

Authority: Executive Committee Item EX29.5, as adopted by City of Toronto Council on December 5, 6, 7 and 8, 2017

CITY OF TORONTO

BY-LAW 1408-2017

To amend City of Toronto Municipal Code Chapter 137, Public Library Board, to amend the delegated real estate approval process.

Whereas Council has authorized changes to Municipal Code Chapter 137, Public Library Board to establish new provisions with respect to the delegated real estate approval process for real estate transactions at the Library Board;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 137, Public Library Board is amended as follows, by:

A. Adding a new subsection 137-3 as follows:

§ 137-3. Delegated real estate authority.

A. As used in this Section, the following term shall have the meaning indicated:

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. The Library Board shall have authority to approve and enter into leases and licences in relation to areas or facilities under its jurisdiction in the following instances:

(1) Where the Library Board is the landlord:

- (a) the term of the lease, including renewal or extension options, shall not exceed a total term of one (1) year;
- (b) the rent payable to the Library Board in relation to such arrangements reflects fair market value; and
- (c) the base rent for the entire term shall not exceed \$50,000.

(2) Where the Library Board is the tenant:

- (a) the term of the lease, including renewal or extension options, shall not exceed a total term of one (1) year;
- (b) the base rent shall be no greater than fair market value;

- (c) the base rent for the entire term of the lease shall not exceed \$50,000; and
 - (d) funds to cover the associated costs have been approved by Council in the Library Board's operating budget.
 - (3) Where the Library Board is the licensor or licensee:
 - (a) the term of the licence, including renewal or extension options, shall not exceed a total term of five (5) years;
 - (b) where the Library Board is the licensor, the licence agreement shall have a termination clause on one (1) years' notice in favour of the Library Board; and
 - (c) the total licence fee for the entire term shall not exceed \$10,000.
 - C. Where a proposed transaction does not meet the criteria set out in Subsection B, the transaction shall be directed through the Real Estate Approval Process.
 - D. Where the Library Board 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 Library Board shall seek Council approval for such transaction by way of a joint report to Council together with the Deputy City Manager, Internal Corporate Services.
 - E. The Library Board shall assist in the implementation of transactions proposed by the Deputy City Manager, Internal Corporate Services with respect to property under the jurisdiction of the Library Board, as requested by the Deputy City Manager, Internal Corporate Services.
2. This by-law shall come into force on January 1, 2018.

Enacted and passed on December 8, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)