

Authority: Item CC20.6, as adopted by City of Toronto Council on April 30, 2020; Planning and Housing Committee Item PH23.5, adopted as amended, by City of Toronto Council on June 8 and 9, 2021; and Planning and Housing Committee Item PH35.21, as adopted by City of Toronto Council on July 19, 20, 21 and 22, 2022

CITY OF TORONTO

BY-LAW 853-2022

To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at 39 Dundalk Drive.

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 183-2022; and

Whereas Homes First Society, has agreed to provide affordable housing at the property currently known as 39 Dundalk Drive, 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 will enter into an agreement with Homes First Society 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 183-2022, from the date of execution of the municipal housing facility agreement, the date this by-law is enacted, or the Commencement Date of the Lease with Homes First Society for the Eligible Premises, whichever is later, and shall continue for a period of 5 years thereafter.

3. This by-law shall be deemed repealed:
- (a) if Homes First Society 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 Homes First Society 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 183-2022 and the Agreement; and/or
 - (c) if the Agreement is terminated for any reason whatsoever.

Enacted and passed on July 22, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

Description of Premises

Legal Description

Part of PIN: 06165-0024

PT BLK B PL 8778 SCARBOROUGH AS IN SC432153; TORONTO, CITY OF TORONTO

The Eligible Premises

Operation of a building containing 57 newly constructed units of which 57 units will be affordable housing units or such other number of units as approved by the City at 39 Dundalk Drive, Toronto.