

Authority: Executive Committee Item EX16.33, as adopted by City of Toronto Council on July 12, 13, 14 and 15, 2016

CITY OF TORONTO

BY-LAW No. 748-2016

To authorize the entering into of an agreement for the provision of a municipal capital facility at 3738 St. Clair Avenue East.

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 housing facilities may allow for the lease, operation or maintenance of the facilities; and

Whereas subsection 2(1) of Ontario Regulation 598/06 prescribes facilities used for affordable housing as eligible municipal capital facilities; and

Whereas subsection 7(1) of Ontario Regulation 598/06 requires that in respect of municipal facilities used for affordable housing, the housing units fall within the definition of "affordable housing" as the term is defined in the Municipal Facility Housing By-law No. 124-2016; and

Whereas Wigwamen Incorporated, has agreed to provide affordable housing at the property currently known as 3738 St. Clair Avenue East, as more particularly described in Schedule "A" to this By-law (the "Premises"); and

Whereas Council is desirous of entering into an agreement with Wigwamen Incorporated for the provision of a municipal capital facility for use as affordable housing at the 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 Wigwamen Incorporated for the provision of a municipal housing facility at the Premises (the "Agreement").
2. The Eligible Premises are exempt from taxation for municipal and school purposes.
3. The tax exemptions referred to herein shall be effective, in accordance with By-law No. 124-2016, from the date of execution of the municipal housing facility agreement, or the date this by-law is enacted, whichever is later, and shall continue for a period of 25 years thereafter.
4. This by-law shall be deemed to be repealed:
 - (a) if Wigwamen Incorporated fails to enter into the Agreement;
 - (b) if Wigwamen Incorporated ceases to occupy the Premises without having assigned the Agreement to a person approved by the City in accordance with the Agreement;

- (c) if Wigwamen Incorporated or its successor ceases to use the Premises for the purposes of affordable housing in accordance with By-law No. 124-2016 and the Agreement; and/or
- (d) if the Agreement is terminated for any reason whatsoever.

Enacted and passed on July 15, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule "A"

Description of the Premises

Legal Description

PIN: 06423-01313(LT)

Part of Lot 5, Plan 3781, City of Toronto

The Project

Construction of a building to contain 22 affordable housing units or such other number of units as approved by the City at 3738 St. Clair Avenue East, Toronto.