

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

TRACKING NO.: 2020-207

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	July 29, 2020	Phone No.:	(4160 392-8160)

Purpose	To obtain authority and enter into a licence agreement (the "Agreement") with The Regional Municipality of York ("York Region") for the continued access to, and use of a bus platform at the Sheppard West Station (the "Bus Platform") located at 1035 Sheppard Avenue West.																								
Property	The property municipally known as Sheppard West Subway Station, 1035 Sheppard Avenue West, North York, ON M3H 2M5 and legally described as Part of Lot 13 Concession 2 West of Yonge Street Township of York; Part of Westerly Half of Lots 14-15 Concession 2 West of Yonge Street Township of York; Part of Lot 15 Concession 3 West of Yonge Street Township of York; Part of Road Allowance Between Concession 2 West of Yonge Street and Concession 3 West of Yonge Street Township of York; Parts 1, 2, 3 on 64R-8796 Except Part 2 on 64R-14552; Subject To TB249931; Toronto (North York) City of Toronto; Being all of PIN 10213-0291(LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, and shown highlighted on the attached sketch on Appendix "A".																								
Actions	Authority be granted for the City to enter into the Agreement with York Region commencing October 1, 2020 for a term of five (5) years, with York Region having an option to renew for an additional five (5) years, at which time the licence fee will be renegotiated, substantially on the major terms and conditions set out in Appendix "A", and including such other or amended terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.																								
Financial Impact	<p>The City will receive revenue in the amount of \$225,896.12 (plus applicable HST) for the five (5) year term of the Agreement. The licence fee will be renegotiated at the time of option renewal. The following table reflects total revenues to be remitted to the City for each fiscal year:</p> <table border="1"> <thead> <tr> <th>Fiscal Year</th> <th>Period</th> <th>Total Revenues (plus HST)</th> </tr> </thead> <tbody> <tr> <td>2020</td> <td>Oct 2020 - Dec 2020</td> <td>\$10,637.14</td> </tr> <tr> <td>2021</td> <td>Jan 2021 - Dec 2021</td> <td>\$42,867.68</td> </tr> <tr> <td>2022</td> <td>Jan 2022 - Dec 2022</td> <td>\$44,153.71</td> </tr> <tr> <td>2023</td> <td>Jan 2023 - Dec 2023</td> <td>\$45,478.32</td> </tr> <tr> <td>2024</td> <td>Jan 2024 - Dec 2024</td> <td>\$46,842.68</td> </tr> <tr> <td>2025</td> <td>Jan 2025 - Sept 2025</td> <td>\$35,916.59</td> </tr> <tr> <td>Total</td> <td></td> <td>\$225,896.12</td> </tr> </tbody> </table>	Fiscal Year	Period	Total Revenues (plus HST)	2020	Oct 2020 - Dec 2020	\$10,637.14	2021	Jan 2021 - Dec 2021	\$42,867.68	2022	Jan 2022 - Dec 2022	\$44,153.71	2023	Jan 2023 - Dec 2023	\$45,478.32	2024	Jan 2024 - Dec 2024	\$46,842.68	2025	Jan 2025 - Sept 2025	\$35,916.59	Total		\$225,896.12
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Comments	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>The TTC and York Region entered into the original licence agreement for the use of the Bus Platform at Sheppard West Station on November 23, 2005. The platform serves as a passenger boarding area for York Region transit riders during operating hours of the subway station. The current agreement will expire September 30, 2020 and TTC, as an agent of the City of Toronto and York Region has agreed to enter into a new Agreement for the continued use of the Bus Platform.</p>																								
Terms	See page 4																								

Property Details	Ward:	6 – York Centre
	Assessment Roll No.:	1908-05-2-110-00601
	Approximate Size:	
	Approximate Area:	
	Other Information:	

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/REOs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOs.
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"/> (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 three (3) months, including licences for environmental assessments and/or testing, etc.	<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.
	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.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	<input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.
	Delegated to more senior positions.	<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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	James Pasternak		Councillor:
Contact Name:	Advised by email (July 29, 2020)		Contact Name:
Contacted by:	Phone	<input checked="" type="checkbox"/> E-Mail	Memo
			Other
Comments:	No objections (July 31, 2020)		Comments:
Consultation with Divisions and/or Agencies			
Division:	TTC		Division:
Contact Name:	Duane Lovelace		Contact Name:
Comments:	Incorporated into DAF (July 29, 2020)		Comments:
			Financial Planning
			Contact Name:
			Filisha Jenkins
			Comments:
			Incorporated into DAF (July 30, 2020)
Legal Services Division Contact			
Contact Name:	Dale Mellor (July 29, 2020)		

DAF Tracking No.: 2020-207	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Sept. 29, 2020	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct. 1, 2020	Signed by Alison Folosea

Terms

Term: October 1, 2020 – September 30, 2025

Annual Licence Fee / Hydro Fee:

Year 1: \$42,548.57 (plus HST) / \$2,030.31

Year 2: \$43,825.02 (plus HST) / \$2,091.22

Year 3: \$45,139.76 (plus HST) / \$2,153.96

Year 4: \$46,493.98 (plus HST) / \$2,218.58

Year 5: \$47,888.79 (plus HST) / \$2,285.13

Early Termination: The City and York Region shall each have the option to terminate this Agreement on One (1) Years prior written notice.

Maintenance:

The City shall undertake the normal day-to-day maintenance activities of the Bus Platform and roadway including but not limited to: snow clearing, washing and sweeping, building maintenance/repairs, re-lamping of loop lighting and janitorial services

York Region By-Law Enforcement: The City shall permit the Region's special constables and by-law enforcement staff access to the Subway Station for the purpose of enforcing the Region's Transit By-law 2017-7, as amended, and for exercising any other powers as authorized by the Council of the City of Toronto and the City of Toronto Police Services Board.

Appendix "A": Location Map & Sketch

