

Authority: Executive Committee Item EX29.5, as adopted by City of Toronto Council on December 5, 6, and 7, 2017

CITY OF TORONTO

Bill 1409

BY-LAW -2017

To amend City of Toronto Municipal Code Chapter 608, Parks, to amend the delegated real estate approval process.

Whereas Council has authorized changes to Municipal Code Chapter 608, Parks, to establish new provisions with respect to the delegated real estate approval process for real estate transactions for the Parks, Forestry and Recreation division;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 608, Parks is amended as follows, by:

A. Amending Section 608-1 by:

(1) Deleting the definition of "PERMIT" and substituting the following:

PERMIT - A City-issued permit, parks access agreement, lease, licence, letter of authorization, parking permit or any other written authorization issued by the City to allow for the use of any area located within the boundaries of a park, granted in accordance with this chapter.

(2) Adding a new definition as follows:

REAL ESTATE APPROVAL PROCESS - the real estate service delivery model and delegated authority approval process as set out in Item EX27.12, adopted by Council at its meeting of October 2, 3 and 4, 2017, including any amendments as approved by Council from time to time.

B. Adding a new Section 608-56 as follows:

§ 608-56. Delegated real estate authority.

A. The General Manager shall have authority to issue permits in relation to park areas or facilities on terms acceptable to the General Manager, including insurance and indemnification provisions, and in a form satisfactory to the City Solicitor, provided that:

(1) the term of the arrangement, including all rights of renewal or extension, is

(a) for a total period not exceeding one (1) year; or

(b) where the arrangement relates to only a portion of an existing building or structure, for a total period of three (3) years or less, and

- (c) subject to a right of termination in favour of the City, exercisable upon not greater than 90 days' prior notice;
 - (2) the total rent or licence fee payable to the City pursuant to such arrangement does not exceed \$50,000;
 - (3) the start date for the use shall not be later than six (6) months from the date the permit was issued; and
 - (4) the fee(s) payable to the City in relation to such permit shall conform with the requirements of Chapter 441, Fees and Charges or, if Chapter 441 is not applicable, otherwise reflects fair market value.
- B. Where the requested permit does not meet the criteria set out in Subsection A, the permit request shall be directed through the Real Estate Approval Process.
- C. Where the General Manager wishes to proceed with a transaction that falls outside of the scope of authority delegated by Council pursuant to the Real Estate Approval Process, the General Manager shall seek Council approval for such transaction by way of a joint report together with the Deputy City Manager, Internal Corporate Services.

2. This by-law shall come into force on January 1, 2018.

Enacted and passed on December , 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)