

Authority: Executive Committee Item 34.8,  
as adopted by City of Toronto Council on October 8, 9, 10 and 11, 2013

## **CITY OF TORONTO**

### **BY-LAW No. 969-2014**

#### **To authorize the entering into of an agreement for the provision of a municipal capital facility at the Toronto Pan Am Sports Centre.**

Whereas section 252 of the *City of Toronto Act, 2006* (the "Act") 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, and for parking ancillary to a community centre, as eligible municipal capital facilities; and

Whereas subsection 6(1) of Ontario Regulation 598/06 requires that in respect of municipal facilities used for a community centre, and parking ancillary to a community centre, the facility must be used primarily for local community activity, and Council must declare the facility to be for the purposes of the City and to be for public use; and

Whereas on July 15, 2014, the City of Toronto (the "City") and the Governing Council of the University of Toronto (the "University") as owners, entered into an Operating Agreement with the Toronto Pan Am Sports Centre Inc. ("TPASC"), to operate and maintain the Toronto Pan Am Sports Centre located at the premises known as 875 Morningside Avenue and the Adjacent Parking Lands (owned solely by the University) as further described in Schedule "A" hereto (the "Premises"); and

Whereas the portions of the Premises identified in Schedule "B" hereto will be used for community centre purposes and ancillary parking (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 TPASC for the provision of municipal facilities for use for community centre purposes and ancillary parking 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 Act with TPASC for the provision of City facilities for community centre and ancillary parking purposes 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 TPASC ceases to operate the Eligible Premises without having assigned the Agreement to the new operator of the Eligible Premises;
  - (2) If the Eligible Premises cease to be used for community centre use and ancillary parking purposes;
  - (3) When the Operating Agreement, or any renewal or extension of the Operating Agreement, expires;
  - (4) If the Operating Agreement, or any renewal or extension of the Operating Agreement 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 this by-law is enacted; and
  - (b) the day that the Agreement is entered into by the City and TPASC.

Enacted and passed on August 28, 2014.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**Schedule "A"**

**The Premises**

**The Property municipally known as 875 Morningside Avenue, Toronto, Ontario:**

Part of Lot 13, RCP 10303 and Part of Lot 10 Concession 2, City of Toronto, designated as Parts 2 and 3 on Plan 66R-25881

PIN 06192-0383(LT) in respect of Part 2

PIN 06192-0388(LT) in respect of Part 3

Assessment Roll No.: 1901094300058210000

and

**Adjacent Parking Lands:**

Part of Lot 10 Concession 2, City of Toronto designated as Part 4 on Plan 66R-25881.

PIN 06192-0386 (LT)

Part of Assessment Roll No.: 190109430004610

## **Schedule "B"**

### **The Eligible Premises**

The Premises, with the exception of the following portions thereof, constitute the Eligible Premises:

**Space Occupied by CSIO:**

Total exclusive non-public use area is 19.3 square metres on Floor 1, 1300.4 square metres on Floor 2, and 703.5 square metres on Floor 3

**Food and Beverage:**

Total commercial area of 144.6 square metres on Floor 2

**Retail Tenants:**

Total commercial area of 297.5 square metres on Floor 2.