

Authority: General Government and Licensing Committee Item GL1.5, as adopted by City of Toronto Council on January 30 and 31, 2019

CITY OF TORONTO

BY-LAW 247-2019

To authorize the entering into of an agreement for the provision of a municipal capital facility at 124 Merton Street.

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 subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities used as telecommunications, transit and transportation systems for the purpose of section 252 of the Act; and

Whereas the Toronto Transit Commission entered into a Lease (the "Lease") as the tenant with Vivien Reiss Living Ltd (the "Landlord") for the use of the premises particularly described in Schedule A (the "Premises") as telecommunications, transit and transportation systems; and

Whereas Council is desirous of entering into an agreement (the "Agreement") with the Landlord for the provision of a municipal capital facility at the Premises;

The Council of the City of Toronto enacts:

1. The City is authorized to enter into an Agreement under section 252 of the City of Toronto Act, 2006 with the Landlord for the provision of a municipal capital facility.
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
 - (a) if the Landlord ceases to be the landlord without assigning the Lease to its successor;
 - (b) if the Premises cease to be used as telecommunications, transit and transportation systems;
 - (c) when the Lease, or any renewal or extension of the Lease, expires;
 - (d) if the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - (e) 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 date this by-law is enacted;
 - (b) the commencement date of the Lease; and
 - (c) the date the municipal capital facility agreement is entered into.

Enacted and passed on January 31, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A
DESCRIPTION OF THE PREMISES

124 Merton Street

Approximately 3,417 square feet of space, known as Suite 203, at 124 Merton Street.

Assessment Roll No.: 1904-10-3-060-05701