



## **STAFF REPORT ACTION REQUIRED**

### **Licence Agreement– Exhibition Place Transit Loop**

<b>Date:</b>	October 27, 2016
<b>To:</b>	TTC Board
<b>From:</b>	Chief Executive Officer

### **Summary**

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The purpose of this report is to seek the Board’s approval to enter into a new licence agreement with Exhibition Place and City of Toronto to continue to operate the Exhibition Place Transit Loop located at the north east corner of Manitoba Drive and Nova Scotia Avenue, Toronto (“Loop”) for streetcar and bus service. The use of the Loop is currently governed by the June 15, 1996 agreement whose term expired on June 14, 2016 and which is now in place on a month-to-month basis. The term for the new agreement is twenty years, with a licence fee of two dollars per year. A new licence agreement shall provide the TTC with greater security to operate than the current agreement.

### **Recommendations**

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It is recommended that the Board:

1. Authorize the execution of the licence agreement between The Board of Governors of Exhibition Place and City of Toronto, and the Toronto Transit Commission for the licence for TTC use of the premises located at the north east corner of Manitoba Drive and Nova Scotia Avenue, Toronto, for a term of twenty years, in accordance with the terms and conditions summarized in this report, Toronto Transit Commission’s policies, and any other documents or agreements arising as a result of entry into the agreement, in a form acceptable to the TTC’s Head – Legal and General Counsel.

### **Implementation Points**

The twenty year term requires TTC Board approval as per Corporate Policy 6.5.0 Authorization for Expenditures and Other Commitments.

The execution of the licence agreement will allow the TTC to continue the operation of the Loop for an additional period of twenty years.

## **Financial Summary**

The licence fee for this licence is two dollars per year for a twenty year term.

Sufficient funds for the fixed annual payments under the licence agreement have been included in the 2016 Operating Budget as approved by City Council on February 17, 2016. Sufficient funds for the licence agreement will be incorporated into future operating budgets.

The Chief Financial & Administration Officer has reviewed this report and agrees with the financial information.

## **Accessibility/Equity Matters**

This agreement will allow TTC to continue to provide accessible bus and streetcar transit service to and from the Exhibition Place lands.

## **Decision History**

At its meeting on February 14, 1995, Toronto Transit Commission approved the report entitled Relocation of the Exhibition East Streetcar Loop.

At its meeting on March 8 and 9, 1995, Metropolitan Council approved the TTC report brought forward by the Planning and Transportation Committee (Clause 1 of Report #8) to construct, maintain and operate a streetcar loop on the Exhibition Place grounds. Subsequently, an agreement for the Loop was entered into on June 15, 1996 by TTC, and Board of Governors of Exhibition Place and City of Toronto as landlords.

At its meeting on September 22, 2016, the City of Toronto Executive Committee approved the Exhibition Place report that City Council approve the new licence agreement between the Board of Governors of Exhibition Place and City of Toronto, and the Toronto Transit Commission. This was approved by City Council on October 5, 2016.

## **Issue Background**

TTC has operated the Loop, also formerly known as the CNE Loop, at its current location at the Exhibition Place since 1996. The operation of this Loop is pursuant to the terms and conditions of the licence agreement between the TTC, City of Toronto and Exhibition Place dated June 15, 1996, which expired on June 14, 2016; however, it allows for the licence to continue on all other terms and conditions on a month-to-month basis. The lands are owned by the City of Toronto which are in the trust of The Board of Governors of Exhibition Place as per the provisions of section 209 of the Municipality of Metropolitan Toronto Act, all of which have been assumed by the City of Toronto following the City of Toronto Act, 1997.

## Terms and Conditions

The licence agreement is for a twenty year term commencing June 15, 2016 and expiring June 14, 2036, for a licence fee of two dollars per year. TTC is responsible for its own operating costs. The licence allows the TTC to operate, maintain and repair the transit loop on the Licensed Areas on the Exhibition Place grounds. The Exhibition Place and the City of Toronto, as Licensor, may pass over and through the Licensed Areas for the purpose of access and egress to and from the inner parking lot located in the middle of the Loop.

The following is a summary of the terms and conditions of the proposed licence agreement.

Terms and Conditions	
Term	Twenty years, commencing June 15, 2016, after which the agreement carries on as a monthly licence, subject to the terms of the agreement.
Area	12,525 sq.m
Fees	Two dollars per annum plus taxes.
Use	Allows TTC to operate, maintain and repair a transit loop to operate streetcars and buses on the Exhibition Place grounds

## Comments

Staff recommends entering into the new agreement with The Board of Governors of Exhibition Place and City of Toronto based on the terms and conditions set out in this report and negotiated with the Exhibition Place and City Real Estate representatives. The new agreement reflects updates to the organizational changes and changes in TTC and Exhibition Place operations, such as the inclusion of bus service to the Loop.

The Loop is required to continue to provide accessible transit to and from Exhibition Place; therefore, staff support the long term nature of the new agreement, as well as the nominal licence fee of two dollars per annum.

## Contact

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