

Authority: Planning and Housing Committee Item PH8.3,  
as adopted by City of Toronto Council on October 2 and 3,  
2019

City Council voted in favour of this by-law on July 20,  
2023

Written approval of this by-law was given by Mayoral  
Decision 8-2023 dated July 20, 2023

## **CITY OF TORONTO**

### **BY-LAW 697-2023**

#### **To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at 1236 Birchmount Road.**

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 Birchmount Green Inc., has agreed to provide affordable housing at the property currently known as 1236 Birchmount Road, 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 Birchmount Green 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 183-2022, from the date of execution of the municipal housing facility agreement, the date this by-law is enacted, or September 15, 2023, whichever is later, and shall continue for a period of 50 years thereafter.

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 This by-law shall be deemed repealed: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

Enacted and passed on July 20, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**Schedule A**  
**Description of Eligible Premises**

**Legal Description**

PIN: 06336-0007 (LT)

Part of Block A Plan 4329 as in TB252681 Scarborough, City of Toronto

**The Eligible Premises**

Construction of a building containing 220 units of which 220 units will be affordable housing units or such other number of units as approved by the City at 1236 Birchmount Road, Toronto.