



STAFF REPORT ACTION REQUIRED

Licence Renewal – Lands Adjacent to 3965 Keele Street

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| Date: | October 31, 2008 |
| To: | Government Management Committee |
| From: | Chief Corporate Officer |
| Wards: | Ward 8 (York West) |
| Reference Number: | P:\2008\Internal Services\F&re\Gm08094F&re – (AFS 8760) |

SUMMARY

The purpose of this Report is to obtain Council’s authority to enter into a three (3) year renewal of a licence agreement with Imperial Oil, for the City’s use of a portion of Imperial Oil lands known as Finch Terminal, adjacent to the City-owned property municipality known as 3965 Keele Street. The licence is for the use of an existing asphalt driveway and parking curb.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. Council authorize the proposed three (3) year renewal of a licence agreement with Imperial Oil, a partnership of Imperial Oil Limited and McColl-Frontenac Petroleum Inc. (the Licensor) for the use of a portion of lands known as Finch Terminal, located adjacent to the City-owned property municipality known as 3965 Keele Street, for the purposes of an existing asphalt driveway and parking curb commencing on January 1, 2008 and expiring on December 31, 2010 under the same terms and conditions as in the existing Licence Agreement, as outlined in Appendix “A” to this Report.

2. The Chief Corporate Officer be authorized to administer and manage the renewal 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 matters (including their content) to City Council for its determination and direction.
3. The Chief Corporate Officer be authorized and delegated to approve any future renewals of this licence indefinitely, as required by Toronto Fire Services.

Financial Impact

This licence is required by Toronto Fire Services. Although there are no fees related to the licensing of this property, the City is responsible for maintenance and upkeep of the licensed land. All associated costs will be accommodated within the Toronto Fire Services existing and future year capital and operating budgets as required.

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

DECISION HISTORY

On July 28, 1966, the former City of North York acquired the lands municipally known as 3965 Keele Street for use as a fire hall. The lands adjacent to the fire hall are known as the Finch Terminal, and are owned by Imperial Oil. The City's asphalt and parking curb encroach over the lands of Imperial Oil as per the attached sketch in Appendix B to this report. Approval was granted by the Chief Corporate Officer on June 20, 2000 through Delegated Approval Form, Tracking No. 2000-070 to enter into a Licence Agreement with the Licensor for three (3) years commencing January 1, 1999 and expiring on December 31, 2001 to use the lands for the sole purposes of the City's existing asphalt driveway and parking curb. The City does not pay a licence fee; however, it is responsible for maintenance, repair and upkeep of the Licensed Lands. By Delegated Authority Form, Tracking No. 2001-133, the Chief Administrative Officer approved the renewal of the Licence Agreement with the Licensor for 3 years commencing January 1, 2002 and expiring on December 31, 2004. By Delegated Authority Form, Tracking No. 2005-061, the City Manager approved the further renewal of the Licence Agreement with the Licensor for 3 years commencing January 1, 2005 and expiring on December 31, 2007. The Licence Agreement expired on December 31, 2007 and the City has been in overhold.

COMMENTS

The use of this licence continues to be required by Toronto Fire Services. Imperial Oil (the Licensor) has indicated its concurrence for a further renewal for three years from January 1, 2008 to December 31, 2010. Facilities and Real Estate Services staff consider the terms and conditions of the agreement to be fair and reasonable.

CONTACT

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SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

ATTACHMENTS

Appendix "A" – Major Terms and Conditions of the Existing Licence
Appendix "B" – Location Map