

Authority: MM31.19, by Councillor Mike Layton,
seconded by Councillor Joe Cressy, as adopted by City of
Toronto Council on April 7 and 8, 2021

CITY OF TORONTO

BY-LAW 369-2021

To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at 54-56 Kensington 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 Kensington Market Community Land Trust has agreed to provide affordable housing at the property currently known as 54-56 Kensington 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 wishes to enter into an agreement with Kensington Market Community Land Trust 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 City of Toronto is authorized to enter into an agreement under section 252 of the City of Toronto Act, 2006 with Kensington Market Community Land Trust for the provision of affordable housing at the Eligible Premises, in accordance with Ontario Regulation 598/06.
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 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 the Kensington Market Community Land Trust takes title to the Eligible Premises, whichever is later, and shall continue for a period of 99 years thereafter.

4. This by-law shall be deemed repealed:
- (a) if Kensington Market Community Land Trust 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 Kensington Market Community Land Trust 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 May 6, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A
Description of Eligible Premises

Legal Description

PIN: 21235-0016 (LT)

PCL 31-2 SEC AD15; FIRSTLY: PT LT 31 W/S KENSINGTON AVE PL D15 TORONTO;
SECONDLY: PT LT 9 PL D272 TORONTO PT 1, 2, 66R14661; S/T A ROW AT ALL TIMES
FOR THE OWNERS AND OCCUPIERS FROM TIME TO TIME OF THE LANDS LYING
IMMEDIATELY TO THE W OF THE ABOVE DESCRIBED LAND OVER, ALONG AND
UPON THE SLY 8 FT OF THE ABOVE DESCRIBED PORTION OF LT 9, PL D272; S/T PT
2, 66R14661 & PT 1, 66R17394 AS IN E53063; S/T ROW OVER PT 2 PL 66R14661 IN
FAVOUR OF PIN 21235-0015 AS IN AT657337; TORONTO, CITY OF TORONTO

The Eligible Premises

A building containing 12 units of which 9 units will be affordable housing units or such other number of units as approved by the City at 54-56 Kensington Avenue, Toronto.