



STAFF REPORT ACTION REQUIRED

Amendment to Existing Lease Agreement between City of Toronto and Toronto Azzurri Soccer Club

Date:	April 24, 2008
To:	Government Management Committee
From:	General Manager, Parks, Forestry and Recreation
Wards:	Ward 8 – York West
Reference Number:	

SUMMARY

The purpose of this report is to request Council authority to amend the existing Lease Agreement between the City of Toronto and the Toronto Azzurri Soccer Club (the Soccer Club) for the operation and construction of a soccer field and field house at the City's Keele Reservoir, municipally known as 4995 Keele Street. The amendments include increasing the size of the leased area, expanding the use to allow other sports, permitting the construction of a parking lot and setting field maintenance standards.

The Toronto Azzurri Soccer Club has requested amendments to the Lease Agreement entered into with the City in January 2006. To ensure that the City's interests are protected, Parks, Forestry and Recreation staff also wishes to make additional amendments to the Lease Agreement.

The existing Lease Agreement is net and carefree to the City and the City will not incur any expenses as a result of any proposed amendments to the existing Lease Agreement.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation Division recommends that authority be granted to negotiate and execute an amendment to the current Lease Agreement between the City and the Toronto Azzurri Soccer Club, effective June 1, 2008, for the duration of the term expiring on December 31, 2025, in accordance with the amendments set out in Appendix 'A' to this report and such other terms and conditions as

are acceptable to the General Manager of Parks, Forestry and Recreation, and all in a form and content satisfactory to the City Solicitor.

FINANCIAL IMPACT

There will be no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

On June 14, 15 and 16, 2005, City Council adopted, as amended, Economic Development and Parks Committee Report 6, Clause 11, entitled “Request for Proposals 3907-05-7003 – Construction of an On-Site Field House and the Operation of the Soccer Field at Keele Reservoir (Ward 8 – York West),” authorizing the General Manager of Parks, Forestry and Recreation to negotiate and enter into a twenty-year License Agreement, with the Toronto Azzurri Soccer Club, the highest overall scoring Proponent meeting the requirements for the construction of an on-site field house and the operation of the soccer field at the Keele Reservoir.

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050614/edp6rpt/cl011.pdf>

The Keele Reservoir is a city-owned property. In January 2006 The City entered into a Lease Agreement with the Toronto Azzurri Soccer Club for a term of Twenty (20) Years, commencing on January 1, 2006 and expiring on December 31, 2025, for the construction of a field house and operation of the facility only as a recreational or competitive soccer field and soccer related events, at a nominal sum of One Dollar (\$1.00) per year.

The Lease is net and carefree to the City. The Soccer Club is responsible, at its sole cost and expense, for the operation and maintenance of the facility, including the installation and payment of all utilities, including but not limited to water and hydro and other services to the premises throughout the leased term.

The Soccer Club is also responsible to pay all taxes, including GST and real property taxes, if applicable. Currently the facility is tax exempt. However, a report recommending designation of the facility as a Municipal Capital Facility was adopted by the Government Management Committee on April 17, 2008 and is pending Council approval.

The operating, capital and related costs of the field house and soccer field are the sole responsibility of the Soccer Club.

The Soccer club is contributing eight (8) hours of prime time per week of field use (20% of the total field use) and 100 non-prime time hours per year back to the community free of charge. These hours are predetermined and mutually agreed upon by the Soccer Club and Parks, Forestry and Recreation staff at the beginning of every soccer season.

In addition, the Soccer club is offering free field time to schools and local organizations. The City also has the right to use the facility to stage community and City events at no charge.

COMMENTS

The Soccer Club is proposing amendments to the current lease agreement as outlined in Appendix 'A'. To ensure that the City's interests are protected, Parks, Forestry and Recreation staff is proposing additional amendments which are also outlined in Schedule 'A'. These amendments include increasing the size of the leased premises, expanding the use to allow other sports, permitting the construction of a parking lot and setting field maintenance standards.

Leased Premises

The existing area of the leased premises consists of approximately 9,960 square meters. The proposed location of the field house to be constructed by the Soccer Club falls outside the current leased premises. In order to accommodate the location of the field house, the Soccer Club is proposing to increase the size of the leased premises by approximately an additional 4,430 square meters. The new total area of the leased premises will be approximately 14,390 square meters.

Use

The current lease agreement allows for the facility to be used as a recreational and competitive soccer field only. The soccer field is located adjacent to cricket pitches and as such, this does not allow for both soccer and cricket to be played at the same time, due to the danger of either cricket balls being hit onto the soccer field or soccer balls being kicked onto the cricket field. Both Soccer and Cricket clubs require additional space. The Soccer and Cricket Clubs have had to further negotiate available times and the use of one another's facilities in order to accommodate both sports and this has been very successful. In addition, The Soccer Club receives many requests for the use of their field from the Toronto Police for their Tug of War tournaments, as well as from Frisbee Associations for Frisbee tournaments.

The Soccer Club is proposing to expand to use of the field for cricket and other sports and recreational uses, in order accommodate cricket and other sport and recreational activities, subject to the prior written approval of the General Manager of Parks, Forestry and Recreation.

The game of football will not be a permitted sport on the soccer field, through the Direction of City Council on December 5, 6 & 7, 2005, Economic Development and Parks Committee, Report 10, Clause 12. The Soccer group is aware of this direction.

<http://www.toronto.ca/legdocs/2005/agendas/council/cc051205/edp10rpt/cl012.pdf>

The existing Lease Agreement is net and carefree to the City and the City will not incur any expenses as a result of the proposed amendments to the agreement.

Field Maintenance

The existing lease agreement provides that the Soccer Club is responsible for the maintenance and upkeep of the soccer field. The Parks, Forestry and Recreation Division staff would like to ensure that this premier field is maintained in accordance with City standards similar to other premier fields across the City, and is therefore proposing to amend the agreement to include that the field be maintained in accordance with the Parks, Forestry and Recreation Classification Criteria for the Maintenance of Premier Outdoor Sports Fields as outline is Appendix 'B'.

Construction of Field House

The term of the agreement is twenty (20) years and expires on December 31, 2025. The current agreement provides that the tenant is responsible for the construction of the field house at its sole cost and expense, subject to obtaining all the necessary planning approvals, building permits and agreements with any authorities and in accordance with all City policies. However, the agreement does not contain any timelines for the construction of the field house. Parks, Forestry and Recreation Division staff would like to ensure that the field house is constructed within one year of the Tenant obtaining all the necessary approvals. The Soccer Club has applied for all necessary permits and approvals; however, these are on hold pending Council's approval of the recommendations contained in this report.

Construction and Maintenance of Parking Lot within Leased Premises

The current lease agreement does not contain a provision for the construction and maintenance of a parking lot within the leased premises. There is not enough parking to accommodate the amount of participants using the field and adjacent cricket pitches, especially during tournament times. The Soccer Club has proposed to construct, at its sole cost and expense, an additional gravel parking lot within the new leased premises, adjacent to the existing parking lot. The parking lot shall be constructed within one year of obtaining all necessary planning approvals, building permits and agreements with any authorities and in accordance with all City policies. The Soccer Club shall construct an environmentally friendly parking lot in accordance with the City's guidelines for the development of 'green' parking lots as outlined in Appendix 'C'. The parking lot will accommodate approximately an additional 56 vehicles and will be constructed adjacent to the existing parking lot. The parking lot will be used in common with all other patrons and members of the public at all times and there will be no charge for the use of the parking lot. The Soccer Club will be responsible for the maintenance, repairs/replacements of the parking lot.

The General Manager of Parks, Forestry and Recreation Division recommends that staff be authorized to negotiate and execute an amendment to the current lease agreement between the City and the Toronto Azzurri Soccer Club. The proposed amendments will provide the City of Toronto, in partnership with the Toronto Azzurri, with the opportunity to develop and deliver a higher quality, accessible recreational open space that will support and contribute to the quality of life of the community and ensure that all

its recreation programs and services are reflective and responsive to diverse community needs and priorities.

CONTACT

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SIGNATURE

Brenda Librecz
General Manager, Parks, Forestry and Recreation

ATTACHMENTS

Appendix A – Proposed Amendments

Appendix B – Classification Criteria for the Maintenance of Premier Outdoor Sports
Fields

Appendix C – Green Parking Policy for Parks and Ravines – Interim Design Guidelines

Appendix “A”

Proposed Amendments to the Current Lease Agreement Between the City of Toronto and Toronto Azzurri Soccer Club For the Construction and Operation of Soccer Field and Field House at the Keele Reservoir Ward 8

Subject	Current Lease Agreement	Proposed Amendments	Reasons Why
Leased Premises	<ul style="list-style-type: none"> The area of the Leased Premises consists of approximately 9,960 square meters 	<ul style="list-style-type: none"> The Tenant would like to increase the area of the Leased Premises by approximately an additional 4,430 square meters New Leased Premises will now total approximately 14,390 square meters Tenant will allow the City onsite to perform the Repairs to the reservoir, and the City will restore the property 	<ul style="list-style-type: none"> The proposed location of the field house falls outside the current Leased Premises Toronto Water may need to maintain, repair or restore the water reservoir located below the soccer and cricket fields
Use	<ul style="list-style-type: none"> The Facility is to be used as a recreational and competitive soccer field only 	<ul style="list-style-type: none"> The Tenant wishes to expand the use of the field for cricket and other sports and recreational uses subject to the prior written approval of the GM. Football will not be an allowed sport on the field as per Council’s direction (Dec. 5, 6 & 7, 2005-ED&P Committee, Report 10, Clause 12) 	<ul style="list-style-type: none"> The Soccer field is located adjacent to cricket pitches The current situation does not allow for both soccer and cricket to be played at the same time. Both clubs require more space The Soccer and Cricket clubs have had to negotiate and use one another’s facilities in order to accommodate both sports. This has been very successful The Azzurri’s also get requests for use of their fields from the Toronto Police for their Tug of War tournaments and from the Frisbee Associations for Frisbee tournaments.
Field Maintenance	<ul style="list-style-type: none"> The Tenant is responsible for the maintenance and upkeep of the field. 	<ul style="list-style-type: none"> The PF&R staff would like the Tenant to maintain this premier field in accordance with the PF&R’s Classification Criteria for the Maintenance of Premier Outdoor Sports Fields (attached) 	<ul style="list-style-type: none"> Parks, Forestry and Recreation staff wants to ensure that this premier field is maintained in accordance with City standards, similar to other premier fields across the City.

Subject	Current Lease Agreement	Proposed Amendments	Reasons Why
Construction of Field House	<ul style="list-style-type: none"> The Tenant is responsible for the construction of the field house at its sole cost and expense subject to obtaining all necessary planning approvals, building permits and agreements with any authorities and in accordance with all City Policies respecting same. 	<ul style="list-style-type: none"> The field house is to be constructed within one year of the Tenant obtaining all necessary planning approvals, building permits and agreements with any authorities and in accordance with all City Policies respecting same 	<ul style="list-style-type: none"> The term of the agreement is for 20 years and currently the Agreement has no timeline for the construction of the field house The Azzurri's have applied for all the necessary permits and approvals, but these are currently on hold pending the amendments to this Agreement
Construction of Parking Lot within Leased Premises	<ul style="list-style-type: none"> No Provision for the construction of a parking lot within the Leased Premises 	<ul style="list-style-type: none"> Tenant wishes to construct a parking lot within the new Leased Premises at its sole cost and expense, within one year of the Tenant obtaining all necessary planning approvals, building permits and agreements with any authorities and in accordance with all City Policies respecting same The Tenant shall construct an environmentally friendly parking lot in accordance with the City's guidelines for the development of 'green' parking lots (attached). The parking lot will accommodate approximately an additional 56 vehicles and will be constructed adjacent to the existing parking lot. The parking lot will be used in common with all other patrons and members of the public at all times. The Tenant will be responsible for the maintenance, repairs/replacements of the parking lot. There will be no charge for the use of the parking lot 	<ul style="list-style-type: none"> There is not enough parking to accommodate the amount of participants using the field and adjacent cricket pitches, especially during tournaments The Azzurri's have proposed to construct an additional gravel parking lot adjacent to the existing one

Appendix “B”

Classification Criteria for the Maintenance of Premier Outdoor Sports Fields

Class	Type of Park	Service Levels
Premier	<ul style="list-style-type: none"> Soccer, Football, Base/Softball, Cricket Pitches 	<ul style="list-style-type: none"> Cutting as required for the specific sport, minimum once per week
	<ul style="list-style-type: none"> Regulation size for specific sport 	<ul style="list-style-type: none"> Litter pickup Daily
	<ul style="list-style-type: none"> These are our premier fields and are to be kept in the best possible condition 	<ul style="list-style-type: none"> Height of cut - Sport Specific
	<p><u>Must have dedicated staff and equipment on site - ideally would have automatic irrigation</u></p>	<ul style="list-style-type: none"> General guidelines: <ol style="list-style-type: none"> Soccer/football/Diamond - 2" not to exceed 2 ½" Cricket – 1" to 2" not to exceed 2 ½"
	<ul style="list-style-type: none"> Permit one day per week for scheduled maintenance 	<ul style="list-style-type: none"> Watering schedule <ol style="list-style-type: none"> sand fields 2" per week, depending on conditions clay fields 1" per week, depending on conditions
	<ul style="list-style-type: none"> If user groups require more intensive maintenance than standards set, they are required to: 	<ul style="list-style-type: none"> Aeration - Once a month as required
	<ol style="list-style-type: none"> Request that additional work be done by parks staff and cost be charged back to the group Group to perform tasks themselves, based on agreements with Area Supervisor. 	<ul style="list-style-type: none"> Overseeding - Three times per year, as required
	<ul style="list-style-type: none"> Field closed at the discretion of site staff during or as a result of inclement weather. 	<ul style="list-style-type: none"> Field grooming (skinned area) - Done daily as required
		<ul style="list-style-type: none"> Line Marking - Done daily, as required

Appendix “C”

Green Parking for Parks and Ravines - Interim Design Guidelines

Date Approved:	September 22, 2003	Approved by:	City Council
		Source:	Parks, Forestry and Recreation
		Category:	Parks, Forestry and Recreation
		Sub-cat:	Parks Forestry and Recreation

Policy Statement

Where parking is required in a park or ravine, consideration should be given to ensuring that the parking lot meets the objectives of the Council approved Wet Weather Flow Management Master Plan as well as keeping parks as green as possible. Each park or ravine setting is different in terms of its topography, soil conditions and relationship to its watershed. Parks and ravines also vary in the nature of their facilities and service levels (local, district or regional), and winter maintenance requirements.

Therefore, various techniques for greening parking lots should be considered, such as smaller parking spaces, alternative pavers in overflow or low traffic areas, bioretention areas to treat stormwater, shared parking, use of light-coloured materials and/or landscape in creating a tree canopy.

Additional capital and maintenance costs need to be balanced against lifecycle costs as well as those related to stormwater management.

Interim Design Guidelines

- In order to minimize the amount of land used for parking lots situated in parks or ravines, parking station standards should be reviewed, including parking ratios, space dimensions and placement of parking stalls and access points.
- Where the parking lot is required for year-round recreational/park use, permeable pavers (composite only) alone, or in combination with asphalt surfaces on the driveway portion, should be used in order to minimize stormwater management problems, reduce surface pollutants and heat transfer.
- Where parking lots have high traffic volumes and it is not practical to use permeable surfaces in whole or in part, then other storm water management techniques such as the use of swales, French drains, vegetated islands and ponds as biofiltration areas to manage runoff should be used, in combination with asphalt surfaces.

- Where the parking lot is required for seasonal recreational uses, which are at peak in the summer (e.g. baseball, tennis) then permeable surfaces (composite or non-composite) should be used. These surfaces could be used alone or in combination with other 'green' parking techniques, but these surfaces are not ideal for winter use.
- A full cost-accounting model should be developed for the installation and maintenance of 'green' parking lots over the life cycle of the lot in order to determine the optimum use of scarce resources.
- In cases where a new parking lot is proposed to be developed, or a temporary parking lot is being converted to a permanent lot, and the lot is situated in a City park or ravine, a report to the Economic Development and Parks Committee is required.
- Council's approval will be required prior to any work being undertaken for the development of a new permanent parking lot in a City park or ravine or for the conversion of a temporary lot to a permanent one.