

Authority: Planning and Housing Committee
Item PH11.8, as adopted by City of Toronto
Council on December 17 and 18, 2019

CITY OF TORONTO

BY-LAW 44-2021

To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at 25 Nicholas 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 subsection 2(18) of Ontario Regulation 598/06 prescribes municipal facilities used for affordable housing for the purpose of section 252 of the City of Toronto Act, 2006; and

Whereas subsection 7(1) of Ontario Regulation 598/06 requires that in respect of municipal facilities used for housing, the housing units fall within the definition of "affordable housing" as the term is defined in the Municipal Housing Facility By-law 1756-2019; and

Whereas WoodGreen Community Housing Inc., has agreed to provide affordable housing at the property currently known as 25 Nicholas Avenue, Toronto; and

Whereas the portions of the Premises identified in Schedule A hereto are primarily used for affordable housing (the "Eligible Premises"); and

Whereas Council has entered into an agreement with WoodGreen Community Housing Inc. for the provision of municipal capital facilities for use as affordable housing at the Eligible Premises, and for the provision of an exemption from taxation for municipal and school purposes to the Eligible Premises (the "Agreement");

The Council of the City of Toronto enacts:

1. The Eligible Premises are exempt from taxation for municipal and school purposes.
2. The tax exemptions referred to herein shall be effective, in accordance with City of Toronto By-law 1756-2019, from the date of execution of the municipal housing facility agreement, the date this by-law is enacted, or the date WoodGreen Community Housing Inc.'s lease for the Eligible Premises commences, whichever is later, and shall continue for a period of 40 years thereafter.
3. This by-law shall be deemed repealed:
 - (a) if WoodGreen Community Housing Inc. ceases to occupy the Eligible Premises without having assigned the Agreement to a person approved by the City in accordance with the Agreement;

- (b) if WoodGreen Community Housing Inc. or its successor in law ceases to use the Eligible Premises for the purposes of affordable housing in accordance with City of Toronto By-law 1756-2019 and the Agreement; and/or
- (c) if the Agreement is terminated for any reason whatsoever.

Enacted and passed on February 5, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

Schedule A
Description of Eligible Premises

Legal Description

Part of PIN: 21082-0535 (LT)

Part of Block 8, Plan 66M-2529, designated as parts 1, 3-6, 10-14, 16-29, 31, 32, 34, 35, 37-41 and 43 on Reference Plan 66R-30964

The Eligible Premises

Construction of a building containing 346 units of which 34 units will be affordable housing units or such other number of units as approved by the City at 25 Nicholas Avenue, Toronto