

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-148

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

Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Management
Date Prepared:	June 23, 2024	Phone No.:	416-392-1857
Purpose	To obtain authority to enter into licence agreements with multiple water taxi operators, as listed in Appendix "C", (the "Licensees") with respect to multiple Toronto Island Park locations for the purpose of giving the taxi operators the right to dock (the "Licence Agreements").		
Property	Toronto Island Docking Locations, shown in Appendix "B".		
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the Licence Agreements with the Licensees, substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor. Authority be granted to amend any of these Licence Agreements to add or remove vessels from the Licences. 		
Financial Impact	<p>The 2024 Season Licence Fee paid by the Licensees shall be:</p> <p>\$12,120 per boat - capable of carrying up to 12 passengers. \$18,200 per boat - capable of carrying 13 to 29 passengers. \$24,260 per boat - capable of carrying 30 passengers or more.</p> <p>The paid licence fees will be directed into Parks Forestry and Recreation's Operating Account P12642.</p> <p>The total licence fees to be paid by the Taxi Operators is \$246,960 plus \$32,104.80 HST for the 2024 Season.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>Water Taxis have been operating within Toronto Harbour for many years providing water transportation for a fee between the mainland and the Toronto Islands. In 2013, Parks, Forestry and Recreation began requiring license agreements for water taxi dock access for the first time in an effort to regulate the amount of boat traffic at several busy docking locations within the Toronto Islands Park system. The License Agreement(s) expired December 31, 2023 and renewal agreements are now required for the 2024 season. Water Taxis operating within the harbour that do not have a Toronto Islands Dock Access License will not be allowed docking privileges on the Toronto Islands. Having the dock access licensing system in place helps to control the amount of boat traffic at specific Island docks and requires operators to carry adequate insurance. The Toronto Island Dock Access License only gives Licensees the right to docking locations on the Toronto Islands (as depicted in Appendix "B"). The License does not provide any docking privileges on the mainland where operators must make their own docking arrangements. The Toronto Islands Dock Access License is strictly for docking privileges on the Toronto Islands and should not be viewed as a means of commercial vessel regulation. Such regulation falls under the authority of the Federal Government under the auspices of Transport Canada. Licensees are required to provide Transport Canada issued Certificate of Registry for a Passenger vessel.</p>		
Terms	See Appendix "A"		
Property Details	Ward:	10 - Spadina-Fort York	
	Assessment Roll No.:	Multiple	
	Approximate Size:	N/A	
	Approximate Area:	N/A	
	Other Information:		

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/REOs:</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/Licensor):</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 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/REOs.</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 checked="" 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 (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers 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:	Councillor Ausma Malik	Councillor:	
Contact Name:	Chris Haskim	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:	No Objections	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks Forestry and Recreation	Division:	Financial Planning
Contact Name:	Thomas Kakamousias	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name:	Masum Billah
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DAF Tracking No.: 2024-148	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	June 26, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	June 28, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions

Licensed Area: Various areas, as shown on Appendix "B".

Licence Fee:

Vessel Capacity	2024 Licence Fee	HST
12 passengers	\$12,120.00*	\$1,575.60
13-29 passengers	\$18,200.00*	\$2,366.00
30 or more passengers	\$24,260.00*	\$3,153.80
* This Licence Fee applies only to the largest vessel within the specific Licensee's fleet. Each additional vessel thereafter within the fleet is subject to a Licence Fee of \$2,940.00 plus HST. Should a Licensee add additional vessels at a later date that are of a passenger capacity greater than one that already exists, the Licence Fee shall be the difference between the corresponding capacity Licence Fees plus an additional \$2,940.00 and the applicable HST.		

Term: Eight (8) months

Options to Renew: No rights of renewal

Use:

only for the purpose of picking up and dropping off passengers wishing to go to and from the Toronto Islands and not to moor at the Park for any longer than is necessary to safely deliver and pick up its passengers

Insurance:

Licensee agrees to maintain in force, at its own expense and for the duration of the term Commercial General Liability not less than Five Million (\$5,000,000) Dollars and adds the City of Toronto as Additional Insured

Early Termination:

Licensee shall have the right to terminate the Licence Agreements upon providing four (4) weeks' written notice to the General Manager of PF&R. Licensee shall be entitled to a prorated Licence Fee refund.

The General Manager shall have the right, at their sole and absolute discretion, to terminate this Agreement at any time and for any reason whatsoever, upon providing seventy-two (72) hours' written notice to the Licensee. Licensee shall not be entitled to a refund if the General Manager terminates.

Appendix "B"

LICENSED AREAS - DOCKING POINTS



Appendix “C”
Toronto Island Docking Access Licensees

Current water taxi operators with docking access Licenses that will be offered agreements.

1. 2246706 Ontario Inc. O/A "Tiki Taxi"
2. Maclean Worldwide Enterprises Ltd. O/A "Pirate Taxi"
3. Toronto Crewing Ltd.
4. Toronto Harbour Tours Inc.
5. Ralph Anthony McQuinn O/A "Toronto Harbour Water Taxi Service"
6. Water Limousine Charters Inc.

Note: Toronto Island Docking Access Licenses are openly available to any individual or corporation with a Transport Canada approved passenger vessel. It is expected that additional operators will seek Licenses for the term from May 1 – December 31, 2024.