



**STAFF REPORT
ACTION REQUIRED**

**License Agreement with the Church of the Resurrection
for Woodbine Child Care Centre at 700 Milverton
Boulevard**

Date:	April 17, 2007
To:	General Management Committee
From:	Chief Corporate Officer
Wards:	Ward 31 - Beaches- East York
Reference Number:	P:\2007\Internal Services\F&re\Gm07033F&re – (AFS 3255)

SUMMARY

This report requests Council’s authority to enter into a five year license agreement, commencing October 1, 2005 and expiring on September 30, 2010, with the Church of the Resurrection for 4,800 square feet of space of the Church School and an adjacent playground at 700 Milverton Boulevard for use as a Child Care Centre on the terms and conditions set out in Appendix “A” to this report.

The license fees reflect the current market rates. The terms and conditions are considered fair and reasonable and are acceptable to the Children’s Services Division.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. Council authorize the license agreement to be entered into with the Church of the Resurrection substantially on the terms and conditions as set out in Appendix A of this report, together with such other terms and conditions as may be deemed appropriate by the Chief Corporate Officer and in the form approved by the City Solicitor;
2. Council grant the authority to the Chief Corporate Officer to administer and manage the license agreement including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction; and

Financial Impact

The funds to cover this expenditure in 2007 (\$25,938.49 for rent, plus estimated heating costs of \$16,500.00) form part of Children's Services annualized operating budget under Account No. 0-CS600-E1885J-4530. Future year budget submissions will include the expenditure commitments as follows: \$26,327.39 in 2008, \$26,729.44 in 2009, and \$20,266.47 in 2010, as well as heating costs of approximately \$17,000 per year.

As the City continued to pay the previous rent amounts after the lease expiry, the retroactive amount to be paid is limited to the rent increase recommended in the report of \$565.71 and estimated heating costs of approximately \$15,750.00. These amounts can be absorbed in the currently recommended budget for Municipal Child Care.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

Metropolitan Council, on August 11, 1970, by adoption of Executive Committee report No. 25, Clause 12, authorized the leasing of 4,800 sq. feet of space in the above property for a period of ten years, commencing October 1, 1970 and by adoption of Executive Committee report No. 3, Clause 50, authorized the expansion of the playground space by the leasing of 11,800 square feet of adjacent vacant Church land. The lease of the land was to run concurrently with the existing 10-year lease of the Day Care Centre.

Metropolitan Council, on September 23, 1980, by adoption of Executive Committee Report No. 22, Clause No. 28, authorized the renewal of the existing lease for a period of five years commencing on October 1, 1980.

Metropolitan Council, on October 1, 1985, by adoption of Executive Committee Report No. 25, Clause No. 16, approved the entering into a renewal lease for a period of five years commencing on October 1, 1985.

Metropolitan Council, on September 26, 1990, adopted Clause No. 2 of the Parks, Recreation and Property Committee Report No. 13, authorizing to renew the existing leasing agreement with the Church of the Resurrection for a term of five years, commencing on October 1, 1990 with an option to renew for a further 5-year term

Metropolitan Council, on February 28, 1996, adopted Clause No. 6, Report No. 4 of the Corporate Administration Committee, authorizing to renew the lease agreement with the Church of the Resurrection for a term of 2 years, commencing on October 1, 1995 with an option to renew for a further 1-year term on the same terms and conditions.

Metropolitan Council, on August 13 and 14, 1997, adopted Clause No. 32 of the Report No. 19 of the Corporate Administration Committee, authorizing to enter into a new one-year lease agreement with the Church of the Resurrection, commencing October 1, 1997.

Chief Administrative Officer of the City of Toronto had approved, under delegated Approval Form No. 99-154, the entering into a new 2-year lease agreement with the Church commencing October 1, 1998 for a Child Care space.

Chief Administrative Officer, on August 3, 2004 of the City of Toronto had approved, under delegated Approval Form, to enter into a 5-year licence agreement with the Church commencing retroactively as of October 1, 2000 and expiring September 30, 2005.

ISSUE BACKGROUND

The five-year licence agreement with the Church of the Resurrection for 4,800 square feet of space of the Church School and the 11,800 sq. feet playground at 700 Milverton Boulevard for use as a Child Care Centre expired on September 30, 2005. The Child Care Centre has continued in this location in an over hold capacity.

COMMENTS

Facilities & Real Estate Services have now reached an agreement with the Church of the Resurrection, 1100 Woodbine Avenue, Toronto, Ontario M4C 4C7, to enter into a 5-year license agreement commencing retroactively on October 1, 2005 and terminating on September 30, 2010 on terms and conditions outlined in Appendix A of this report.

This report has been prepared in consultation with staff of Children's Services Division.

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SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

Appendix "A"

Major Terms and Conditions License with the Church of the Resurrection for a Child Care Centre

Licensed Areas:

Part of the Church of the Resurrection at 1100 Woodbine Avenue, in the City of Toronto, comprising of 4,800 square feet of space of the Church School and an adjacent playground.

License Term:

Five (5) years commencing retroactively on October 1, 2005 and terminating on September 30, 2010.

License Fee:

The Licensee (The City of Toronto) will pay the net annual license fee of:

- \$25,459.68 (payable in monthly payments of \$2121.64) for the first year,
- \$25,841.52 (payable in monthly payments of \$2153.46) for the second year,
- \$26,229.12 (payable in monthly payments of \$2185.76) for the third year,
- \$26,622.60 (payable in monthly payments of \$2218.55) for the fourth year,
- \$27021.96 (payable in monthly payments of \$2251.83) for the fifth year

Other Major Terms and Conditions:

1. The Licensee will pay in September of each year 1/3 of the Licensor's metered heating bill;
2. The Licensee will pay its own Hydro costs which are separately metered.
3. The Licensor (The Church of Resurrection) has retained the right to use two basement rooms and the toddler room which form part of the licensed areas on Sunday mornings for approximately two (2) hours of use as a kindergarten and nursery;

Appendix "B"
Location Maps

