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

Approve	ed pursuant to the Delegated Authority co	intained in Article 2 of City of Toron	to Municipal Code Chapter 213, Real Property		
Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Management		
Date Prepared:	June 5, 2024	Phone No.:	416-392-1857		
Purpose	To obtain authority to enter a four (4) year Licence Agreement with 1000312547 Ontario Ltd. (Lite and Glow Kayak Rental) (the "Licensee") with respect to the property municipally known as Marie Curtis Park (the "Park"), 2 Forty Second St, Toronto for the purpose of the operation of non-motorized watercraft rental businesses (the "Licence Agreement").				
Property	Part of Marie Curtis Park (the "Park"), 2 Forty Second St, Toronto				
Actions	<ol> <li>Authority be granted to enter into the Licence Agreement with the Licensee, 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.</li> </ol>				
Financial Impact	The City will receive an annual lice	ence fee in the following amoun	ts:		
	in the following amounts:				
	Year 1: \$6,500.00 (prora	ated) (plus HST)			
	Year 2: \$8,160.00	(plus HST)			
	Year 3: \$8,323.20	(plus HST)			
	Year 4: \$8,489.66	(plus HST)			
	Year 5: \$8,659.46 (if exe	ercised) (plus HST)			
	For a total Licence fee of \$40,132.32 (plus HST)				
	The paid licence fee will be directed into Parks Forestry and Recreation's Operating Account P12642.				
	The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.				
Comments	The City is issuing new Licence Agreements to qualified non-motorized watercraft rental operators at several locations across the Toronto waterfront to support waterfront recreation opportunities.				
	Based on a review of information provided by the operator, the City determines that the Licensee, has the experience and capacity to provide service that can provide value for our waterfront areas in parks.				
	The proposed licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.				
Terms	See Appendix "A"				
Property Details	Ward:	3 - Etobicoke-Lakeshore			
	Assessment Roll No.:				
	Approximate Size:				
	Approximate Area:	100 sq. m.			
	Other Information:				

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1. Acquisition:	А.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
Expropriating Authorby:       where trial compensation does not cumulatively exceed \$50,000.         28. Expropriations For Transit, Related Purperty Owner of Has Cumulatively exceed \$50,000.       (a) Acceptance of statutory offers, agreements and statutory offers, agreements and statutory offers.         3. Issuance of RFPs/REOIs:       Delegated to more senior positions.       (b) Request Hearings of Necessity.         3. Issuance of RFPs/REOIs:       Delegated to more senior positions.       Issuance of RFPs/REOIs.         3. Issuance of Corporation:       Delegated to more senior positions.       Issuance of RFPs/REOIs.         3. Issuance of Corporation:       Delegated to more senior positions.         5. Transfer of Operational Management to Divisions, Agenois and Corporation Core Related to more senior positions.       Delegated to more senior positions.         6. Other total compensation does not exceed \$50,000.       Where total compensation files (more senior positions.         7. Disposals (including Lesses of Official Phanes (Core Relations)       Delegated to more senior positions.         8. Lease of Unsers (Core Relations)       Delegated to more senior positions.         8. Lease of Unsers (Core Relations)       Where total compensation files (more senior positions.         9. Other total compensation (including options' relevable) does not exceed \$50,000.       Where total compensation files (more senior positions.         10. Leaseer	1. Acquisitions:		
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Purchase/Sale; Direction re Title         (j)       Documentation relating to Land Titles applications			
applications			Purchase/Sale; Direction re Title
			applications (k) Correcting/Quit Claim Transfer/Deeds

#### 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**

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

Consultation with Councillor(s)								
Councillor:	Amber Morley	Councillor:						
Contact Name:	Lisa Brody Hoffman	Contact Name:						
Contacted by:	Phone X E-Mail Memo Other	Contacted by:	Phone E-mail Memo Other					
Comments:	No Objection	Comments:						
Consultation with Divisions and/or Agencies								
Division:	Parks Forestry and Recreation	Division:	Financial Planning					
Contact Name:	Glenn Zeta	Contact Name:	Ciro Tarantino					
Comments:	Concurs	Comments:	Concurs					
Legal Services Division Contact								
Contact Name:	Anders Knudsen							

DAF Tracking No.: 2024-154	Date	Signature
Concurred with by: Manager, Real Estate Servi Niall Robertson	ices June 19, 2024	Signed by Niall Robertson
<ul> <li>Recommended by: Manager, Real Estate Service</li> <li>Jennifer Kowalski</li> <li>X Approved by:</li> </ul>	June 19, 2024	Signed by Jennifer Kowalski
Approved by: Director, Real Estate Servic Alison Folosea	es	X

### **Major Terms and Conditions**

Leased Premises/Licensed Area: Part of Marie Curtis Park (the "Park"), 2 Forty Second St

Licence Fee: Year 1: \$6,500.00 (plus HST) Year 2: \$8,160.00 (plus HST) Year 3: \$8,323.20 (plus HST) Year 4: \$8,489.66 (plus HST) Year 5: \$8,659.46 (if exercised) (plus HST)

Term: period of four (4) years

Commencement Date: June 19, 2024

**Options to Renew:** City shall have the option to renew the Agreement for one additional year from October 1st, 2027 to September 30th, 2028

Use: the operation of non-motorized watercraft rental businesses (the "Business") at multiple locations within the City;

**Insurance:** Licensee agrees to purchase and maintain in force, at its own expense the policies of insurance and coverages set out as follows for the Term of this Agreement unless specified otherwise:

Five Million Dollars (\$5,000,000.00) Commercial General Liability, per occurrence

Two Million Dollars (\$2,000,000), per occurrence Automobile Liability insurance

one hundred (100%) percent of the replacement cost all risks insurance (including flood and earthquake) property insurance

**Early Termination:** the Licensee and the City shall each have the right to terminate this Agreement via a Termination Notice with a specified Termination Date, which shall be at least six (6) months after the Termination Notice.

**Licensee Covenant:** The Licence amongst other obligated covenants, will operate the Business in accordance with the Proposal approved by the City as well as this Agreement, provided that in the event of contradiction or inconsistency between the Proposal and this Agreement, this Agreement shall take precedence.

# Appendix "B"

# Location Map

Address: 2 Forty Second St, Toronto Approximate Square Footage: 100 sq. m.

