

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: **LAND LEASE RENEWAL – DAVID M. STONE**
East of Park Crescent and South of Surf Avenue, City of Pickering, Regional Municipality of Durham, Lake Ontario Waterfront (CFN 37383)

KEY ISSUE

Approve land lease renewal with David M. Stone on Toronto and Region Conservation Authority-owned (TRCA) land, located east of Park Crescent and south of Surf Avenue, in the City of Pickering, Regional Municipality of Durham, Lake Ontario Waterfront (CFN 37383).

RECOMMENDATION:

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS TRCA received a request from David M. Stone to renew the lease agreement and continue passive land use on property located east of Park Crescent and south of Surf Avenue, City of Pickering, Regional Municipality of Durham, Lake Ontario Waterfront;

THEREFORE LET IT BE RESOLVED THAT TRCA continue to lease 0.016 hectares (0.04 acres), more or less, to Mr. Stone, said land being Part of Lot 38, Plan 270, designated as Part 8, Plan 40R-23867, City of Pickering, Regional Municipality of Durham;

THAT the lease is 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, solely at TRCA's option;**
- (ii) Consideration is \$2.00 per annum;**
- (iii) Tenant is responsible for all regularly required maintenance, despite passive use purposes;**
- (iv) Tenant shall indemnify TRCA for any loss or claims resulting from use of the property;**
- (v) Upon lease completion, Tenant shall restore the site to TRCA's satisfaction;**
- (vi) any other terms and conditions deemed appropriate by the TRCA staff and solicitor;**

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

BACKGROUND

TRCA acquired the property that David M. Stone leases from the City of Pickering on May 6, 2006. It was leased to Mr. Stone in 2008, and every year since then, mainly because his property backs onto the leased land.

The agreement with Mr. Stone has deterred unwanted waste disposal, vandalism and deterred unwelcomed guests on the property. Additionally, the tenant preserves the land's natural habitat, maintains a pollinator garden and wildflower meadow at no cost to TRCA.

Item 7.3

Lease Agreement

The leased property is approximately 0.016 hectares (0.04 acres). Key terms and conditions are:

1. Lease Payment: \$2.00 per annum;
2. Initial Term: one year, with four one-year extension provisions, at TRCA's sole option;
3. Further Approvals: Tenant will comply with any applicable laws, directions, rules and regulations.

RATIONALE

Lease renewal ensures continued property preservation at no cost to TRCA.

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 – Build partnerships and new business models

FINANCIAL DETAILS

TRCA leases the property for nominal amount and absorbs annual property tax fee at \$99 (2021 rate). The tenant pays for and arranges maintenance and landscaping services.

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Date: July 21, 2022

Attachments: 2

Attachment 1: Site Plan – East of Park Crescent and South of Surf Avenue, City of Pickering

Attachment 2: Orthophoto – East of Park Crescent and South of Surf Avenue, City of Pickering