borrowing only for the purposes for which the debentures are to be issued or the bank loan entered;

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

1. For the years 2011, 2012, 2013 and 2014, when Council has approved a capital work or permanent improvement to be financed in whole or in part by issuing a debenture or entering a bank loan, authority is granted:
  - (a) to the Mayor and the Deputy City Manager and Chief Financial Officer to:
    - (i) obtain from a bank or person temporary advances from time to time to meet expenditures in connection with the purposes authorized provided that temporary advances in respect of each such purpose shall at no time exceed the gross expenditure approved for such purpose;
    - (ii) borrow temporarily in respect of such purposes an annual aggregate amount not to exceed Three Hundred Million Dollars (\$300,000,000.00), pending the sale and issuance of debentures or the entering into of bank loan agreements; and

(iii) to enter into any agreements necessary to give effect to the foregoing.

2. The proceeds of all borrowing under Section 1 shall be applied only for the purposes for which the debentures are to be issued or the bank loans entered.

ENACTED AND PASSED this 24th day of February, A.D. 2011.

FRANCES NUNZIATA,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)