

Authority: Government Management Committee Item 9.3, as adopted by City of Toronto Council on November 29, 30 and December 1, 2011
Enacted by Council: December 1, 2011

CITY OF TORONTO

BY-LAW No. 1411-2011

**To authorize the transfer of the property tax exemption for the lands of the
Toronto Children's Care Inc. (formerly Children's Oncology Care of Ontario Inc.)
from 26 Gerrard Street East to 240 McCaul Street.**

WHEREAS on December 17, 1993, the former Council of the City of Toronto enacted By-law No. 1994-0043, being a by-law to authorize an exemption from taxes of the land of Children's Oncology Care of Ontario Inc. municipally known in the year 1993 as 26 Gerrard Street East (the "Former Premises"), which by-law was enacted pursuant to the Children's Oncology Care of Ontario Inc. Act, 1993 (the "Act"); and

WHEREAS By-law No. 1994-0043 provided that Former Premises be exempt from taxes for municipal and school purposes so long as the land is occupied and used solely for the purposes of Children's Oncology Care of Ontario Inc. ("COCO"); and

WHEREAS the Act provides authority for the City and COCO to enter into an agreement providing that if the Former Premises were sold, leased, granted, transferred or conveyed by COCO, then all taxes foregone pursuant to By-law No. 1994-0043 during the shorter of the 10 year period prior to the transfer and the period that the By-law had been in effect, would be immediately payable to the Former City, and that the agreement could be registered against title to the Former Premises; and

WHEREAS the Act further provides that if such an agreement is entered into it may also provide that if COCO obtains title or leases alternate premises which it occupies and uses solely for its purposes, then the tax payment could be further deferred, the tax exemption could be transferred by by-law to the substituted property and that the Agreement could be registered against title to the substituted property; and

WHEREAS former City of Toronto (the "Former City") and COCO entered into such an agreement dated December 6, 1993, which agreement was registered against title to the Former Premises; and

WHEREAS pursuant to Supplementary Letters Patent filed February 23, 1999, COCO changed its name to Toronto Children's Care Inc. ("TCC"); and

WHEREAS TCC will be moving to new premises at 240 McCaul Street in mid-December, 2011 and Council has authorized the transfer of the property tax exemption from the Former Premises to these new premises;

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

1. The property tax exemption provided by By-law No. 1994-0043 of the Former City be transferred to the new premises of TCC at 240 McCaul Street, and the land described further in Schedule A hereto be exempt from taxes for municipal and school purposes so

long as the land is occupied and used solely for the purposes of TCC

- 2.** The Agreement dated December 6, 1993 between the Former City and COCO:
- (a) be deemed amended so as to substitute 240 McCaul Street for the Former Premises and to substitute TCC for COCO; and
 - (b) be removed from title to 26 Gerrard Street East and be registered against title to 240 McCaul Street, and

ENACTED AND PASSED this 1st day of December, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE "A"

Assessment Roll No.: 1904-06-5-820-03701

Legal Description:

Plan 361 Lots 3 12 Pt Lots 2 4 10 11 13 Pt Lane RP 66R24255 Parts 1 to 3.