

DELEGATED APPROVAL FORM
DIRECTOR, REAL ESTATE SERVICES
MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2021-128

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	April 28, 2021	Phone No.:	(416) 338-3586

Purpose To obtain authority to enter into a seasonal license extension and amending agreement with Toronto Adventures Inc. (the "Licensee") with respect to a portion of the property known as King's Mill Park, Toronto for purpose of daily storage and rental of canoes, kayaks, paddleboards and other non-motorized watercraft (the "Agreement").

Property The property is a portion of the property municipally known as 105 Riverwoods Parkway (King's Mill Park), legally described as ISLANDS ON HUMBER RIVER TWP OF YORK OPPOSITE LT 1 CON 2 FTB HUMBER RANGE; PT BED OF HUMBER RIVER TWP OF YORK OPPOSITE LT 1 CON 2 FTB HUMBER RANGE BEING PARTS 11 TO 14 & PT OF PT 15 LYING WITHIN THE LIMITS OF THE FORMER BOROUGH OF YORK; TORONTO (YORK) , CITY OF TORONTO , being all of PIN 105250037 (LT) (the "Property"), as shown on the Location Map and Site Plan in Appendix "A".

Actions 1. Authority be granted to enter into the Licence extension and amending Agreement with the Licensee, substantially on the terms and conditions set out below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.

Financial Impact The total estimated revenue to the City for the Agreement term of five (5) years, commencing May 1, 2021 and ending October 31, 2025, is approximately \$37,163.95 (plus HST). The following table reflects total revenues to be remitted to the City for each fiscal year:

Fiscal Year	Term / Period	Total Revenues (plus HST)
2021	May 1, 2021 - October 31, 2021	7,000.00
2022	May 1, 2022 - October 31, 2022	7,210.00
2023	May 1, 2023 - October 31, 2023	7,426.30
2024	May 1, 2024 - October 31, 2024	7,649.09
2025	May 1, 2025 - October 31, 2025	7,878.56
Total	2021 - 2025	\$ 37,163.95

Comments The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.

The Licensee has been in business since 1999 in Toronto. They have vast experience in the industry and, between their two locations, have served an estimated 30,000 customers per year. They have rented canoes, kayaks and paddleboards from a portion of King's Mill Park through a licence agreement since May 1, 2013. Their licence expired in October 31, 2020 and they have requested a licence extension agreement to continue operations for the next 5 years on a seasonal basis from May 1 to October 31 each year. The Licensee has been advised that it must adhere to all federal, provincial and municipal laws and regulations related to public health and the Covid-19 pandemic.

Terms The proposed license fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.

- Term:** Five (5) years starting in 2021 and ending in 2025 (consisting of May 1 – October 31 of each year)
- License Fee:**
 - Year 1: \$7,000.00 + HST (payable in monthly installments of \$1,166.67 + HST on the first of each month).
 - Year 2: \$7,210.00+ HST (payable in monthly installments of \$1,201.67 + HST on the first of each month).
 - Year 3: \$7,426.30+ HST (payable in monthly installments of \$1,237.72 + HST on the first of each month).
 - Year 4: \$7,649.09+ HST (payable in monthly installments of \$1,274.85 + HST on the first of each month).
 - Year 5: \$7,878.56+ HST (payable in monthly installments of \$1,313.09 + HST on the first of each month).
- Operating Costs, Taxes and maintenance:** To be borne fully by the Licensee
- Tenant's Insurance:** General Liability - \$2,000,000.00 per occurrence
- Use:** non-exclusive use for daily storage/rental of canoes, kayaks, paddleboards and other non-motorized watercraft
- Premises:** shown on the Location Map and Site Plan in Appendix "A"
- Assignment:** only with City's consent which may be unreasonably withheld
- Signage:** Only with City's consent which may be unreasonably withheld.

Property Details	Ward:	Ward 3 – Etobicoke-Lakeshore
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	355.17 m ² ± (3,823 ft ² ±)
	Other Information:	Pin: a portion of 105250037

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input checked="" type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).

Director, Real Estate Services also has signing authority on behalf of the City for:

- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

Pre-Condition to Approval

Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

Consultation with Councillor(s)

Councillor:	Mark Grimes	Councillor:	Gord Perks
Contact Name:	Kim Edgar	Contact Name:	Dusha Sriharan
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objections – April 28, 2021	Comments:	No Objections – April 27, 2021

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry and Recreation	Division:	Financial Planning
Contact Name:	Rohan Dove	Contact Name:	Patricia Libardo
Comments:	Comments incorporated – April 23, 2021	Comments:	Comments incorporated – April 26, 2021

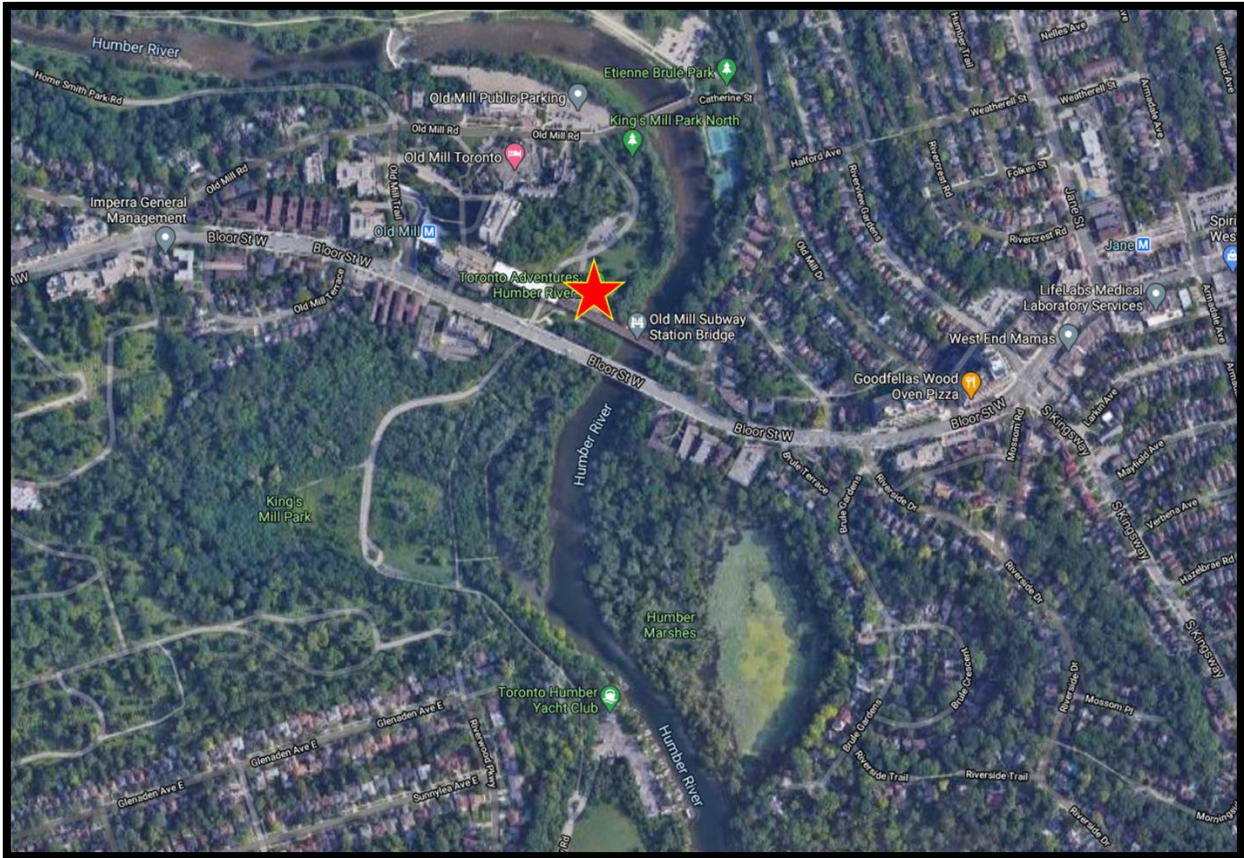
Legal Services Division Contact

Contact Name:	Lisa Strucken
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DAF Tracking No.: 2021-128	Date	Signature
Concurred with by: Manager, Leasing & Site Management Alex Schuler	May 26, 2021	Signed by Alexander Schuler
<input type="checkbox"/> Recommended by: Manager, Transaction Services Daran Somas	May 21, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		

Appendix "A"

Location Map



Site Plan

