

Authority: Government Management Committee Item 24.6,
as adopted by City of Toronto Council on October 8, 9, 10 and 11, 2013

CITY OF TORONTO

BY-LAW No. 1333-2013

To authorize the entering into of an agreement for the provision of a municipal capital facility at 550 Bayview 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 2 of section 2 of Ontario Regulation 598/06 prescribes municipal facilities used for a community centre as eligible municipal capital facilities; and

Whereas subsection 5(1) of Ontario Regulation 598/06 requires that in respect of municipal facilities used for a community centre, the facility be primarily used for local community activities, and Council declare by resolution that the municipal capital facilities are for the purposes of the City and are for a public use; and

Whereas the Toronto and Region Conservation Authority (the "TRCA") as owner, and the City as authorized manager and controller, entered into a lease dated October 5, 2007 with Evergreen (the "Tenant") for the use of 550 Bayview Avenue (the "Premises"), which lease was further amended by lease amending agreement dated February 2, 2009 (together referred to as the "Lease"); and

Whereas the portions of the Premises identified in Schedule "A" hereto are primarily used for local community activities (the "Eligible Premises") and Council has declared the Eligible Premises to be for the purposes of the City and to be for public use; and

Whereas Council is desirous of entering into an agreement with the Tenant for the provision of municipal facilities for use as a community centre at the Eligible Premises, and of providing an exemption from taxation for municipal and school purposes to the Eligible Premises;

The Council of the City of Toronto enacts:

1. The City of Toronto is authorized to enter into an agreement under section 252 of the *City of Toronto Act, 2006* with the Tenant for the provision of City facilities as a community centre at the Eligible Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. The Eligible Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
 - (1) If the Tenant ceases to lease the Eligible Premises without having assigned the Agreement to the new tenant of the Eligible Premises;

- (2) If the Eligible Premises cease to be used as a community centre of the City;
 - (3) When the Lease, or any renewal or extension of the Lease, expires;
 - (4) If the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - (5) 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 later of the following:
- (a) the day the tax exemption by-law is enacted; and
 - (b) the day that the Agreement is entered into by the City and the Tenant.

Enacted and passed on October 11, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule "A"

Eligible Premises

Premises used By Evergreen to be declared as Exempt as Municipal Capital Facilities

Building Number	FloorNumber	Location	Tenant/Use	Net Usable Area	Tax Class
Building 1	Ground Floor	Vestibule	Common	329	RT
Building 1		Washrooms	Common	768	RT
Building 1		Hallways	Common	837	RT
Building 1		Studio 2	Evergreen	700	RT
Building 1		Handicap Washroom	Common	73	RT
Building 1	2nd Floor	Hallways 2nd	Common	614	RT
Building 1		Utility	Common	169	RT
Building 1		Studio 4	Evergreen	1,287	RT
Building 1		Event Space	Evergreen	1,467	RT
			Total Building 1	6,244	
Building 12	Ground Floor	Welcome Centre	Evergreen	4,998	RT
Building 12		Atrium	Evergreen	2,851	RT
Building 12		Classroom 114	Evergreen	791	RT
Building 12		Classroom 119	Evergreen	412	RT
Building 12		Mud Room	Evergreen	398	RT
Building 12		Shared Kitchen/Kitchen 2	Evergreen	1,228	RT
Building 12		Washrooms	Common	690	RT
Building 12		Storage	Common	226	RT
Building 12		Mechanical	Common	115	RT
Building 12	2nd Floor	204	Evergreen	530	RT
Building 12		205	Evergreen	500	RT
Building 12		206	Evergreen	700	RT
Building 12		207	Evergreen	1,100	RT
Building 12		211&212	Common	570	RT
Building 12		Washrooms	Common	422	RT
Building 12		Hallway	Common	1,068	RT
Building 12		Mechanical	Common	347	RT
Building 12		Washrooms	Common	422	RT
Building 12		Hallways	Common	768	RT
Building 12		Mechanical	Common	2,160	RT
Building 12	4th Floor	Washrooms	Common	422	RT
		Hallway	Common	1,014	RT

Building Number	FloorNumber	Location	Tenant/Use	Net Usable Area	Tax Class
Building 12	5th Floor	Washrooms	Common	422	RT
		Hallways	Common	768	RT
		Mechanical	Common	2,160	RT
			Total Building 12	25,082	
Building 14	Ground Floor	102	Common	2,357	RT
Building 14		Indoor Market	Evergreen	1,787	RT
			Total Building 14	4,144	
Building3		Electrical	Common	473	RT
Building4		Storage	Evergreen	3,240	RT
Building5		Storage, Back of House for Pavillion Users	Evergreen	1,816	RT
Building6		Market Pavillions	Evergreen	27,481	RT
Building7					
Building8					
Building9		Storage and housing of designated heritage artifacts	Evergreen	26,970	RT
Building10					
Building11					
Building10b		Bike Works - DIY bike repairs	Evergreen	1,625	RT
Building15		Koener Gardens and Ice Rink	Evergreen	22,402	RT
Building16		Kiln Building, Holcim Gallery	Evergreen	52,744	RT
Surface Parking Area		Exterior Pad	Common		RT
Not Eligible:					
Building12	3rd Floor	300	Evergreen Office	8,804	RT

Evergreen Brickworks Site Map

