



**STAFF REPORT
ACTION REQUIRED**

Extension of Green Lane Occupancy Licence and Transition Agreement and Trade-Mark Licence Agreement

Date:	January 24, 2008
To:	Public Works and Infrastructure Committee
From:	Geoff Rathbone, General Manager, Solid Waste Management Services
Wards:	All
Reference Number:	p:/2008/swms/Jan/003PW (#4352)

SUMMARY

This report requests authority to extend the Occupancy Licence and Transition Agreement between the City of Toronto and Green Lane Environmental Group Limited Partnership and the Trade-Mark Licence Agreement between the City of Toronto and St. Thomas Sanitary Collection Services Limited Partnership for an additional 12 months after their expiry on April 1, 2008.

RECOMMENDATIONS

The General Manager of Solid Waste Management Services recommends that:

1. the General Manager of Solid Waste Management Services be authorized to extend the Occupancy Licence and Transition Agreement dated April 2, 2007 between the City of Toronto and Green Lane Environmental Group Limited Partnership for up to 12 additional months on substantially the same terms and conditions as set out in the above agreement;
2. the General Manager of Solid Waste Management Services be authorized to extend the Trade-Mark Licence Agreement dated April 2, 2007 between the City of Toronto and St. Thomas Sanitary Collection Services Limited Partnership for up to 12 additional months on substantially the same terms and conditions as set out in the above agreement; and

3. the extension agreements described in Recommendations 1 and 2 be in a form satisfactory to the City Solicitor.

Financial Impact

There is no financial impact as a result of the recommendations contained in this report. Under terms of the current agreement, the lease of the subject premises is rent free and will continue to be upon extension of the agreement.

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

DECISION HISTORY

At their September 19, 2006 meeting, City Council issued instructions to staff, and in doing so, adopted, as amended, the confidential report (September 18, 2006) from the General Manager, Solid Waste Management Services, and the Deputy City Manager and Chief Financial Officer, entitled “Long Term Waste Disposal Capacity,” and in doing so, authorized the General Manager of Solid Waste Management Services to, in addition to other recommendations, negotiate and execute an agreement of purchase and sale based on the terms and conditions set out in the Term Sheet attached to the staff report on terms and conditions satisfactory to the General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer and in a form satisfactory to the City Solicitor. The following is the link to the September 19, 2006 decision document: <http://www.toronto.ca/legdocs/2006/agendas/council/cc060919sp/cofa.pdf>.

ISSUE BACKGROUND

The Term Sheet conditions of closing, section 6(e), stated that “Green Lane Environmental Group Limited will be permitted to continue to use their shops and offices at the landfill for their waste collection business for a period of up to 12 months or until the business is sold, provided that such usage does not interfere with the operation of the landfill.” This obligation was met through an Occupancy Licence and Transition Agreement dated April 2, 2007 between the City of Toronto and Green Lane Environmental Group Limited Partnership.

Also as part of this transition related to the Green Lane landfill purchase, the City entered into a Trade-Mark Licence Agreement dated April 2, 2007 with St. Thomas Sanitary Collection Services Limited Partnership that allowed the Vendor to use, for a period of one year from Toronto’s purchase date, the Licenced marks, “Green Lane”, “Green Lane Environmental”, and “Green Lane Environmental & Design”.

COMMENTS

Green Lane Environmental Group Limited Partnership has formally requested a 12 month extension of both the Occupancy Licence and Transition Agreement and the Trade-Mark Licence Agreement. Solid Waste Management Services has no operational concerns with an extension of both agreements for a period of up to 12 months.

Legal Services has been consulted in the preparation of this report.

CONTACTS

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SIGNATURE

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