

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

TRACKING NO.: 2020-184

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

Prepared By:	Rafael Gutierrez	Division:	Corporate Real Estate Management
Date Prepared:	July 8, 2020	Phone No.:	416-338-2995

Purpose To obtain authority to enter into a license agreement with 2637969 ONTARIO INC. (the "Licensee") with respect to a portion of the property municipally known as 4610 Finch Avenue East, Scarborough for the purposes of transport truck access to the neighbouring school, construction material storage, and temporary office and storage trailers (the "Agreement").

Property A portion of the property legally described as SCARBOROUGH CON 4 PT LOT 24 RP 66R26446 PART 1, and municipally known as 4610 Finch Avenue East, Scarborough (the "Property"), as shown in Appendix "A".

- Actions**
1. Authority be granted to enter into the License 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.
 2. The Director, Real Estate Services shall administer and manage the Leases, including the provision of any consents, approvals, waivers, notices and notices of termination provided that the Director, Real Estate Services may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction.
 3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact The City will receive total revenues of \$74,400.00 (plus HST) for the initial two (2) year term of the Agreement, commencing on August 1, 2020 and terminating on July 31, 2022. There will be an option to extend the term on a monthly basis, for up to twelve (12) months, where the monthly rate will be \$3,400.00. The total potential revenues to the City including the full extension is \$115,200.00 (plus HST).

The below table reflects total revenues to be remitted to the City for each fiscal year.

Fiscal Year	Period	No. of Months	Monthly Rate (plus HST)	Total Revenues (plus HST)
2020	Aug. 1, 2020 to Dec. 31, 2020	5	\$ 3,000.00	\$ 15,000.00
2021	Jan. 1, 2021 to Jul. 31, 2021	7	\$ 3,000.00	\$ 21,000.00
	Aug. 1, 2021 to Dec. 31, 2021	5	\$ 3,200.00	\$ 16,000.00
2022	Jan. 1, 2022 to Jul. 31, 2022	7	\$ 3,200.00	\$ 22,400.00
Subtotal				\$ 74,400.00
2022	Aug. 1, 2022 to Dec. 31, 2022	5	\$ 3,400.00	\$ 17,000.00
2023	Jan. 1, 2023 to Jul. 31, 2023	7	\$ 3,400.00	\$ 23,800.00
Extension Option Subtotal				\$ 40,800.00
TOTAL				\$ 115,200.00

Comments The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information. The Property was previously used by Toronto Police Services as a Public Safety Unit and Public Order Unit until 2016, but has since been vacant.

The Licensee owns and runs a private high school adjacent to the Property at 4620 Finch Avenue East. The Agreement would allow them to use the Property for access and storage to the school during the construction of a student residence on their property.

Corporate Real Estate Management staff consider the terms and conditions of the Agreement to be fair, reasonable, and reflective of market value.

Terms See Appendix "A".

Property Details	Ward:	23 – Scarborough North
	Assessment Roll No.:	19 01 124 010 001 10
	Approximate Size:	N/A
	Approximate Area:	1,447.25 m ² (15,578.07 ft ²)
	Other Information:	N/A

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2. Expropriations:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
3. Issuance of RFPs/REOIs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000. <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.	<input checked="" type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million. <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.
10. Leases/Licences (City as Tenant/Licensee):	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000. <input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million. <input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (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 (Manager, Transaction Services is only Manager 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:	Cynthia Lai	Councillor:	
Contact Name:	Nicholas Dominelli	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Concurs (July 8, 2020)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Paramedic Services	Division:	Financial Planning
Contact Name:	Frederic Schaefer	Contact Name:	Filisha Jenkins
Comments:	Concurs (July 7, 2020)	Comments:	Concurs (July 7, 2020)

Legal Services Division Contact

Contact Name:	Vanessa Bacher
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DAF Tracking No.: 2020-184	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas <input type="checkbox"/> Approved by:	July 14, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 20, 2020	Signed by Alison Folosea

Appendix "A" Major Terms and Conditions

Licensor:
City of Toronto

Licensee:
2637969 ONTARIO INC.

Premises:
Portion of the lot located at 4610 Finch Avenue East.

Term:
Two (2) years, commencing on August 1, 2020, and expiring on July 31, 2022.

Option to Extend:
There will be an option to extend the term on a monthly basis, for up to twelve (12) months (the "Extended Term").

Use:
Truck transport access to the school, possible construction material storage, temporary office trailers, and storage trailers. No hazardous materials will be stored at any point in time.

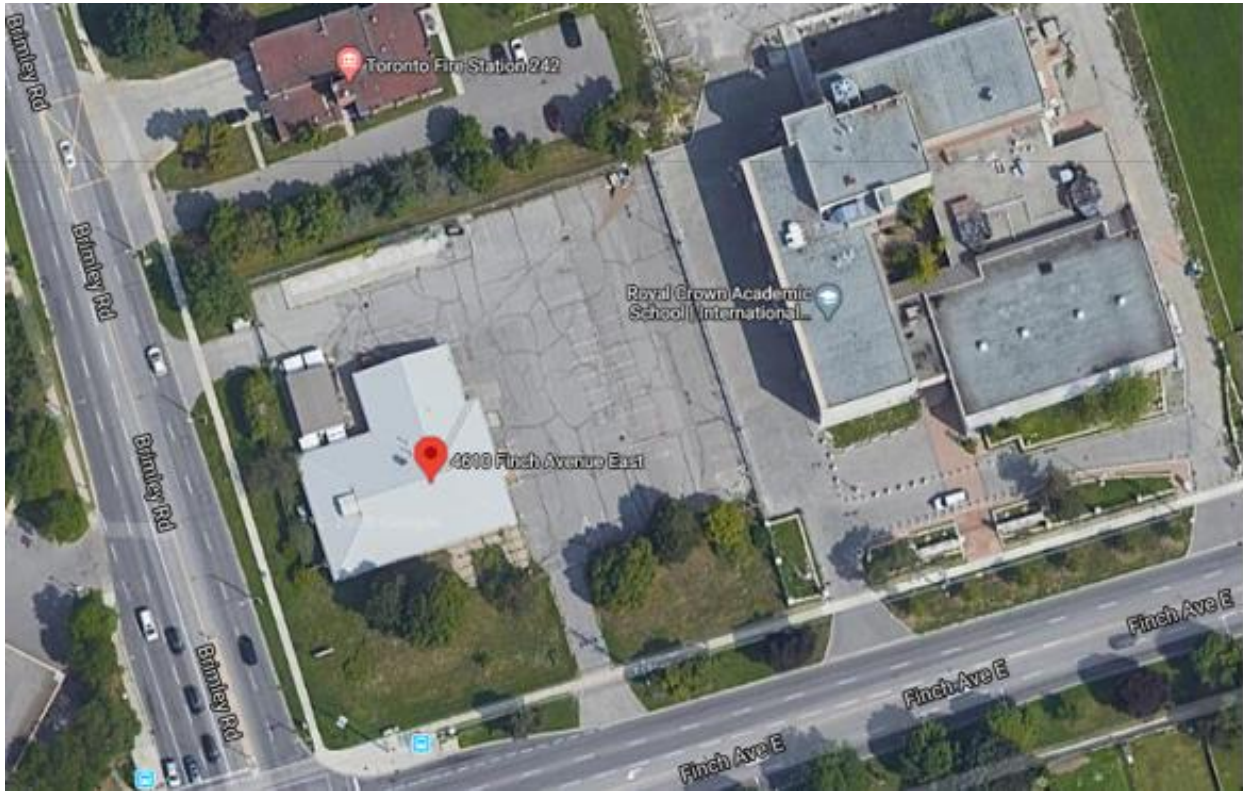
License Fee:

Fiscal Year	Period	No. of Months	Monthly Rate (plus HST)	Total Revenues (plus HST)
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Site Map:



Aerial Map:



Licensed Area (outlined in red):

