

Authority: Planning and Housing Committee
Item PH21.4, as adopted by City of Toronto
Council on March 10, 2021

CITY OF TORONTO

BY-LAW 174-2021

To authorize the entering into of an agreement for the provision of a municipal capital facility for affordable housing at the properties municipally known in 2020 as 880 and 884 Kingston Road, to exempt the affordable housing from development charges and to repeal City of Toronto By-law 1354-2019.

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, that all the housing units fall within the definition of "affordable housing" as that term is defined in the Municipal Housing Facility By-law 1756-2019; and

Whereas Beech House Corporation is the registered owner of the property municipally known in 2020 as 880 Kingston Road, Toronto; and

Whereas 1953083 Ontario Inc. is the registered owner of the property municipally known in 2020 as 884 Kingston Road, Toronto; and

Whereas Beech House Corporation and 1953083 Ontario Inc. have agreed to provide affordable housing in a development to be constructed at the properties municipally known in 2020 as 880 and 884 Kingston Road; and

Whereas in 2019 Council adopted By-law 1354-2019 authorizing entry into an agreement with 1953083 Ontario Inc. under section 252 of the City of Toronto Act, 2006 and exempting it from the payment of development charges for the provision of 30 affordable housing units at 884 Kingston Road and Council wishes to repeal the aforementioned By-law and enact a new By-law addressing the revised proposal for affordable housing to be constructed by Beech House Corporation and 1953083 Ontario Inc. at 880 and 884 Kingston Road; and

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

Whereas Council wishes to enter into an agreement with Beech House Corporation and 1953083 Ontario Inc. for the provision of municipal capital facilities for use as affordable housing at the Eligible Premises and to provide them an exemption from the payment of development charges for 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 Beech House Corporation and 1953083 Ontario Inc. for the provision of affordable housing at the Eligible Premises, in accordance with Ontario Regulation 598/06 (the "Agreement").
2. Beech House Corporation and 1953083 Ontario Inc. shall be exempt from the payment of development charges in respect of the Eligible Premises imposed by the City under the Development Charges Act, 1997, S.O. 1997, c.27, while this by-law is in force.
3. City of Toronto By-law 1354-2019 is repealed.

Enacted and passed on March 10, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

Schedule A
Description of Premises

Legal Description

880 Kingston Road

PIN: 21011-0075 (LT)

PCL 20-2-29 SEC M10; PT LT 20 BLK 29 N/S KINGSTON RD PL M10 TORONTO COMM AT A POINT IN THE N LIMIT OF KINGSTON RD DISTANT 10 FT MEASURED WLY FROM THE S E ANGLE OF THE SAID LT AND IS WHERE A STRAIGHT LINE DRAWN ALONG THE ELY FACE OF THE E BRICK WALL OF THE E STORE ON THIS LAND IN THE YEAR 1919 WOULD IF PRODUCED SLY INTERSECT THE NLY LIMIT OF KINGSTON RD; THENCE NLY TO AND ALONG THE ELY FACE OF SAID WALL THIRTY FT AND TWO INCHES MORE OR LESS TO THE N E ANGLE OF THE SAID E WALL OF SAID STORE; THENCE STILL NLY AND PARALLEL TO THE ELY LIMIT OF SAID LT A DISTANCE IN ALL OF ONE HUNDRED FT TO A POINT IN THE SLY LIMIT OF THE LANE HEREINAFTER DESCRIBED; THENCE IN A WLY DIRECTION ALONG THE S LIMIT OF SAID LANE TWENTY-FIVE FT SIX INCHES; THENCE SLY IN A STRAIGHT LINE ABOUT PARALLEL TO THE ELY LIMIT OF THE SAID LT TO THE N W ANGLE OF THE W WALL OF THE W BRICK STORE ON THIS LAND IN THE YEAR 1919; THENCE STILL SLY AND ALONG THE WLY FACE OF THE BRICK WALL OF THE LAST MENTIONED STORE AND ITS PRODUCTION SLY IN A STRAIGHT LINE TO THE NLY LIMIT OF KINGSTON RD; THENCE ELY ALONG THE NLY LIMIT OF KINGSTON RD TWENTY-FIVE FT SIX INCHES MORE OR LESS TO THE POB; T/W A ROW FOR ALL PURPOSES IN COMMON WITH OTHERS ENTITLED THERETO IN, OVER, ALONG AND UPON A LANE IN REAR OF THE SAID DESCRIBED LANDS COMPOSED OF PARTS OF LOTS 17, 18, 19, 20 AND 21 IN BLK 29 ON SAID PL M10 DESCRIBED AS FOLLOWS:- COMM AT A POINT IN THE E LIMIT OF HANNAFORD ST DISTANT ONE HUNDRED FT N ALONG SAID LIMIT OF SAID ST FROM ITS INTERSECTION WITH THE N LIMIT OF KINGSTON RD; THENCE S ELY PARALLEL WITH THE N LIMIT OF KINGSTON RD 285 FT 7 3/4 INCHES TO THE W LIMIT OF PICKERING AV (FORMERLY CATHARINE STREET); THENCE NLY ALONG THE SAID LIMIT OF PICKERING AV 12 FT 3 INCHES; THENCE NORTH-WESTERLY PARALLEL TO THE N LIMIT OF KINGSTON RD 285 FT 7 3/4 INCHES MORE OR LESS TO THE E LIMIT OF HANNAFORD ST; THENCE SLY ALONG THE SAID LIMIT OF HANNAFORD ST 12 FT 3 INCHES MORE OR LESS TO THE POB, THE ABOVE ROW S/T THE RIGHT GRANTED BY TRANSFER 109467 TO CONSTRUCT AND MAINTAIN A SEWER; TORONTO, CITY OF TORONTO

884 Kingston Road

21011-0076 (LT)

PCL 20-1-29 SEC M10; PT LT 20 BLK 29 N/S KINGSTON RD PL M10 TORONTO; PT LT 21 BLK 29 N/S KINGSTON RD PL M10 TORONTO COMM AT A POINT IN THE NLY LIMIT OF KINGSTON RD DISTANT 65 FT 1/2 INCH MEASURED WLY FROM THE INTERSECTION OF THE WLY LIMIT OF PICKERING ST WITH THE NLY LIMIT OF KINGSTON RD BEING THE SOUTH-EAST ANGLE THEREOF: THENCE NLY TO AND ALONG THE ELY FACE OF THE BUILDING ERECTED ON THE LANDS IMMEDIATELY TO THE W OF THE HEREIN DESCRIBED LANDS AND CONTINUING

NLY ON THE LINE ALMOST PARALLEL WITH THE WLY LIMIT OF PICKERING ST 100 FT TO A POINT IN THE S LIMIT OF A LANE. THENCE ELY FROM SAID POINT ALONG THE SLY LIMIT OF SAID LANE, 36 FT 1 INCH MORE OR LESS TO A POINT SITUATE IN THE SLY LIMIT, OF THE LANE HEREINAFTER MENTIONED WHERE AN IRON TUBE HAS BEEN PLANTED. THENCE SLY FROM THE SAID POINT ON A LINE PARALLEL WITH THE WLY LIMIT OF PICKERING ST AND PASSING THROUGH THE CENTRE OF WALL BTN THE BUILDING ON THE LAND HEREIN DESCRIBED AND THE ONE TO THE E THEREOF, A DISTANCE OF 100 FT TO A POINT IN THE NLY LIMIT OF KINGSTON RD DISTANT 28 FT 11 1/2 INCHES WLY FROM THE INTERSECTION OF THE N LIMIT OF KINGSTON RD WITH THE W LIMIT OF PICKERING ST. THENCE WLY ALONG THE N LIMIT OF KINGSTON RD 36 FT 1 1/4 INCHES MORE OR LESS TO THE POB; T/W A ROW FOR ALL PURPOSES IN COMMON WITH OTHER ENTITLED, THERETO, IN, OVER AND UPON AND ALONG A LANE IN REAR OF THE SAID DESCRIBED LANDS COMPOSED OF PARTS OF LOTS 17, 18, 19, 20 AND 21 IN BLK 29 ON THE SAID PL M10: COMM AT A POINT IN THE E LIMIT OF HANNAFORD ST DISTANT 100 FT N ALONG SAID LIMIT OF SAID ST FROM ITS INTERSECTION WITH THE N LIMIT OF KINGSTON RD; THENCE S ELY PARALLEL WITH THE N LIMIT OF KINGSTON RD 285 FT 7 3/4 INCHES TO THE W LIMIT OF PICKERING AV (FORMERLY CATHERINE STREET) THENCE N ALONG THE SAID LIMIT OF PICKERING ST 12 FT 3 INCHES. THENCE N WLY PARALLEL TO THE N LIMIT OF KINGSTON RD 285 FT 7 3/4 INCHES MORE OR LESS TO THE E LIMIT OF HANNAFORD ST. THENCE SLY ALONG SAID LIMIT OF HANNAFORD ST 12 FT 3 INCHES MORE OR LESS TO THE POB; S/T A RIGHT IN FAVOUR OF ELLEN M. BIETTE TO CONSTRUCT AND MAINTAIN A SEWER IN, ALONG AND OVER THOSE PARTS OF LOTS 17, 18, 19, 20 AND 21 IN BLK 29 ON PL M10 (CITY OF TORONTO) DESCRIBED IN THE ABOVE ROW AND TO CONSTRUCT AND MAINTAIN CONNECTIONS FROM SAID SEWERS TO ANY BUILDINGS ERECTED ON THE ABOVE PCL; CITY OF TORONTO

The Eligible Premises

Construction of 50 units above an existing restaurant, all of which will be affordable housing units or such other number of units as may be approved by the City at 880-884 Kingston Road, Toronto.