



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### Property Licence Agreement with Ontario Infrastructure and Lands Corporation – 20 Prescott Avenue (Car Park 133) and 1940 Lawrence Avenue East (Car Park 709)

**Date:** May 11, 2022

**To:** Board of Directors, Toronto Parking Authority

**From:** President, Toronto Parking Authority

**Wards:** Ward 9, Davenport; Ward 21, Scarborough Centre

#### REASON FOR CONFIDENTIAL INFORMATION

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The attachment to this report is about a position to be applied to negotiations being carried out by Toronto Parking Authority (TPA).

#### SUMMARY

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This report recommends that Toronto Parking Authority Board of Directors request Corporate Real Estate Management (CREM) to negotiate and enter into a licence of land agreement for 20 Prescott Avenue (Car Park 133) and extend the licence of land agreement for 1940 Lawrence Avenue East (Car Park 709) (licence of land agreements for both sites are collectively referred to as Agreements), with Ontario Infrastructure and Lands Corporation (Owner) as managed and administered through Hydro One Networks Inc. (HONI) to continue the operation of these two car parks (refer to Appendix A for site location maps).

Should the recommendations of this report be adopted by TPA Board of Directors, and following CREM's execution, the Agreements will extend TPA's operation at both Car Parks 133 and 709. The proposed Agreements with the Owner will be in accordance with the terms and conditions outlined in Confidential Attachment 1 and Confidential Attachment 2.

## **RECOMMENDATIONS**

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The President, Toronto Parking Authority recommends that:

1. The Board of Directors of Toronto Parking Authority request Corporate Real Estate Management to negotiate, enter into and execute on behalf of Toronto Parking Authority, a licence of land agreement with Ontario Infrastructure and Lands Corporation with respect to the 15-space surface parking lot located at 20 Prescott Avenue, known as Car Park 133, in accordance with the terms and conditions as generally outlined in *Confidential Attachment 1* and on such other terms and conditions or amended terms and conditions as may be acceptable to the President, Toronto Parking Authority, and in a form satisfactory to the City Solicitor.
2. The Board of Directors of Toronto Parking Authority request Corporate Real Estate Management to negotiate, enter into and execute on behalf of Toronto Parking Authority, a licence of land agreement extension with Ontario Infrastructure and Lands Corporation with respect to the 25-space surface parking lot located at 1940 Lawrence Avenue East, known as Car Park 709, in accordance with the terms and conditions as generally outlined in *Confidential Attachment 2* and on such other terms and conditions or amended terms and conditions as may be acceptable to the President, Toronto Parking Authority, and in a form satisfactory to the City Solicitor.
3. The Board of Directors, Toronto Parking Authority direct that Confidential Attachments 1 and 2 remain confidential in their entirety, as the attachments relate to a position to be applied to negotiations being carried out by Toronto Parking Authority.

## **FINANCIAL IMPACT**

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The terms and conditions of the proposed property licence arrangements, including the results of a financial analysis, are outlined in Confidential Attachment 1 and 2.

## **DECISION HISTORY**

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At its meeting of September 5, 2006, TPA Board of Directors (Minute 06-125) provided its approval for TPA to enter into a lease/management agreement with Hydro One at 1940 Lawrence Avenue East for the management and operation of a 27-space surface parking lot for a five (5)-year term. The report can be found in full in Confidential Attachment 2.

At its meeting of October 23, 2012, TPA Board of Directors (Minute 12-160) authorized staff to enter into a licence renewal agreement with Ontario Infrastructure and Lands Corporation for the continued management and operation of Car Park 709 at 1940 Lawrence Avenue East. The report can be found in full in Confidential Attachment 2.

At its meeting of October 5, 2017, TPA Board of Directors (Item PA4.2) authorized staff to enter into a licence renewal agreement with Ontario Infrastructure and Lands Corporation for the continued management and operation of Car Park 709 at 1940 Lawrence Avenue East. The report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PA4.2>

## COMMENTS

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### 20 Prescott Avenue

TPA has been operating the surface parking lot at Car Park 133 since 2008 without a formal agreement. This property is currently under an arrangement between the City's Parks, Forestry and Recreation (PFR) and the Owner for the site to be used as a parking facility to support nearby parks.

TPA, PFR and HONI have been working together to normalize the arrangement tied with this site to allow TPA to continue operations of this commercial parking facility. Currently, TPA operates the site as a seven (7)-space facility, however with a new agreement in place, TPA would seek to run the entire surface lot which would yield an additional eight (8) spaces for a total stall count of 15 spaces.

Should TPA Board of Directors adopt the recommendations of this report, CREM will negotiate, enter into and execute a new licence agreement under the terms and conditions as outlined in Confidential Attachment 1, which will extend TPA's operation of Car Park 133 through to 2027 with one optional extension to 2032.

#### *Site Location and Particulars*

The subject site is located on the northwest corner of St. Clair Avenue West and Prescott Avenue at 20 Prescott Avenue and primarily serves the parking demands associated with commercial uses along St. Clair Avenue West. The various professional businesses and retailers, located in the St. Clair Gardens Business Improvement Area, serve as the main driver of parking demands at this site. The facility is operated seven (7) days per week as a Pay and Display/Mobile Pay operation.

#### *Parking Supply, Demand and Operations*

Parking activity at Car Park 133 sustains strong parking demand as seen in the peak occupancy in 2017 (86 percent) and 2019 (79 percent). Peak occupancy for 2018 was excluded as a portion of the car park was closed for construction. Parking peak demands further increased in 2021 to 100 percent and is expected to continue to grow during off-peak periods as public health restrictions continue to be lifted. In addition, staff will be seeking approval from Toronto East York Community Council and City Council in 2022 to add on-street parking stalls in the area.

### *Summary of Proposed Licence of Lands Agreement*

A summary of the terms and conditions of the licence agreement can be found in *Confidential Attachment 1*.

### **1940 Lawrence Avenue East**

TPA has been operating Car Park 709 at this location since 2006. The decision history about the original licence of land agreement is included in Confidential Attachment 2. Both the Owner and TPA are working together to execute a new five (5)-year extension of the licence of land agreement.

Should TPA Board of Directors adopt the recommendations of this report, CREM will proceed to negotiate, enter into and execute an extension agreement under the terms and conditions as outlined in Confidential Attachment 2, which will extend TPA's operation of Car Park 709 through the end of June, 2027 with one optional extension to 2032.

### *Site Location and Particulars*

The subject site is located on the north side of Lawrence Avenue East between Elinor Avenue and Tower Drive. The subject site is located within a hydro corridor and primarily serves the parking demands associated with commercial use along Lawrence Avenue East. The facility is operated seven (7) days per week as a Pay and Display/Mobile Pay operation.

### *Parking Supply, Demand and Operations*

Parking activity at Car Park 709 has traditionally been quite low with the peak occupancy rates not exceeding 66 percent from 2017 – 2020. As a result, TPA has relied heavily upon selling monthly permits at this location to increase revenues and usage. Parking demands did significantly increase however in 2021 to 85 percent and as public health restrictions related to the COVID-19 pandemic continue to be lifted, it is expected parking demands will continue to grow.

### *Summary of Proposed Licence of Lands Agreement*

A summary of the terms and conditions of the licence of lands agreement can be found in *Confidential Attachment 2*.

## **CONTACT**

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## **SIGNATURE**

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W. Scott Collier, President  
Toronto Parking Authority

## **ATTACHMENTS**

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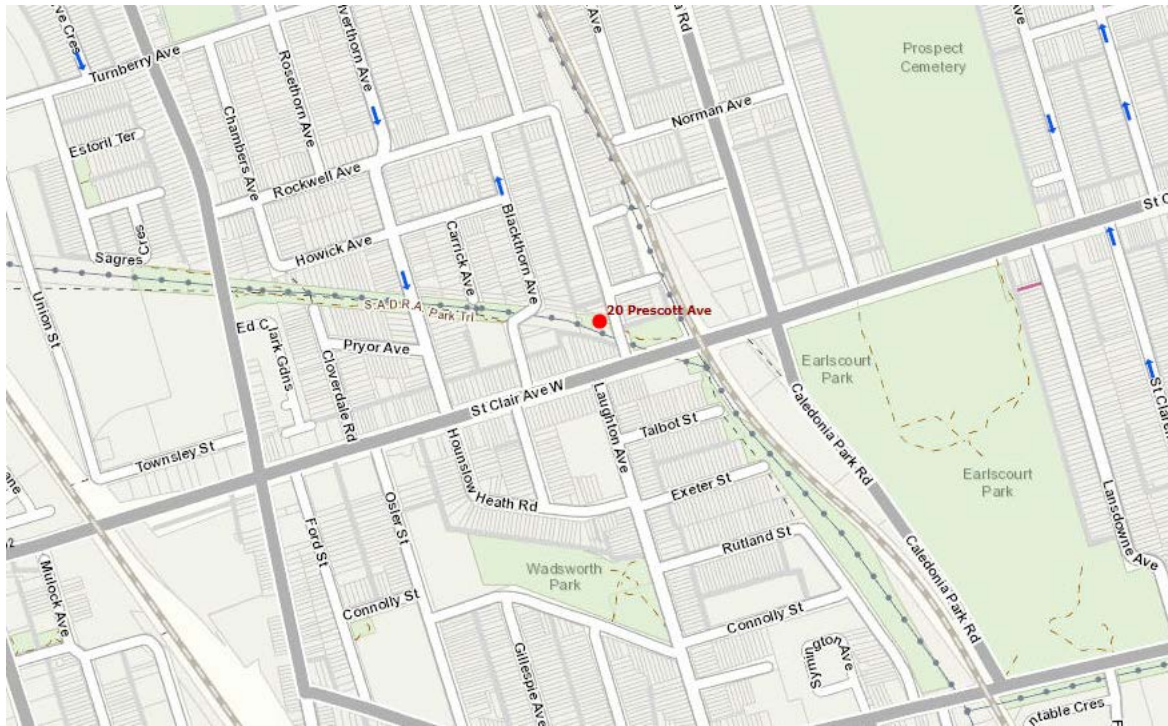
Confidential Attachment 1 – 20 Prescott Avenue (Car Park 133)

Confidential Attachment 2 – 1940 Lawrence Avenue East (Car Park 709)

Appendix A – Site Location Maps

# APPENDIX A – SITE LOCATION MAPS

## 20 Prescott Avenue



## 1940 Lawrence Avenue East

