

Authority: Planning and Housing Committee Item PH28.3,  
as adopted by City of Toronto Council on November 9, 10  
and 12, 2021

City Council voted in favour of this by-law on  
December 15, 2023

Written approval of this by-law was given by Mayoral  
Decision 30-2023 dated December 15, 2023

## **CITY OF TORONTO**

### **BY-LAW 1247-2023**

#### **To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located at 164 Madison 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 paragraph 18 of subsection 2(1) 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 Houses Opening Today Toronto Inc., has agreed to provide affordable housing at the property currently known as 164 Madison 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 Houses Opening Today Toronto 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 the date the Houses Opening Today Toronto Inc. takes title to the Eligible Premises, whichever is later, and shall continue for a period of 99 years thereafter.

3. This by-law shall be deemed repealed:
- (a) if Houses Opening Today Toronto 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 Houses Opening Today Toronto 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 December 15, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**Schedule A**

**Description of Eligible Premises**

**Legal Description**

PIN: 21216-0048 (LT)

PCL 183-1 SEC M2; LT 183 W/S MADISON AV PL M2 TORONTO; PT LT 182 W/S  
MADISON AV PL M2 TORONTO NLY 2 FT; TORONTO, CITY OF TORONTO

**The Eligible Premises**

Acquisition and operation of a building containing 22 units of which 22 units will be affordable housing units or such other number of units as approved by the City at 164 Madison Avenue, Toronto.