

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Friday, September 9, 2022 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **LEASE RENEWAL- JESUITS OF CANADA**
Property located at the back of 2315 Liverpool Rd., City of Pickering, Regional Municipality of Durham, Duffins Creek Watershed and Frenchman's Bay Watershed (CFN 22118)

KEY ISSUE

Approval of Jesuits of Canada lease renewal on Toronto and Region Conservation Authority (TRCA) owned land located east of Liverpool Road and south of Rigby Drive, in the City of Pickering, Regional Municipality of Durham, Duffins Creek watershed and Frenchman's Bay watershed (CFN 22118).

RECOMMENDATION:

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS TRCA received a request from Jesuits of Canada to continue passive use of TRCA open space land located east of Liverpool Road and south of Rigby Drive, in the City of Pickering, Regional Municipality of Durham, Duffins Creek watershed and Frenchman's Bay watershed;

THEREFORE LET IT BE RESOLVED THAT TRCA enter into a lease agreement with Jesuits of Canada for use of 1.6 hectares (4 acres), more or less, said land being part of Part of Lot 22, Concession 2, part of PIN 26383-0049, in the City of Pickering, Regional Municipality of Durham;

THAT the lease with Jesuits be subject to the following terms and conditions:

- (i) the term of the lease is for one year, with an annual renewal option for the next four years at TRCA's sole option;**
- (ii) consideration is \$1,056 per annum, with an annual increase of 5 percent, plus HST;**
- (iii) the Jesuits will pay for maintenance, land use costs, and required fencing, along with required approvals;**
- (iv) upon lease completion the Jesuits shall remove all equipment and materials, and restore the site to TRCA satisfaction;**
- (v) any other terms and conditions deemed appropriate by the TRCA representatives;**

AND FURTHER THAT authorized TRCA officials are directed to take the necessary action to finalize the transaction, including obtaining necessary approvals and signing and executing documents.

BACKGROUND

At the February 4, 1970, Executive Meeting (Res. #1/70) the Committee resolved to acquire 28.328 hectares (70 acres) of land on the east and west side of Liverpool Road, Pickering, for \$130,000 from the Jesuit Fathers of Upper Canada Holding Corporation, later renamed Jesuits of Canada.

Item 7.1

Since 1970, Jesuits of Canada continued to lease approximately 1.6 hectares (4 acres) of the conveyed land on an annual basis, which their community uses as a spiritual refuge facility for non-consumptive recreational purposes. Passive recreational application is the most appropriate land use; the adjacent valley corridor, partially located within Duffins Creek watershed, is replete with dripline vegetation, wetlands and top of bank features.

Lease Agreement

The leased property is approximately 1.62 hectares (4 acres). The following are additional key terms and conditions:

1. Lease Payment: \$1,056 per annum, plus HST, with an annual increase of 5 percent, plus HST;
2. Initial Term: one year, with four one-year extension options, at TRCA's sole option;
3. Insurance: Jesuits will provide five million in commercial general liability insurance;
4. Further Approvals: Jesuits shall comply with all applicable laws, directions, rules and regulations.

RATIONALE

The Jesuits continue to assume all financial and operational responsibility for the leased land. Land improvements are not permitted without written approval from TRCA.

The lease also provides the Rene Goupil Jesuit Spiritual Refuge community with recreational land to help enhance patients' wellbeing.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan: **Strategy 7 – Building partnerships and new business models**

FINANCIAL DETAILS

TRCA will receive revenue in the amount of \$1,056 in 2022, with the lease rate increasing 5 percent annually. This lease is currently in overhold. TRCA currently absorbs the property taxes at an annual cost of \$142 (2021 rate).

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Date: July 20, 2022

Attachments: 2

Attachment 1: Site Plan - East of Liverpool Road and South of Rigby Drive, City of Pickering

Attachment 2: Orthophoto - East of Liverpool Road and South of Rigby Drive, City of Pickering