

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2015-71

A bylaw to authorize an agreement for the provision of a municipal capital facility at
3601 Highway 7, City of Markham

WHEREAS section 110 of the *Municipal Act, 2001* provides that the Region 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 that an agreement for municipal capital facilities may allow for the lease, operation or maintenance of the facilities; and

WHEREAS paragraph 2 of subsection 2(1) of Ontario Regulation 603/06 prescribes facilities used for the general administration of the Region as an eligible class of municipal capital facility; and

WHEREAS paragraph 5 of subsection 2(1) of Ontario Regulation 603/06 prescribes facilities related to the provision of transit and transportation services as an eligible class of municipal capital facility;

WHEREAS paragraph 12 of subsection 2(1) of Ontario Regulation 603/06 prescribes facilities that combine the facilities described in paragraphs 1 to 11 as an eligible class of municipal capital facility; and

WHEREAS the Region has entered into a lease with 1602978 Ontario Inc. (the "**Owner**") for the use of the premises described in the attached Schedule A (the "**Premises**") for the general administration of the Region and/or the provision of transit and transportation systems (the "**Lease**"); and

WHEREAS Regional Council wishes to enter into an agreement with the Owner for the provision of a municipal capital facility at the Premises;

NOW THEREFORE, the Council of the Regional Municipality of York hereby enacts as follows:

1. That the Regional Municipality of York is authorized to enter into an agreement under section 110 of the *Municipal Act, 2001* with the Owner for the provision of municipal capital facilities used for the general administration of the Region and/or the provision of transit and transportation systems in accordance with Ontario Regulation 603/06 (the "**Agreement**").
2. The Premises are exempt from taxation for municipal and school purposes.
3. This bylaw shall be deemed repealed:
 - a. if the Owner ceases to own the Premises without having assigned the Agreement to the new owner of the Premises;
 - b. if the Region ceases to use the Premises as a municipal capital facility specified in Section 1;
 - c. when the Lease, or any renewal or extension of the Lease, expires;
 - d. if the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
 - e. if the Agreement is terminated for any reason whatsoever.
4. Schedule A shall form part of this Bylaw.
5. The Regional Clerk shall give written notice of the contents of this Bylaw to:
 - a. the Municipal Property Assessment Corporation;
 - b. the Clerk of the City of Markham; and
 - c. the Secretaries of the York Region District School Board and the York Region Catholic District School Board.
6. Bylaw 2013-94 is repealed.

7. a. Sections 1, 3, 4, 5, 6 and 7 of this Bylaw shall come into force on the day that this Bylaw is enacted.
- b. Section 2 of this Bylaw shall come into force on the later of the following:
 - i. the day that this Bylaw is enacted; and
 - ii. the day that the Agreement is entered into by the Region and the Owner.

ENACTED AND PASSED on November 19, 2015.

Denis Kelly

Wayne Emmerson

Regional Clerk

Regional Chair

Authorized by Clause 2, Report 1 of the Finance and Administration Committee, adopted by Regional Council at its meeting on January 24, 2013.

SCHEDULE A

Description of the Premises at 3601 Highway 7, City of Markham

29,190 square feet of space on levels 8, 11 and 12