

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

**TRACKING NO.: 2022-175**

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

Prepared By:	Rutvik Pandya	Division:	Corporate Real Estate Management
Date Prepared:	Aug 2, 2022	Phone No.:	416-338-5812

<b>Purpose</b>	To obtain authority to enter into a lease agreement with Vanguard Boaters Association (the "Tenant") with respect to the property municipally known as 10-15 Ashbridges Bay Park Road, Toronto, Ontario for the purpose of operating a boating facility and ancillary activities related to boating (the "Lease Agreement").
<b>Property</b>	The property municipally known as 10-15 Ashbridges Bay Park Road, Toronto, Ontario, totaling 2.0465 acres, as shown on the Location Map in Appendix "A" (the " <b>Premises</b> ").
<b>Actions</b>	1. Authority be granted to enter into the Lease Agreement with the Tenant, substantially on the major terms and conditions set out in Appendix "B", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
<b>Financial Impact</b>	<p>The City will collect total revenue of approximately \$25,471.18 (plus HST) for the three (3) year term of the Lease Agreement as per below:</p> <p>2022 - 2023: \$8,490.40 (plus HST)                  2023 - 2024: \$8,490.40 (plus HST)                  2024 - 2025: \$8,490.40 (plus HST)</p> <p>For the period from August 1, 2022 to July 31, 2023, the rental rate shall be \$4148.74/acre, totaling \$8,490.40 (plus HST). For each subsequent year of the term beginning August 1, 2023, this rental rate shall be increased (but never decreased) by the rate of inflation as calculated by Statistics Canada, Consumer Price Index - all items annual average index for Toronto for the previous calendar year. Revenues will be directed to the 2022 Council Approved Operating Budget for Park Forestry and Recreation under cost centre P12241. Future year revenues will be referred to the City's annual Budget process and will be included as part of future year Budget submissions for Council consideration.</p>
<b>Comments</b>	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p> <p>The Premises are owned by Toronto and Region Conservation Authority ("TRCA") and are managed on TRCA's behalf by the City of Toronto, in accordance with a management agreement dated October 11, 1972,</p> <p>The former Metropolitan Toronto Council, by adoption of Clause No. 11 of Report No. 19 of The Metropolitan Executive Committee on September 9, 1980, approved the leasing of certain waterfront areas, including the Premises, to a number of boating clubs until the year 2005. At that time, the per-acre rental rate for these leases was established at \$1,033.00 annually, for the first five-year cycle. This amount was based on the actual revenue (based on a percentage of gross revenues) then received by Metropolitan Toronto from its lease of the Toronto Island Marina site. This rental formula consisted of a common rent for combined land and water area for each boat club and has become known as the "Metro Formula".</p> <p>Comments section continued on Page 4</p>
<b>Terms</b>	See Appendix "B"

<b>Property Details</b>	<b>Ward:</b>	19 – Beaches – East York
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	2.0465 acres
	<b>Approximate Area:</b>	
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Documents required to implement matters for which each position also has delegated approval authority.</li> <li>• Expropriation Applications and Notices following Council approval of expropriation (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers with such signing authority).</li> </ul>
<b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>• Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul>

<b>Pre-Condition to Approval</b>			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
<b>Consultation with Councillor(s)</b>			
Councillor:	Brad Bradford	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Concurred – Aug 10,2022	Comments:	
<b>Consultation with Divisions and/or Agencies</b>			
Division:	Parks, Forestry and Recreation	Division:	<b>Financial Planning</b>
Contact Name:	Alex Deighan	Contact Name:	Ciro Tarantino
Comments:	Approval received	Comments:	Concurred – July 26,2022
<b>Legal Services Division Contact</b>			
Contact Name:	Seija Pietrangelo – comments incorporated		

DAF Tracking No.: 2022- 175	Date	Signature
Concurred with by: <b>Van Hua - Manager, Real Estate Services</b>	August 12, 2022	Signed by Van Hua
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <input checked="" type="checkbox"/> Approved by: <b>Susan Lin</b>	August 12, 2022	Signed by Susan Lin
<input type="checkbox"/> Approved by:		X

**Comments section continued from Page 1**

In 2005, by Clause No. 1 of Report No. 7 of the Economic Development and Parks Committee as adopted by the Council of the City of Toronto at its meeting on September 22, 23, 24 and 25, 2003 (the "2003 Report"), and as concurred in by Resolution No. A123/05 of the TRCA, adopted on June 24, 2005, the City of Toronto and the TRCA authorized the leasing to the Navy League of Canada (Ontario Division) (the "Navy League") of the Premises by lease agreement dated September 1, 2005 for a term of twenty (20) years commencing August 1, 2005 and expiring July 31, 2025 (the "Navy League Lease"). The 2003 Report also retained the Metro Formula for all boating facility leases, including the Navy League Lease, for the period commencing August 1, 2005, and the rental rates be increased to \$3,000.00 per acre for the year 2005-2006, and then for the following years be increased by the rate of inflation as calculated by Statistics Canada using the CPI all items annual average indexes for the City of Toronto for the previous calendar year, compounded annually.

By letter dated July 20, 2020, Navy League notified the Landlord of its intention to exercise its right of early termination, in accordance with section 2(2) of the Navy League Lease, effective July 31, 2021 (the "First Termination Notice"). By letter dated September 29, 2020, Navy League rescinded the First Termination Notice and issued a second termination notice, in accordance with section 2(2) of the Navy League Lease, effective July 31, 2022 (the "Second Termination Notice"). Subsequent to the Second Termination Notice, the City agreed to enter into the Lease Agreement with the Tenant, which is substantially on the same terms and conditions as the Navy League Lease.

The proposed rent and other major terms and conditions of the Lease are considered to be fair, reasonable and reflective of market rates.

Appendix "A"  
Leased Area



## LEASEHOLD SCHEDULE

RESERVE

PART N <sup>o</sup>	LESSEE	AREA		
1	NAVY LEAGUE	LAND	0.367	Acres
2	" "	WATER	0.051	Acres
3	" "	WATER	1.48	Acres
4	COMMON LAUNCH (BOY SCOUTS) " " (NAVY LEAGUE)	LAND	0.0475	Acres
		LAND	0.0475	
5	" " (BOY SCOUTS) " " (NAVY LEAGUE)	WATER	0.0025	Acres
		WATER	0.0025	
6	BOY SCOUTS	LAND	0.258	Acres
7	TORONTO HYDROPLANE AND SAILING CLUB	LAND	0.716	Acres
8	" " " " "	LAND	0.210	Acres
9	" " " " "	WATER	0.010	Acres
10	" " " " "	WATER	0.010	Acres
11	" " " " "	WATER	0.004	Acres
12	" " " " "	LAND	1.055	Acres
13	" " " " "	LAND	0.033	Acres
14	" " " " "	WATER	2.55	Acres
15	COMMON ACCESS (BOY SCOUTS) " " (NAVY LEAGUE)	LAND	0.0245	Acres
		LAND	0.0245	Acres
16	" " (BOY SCOUTS) " " (NAVY LEAGUE)	LAND	0.007	Acres
		LAND	0.007	Acres
17	" " (BOY SCOUTS) " " (NAVY LEAGUE)	LAND	0.008	Acres
		LAND	0.008	Acres
18	COMMON PARKING (BOY SCOUTS) " " (NAVY LEAGUE)	LAND	0.0625	Acres
		LAND	0.0625	Acres

NORTH ASHBRIDGE'S BAY BOATING FEDERATION LAND AND WATER ACREAGES			
	LAND	WATER	TOTAL
NAVY LEAGUE	0.5165	1.53	2.0465
BOY SCOUTS	0.4075	0.0025	0.4100
TORONTO HYDROPLANE AND SAILING CLUB	2.0140	2.57	4.584
TOTAL AREAS	2.9380	4.1025	7.0405

**Appendix "B"**  
**Major Terms and Conditions**

<b>Minimum Rent:</b>	The City will collect total revenue of approximately \$25,471.18 (plus HST) for the three (3) year term of the Lease Agreement.  For the period from August 1, 2022 to July 31, 2023, the rental rate shall be \$4148.74/acre, totaling \$8,490.40 (plus HST). For each subsequent year of the term beginning August 1, 2023, this rental rate shall be increased (but never decreased) by the rate of inflation as calculated by Statistics Canada, Consumer Price Index - all items annual average index for Toronto for the previous calendar year.
<b>Additional Rent:</b>	The tenant is responsible for the payment of realty tax, utilities and maintenance directly to the respective service providers.
<b>Area of Premises:</b>	Total area of 2.0465 acres.
<b>Term:</b>	Three (3) years (August 1, 2022 – July 31, 2025).
<b>Option to Renew/Extend:</b>	N/A.
<b>Use:</b>	The Premises shall be used and shall continually be operated throughout the term as a not-for-profit boating and yachting club and ancillary uses and for no other purposes.
<b>Landlord's Work:</b>	N/A.