

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

TRACKING NO.: 2020-297

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

Prepared By:	Glenn Zeta	Division:	Corporate Real Estate Management
Date Prepared:	October 14, 2020	Phone No.:	416-338-7612

Purpose To obtain authority to enter into a lease extension and amending agreement (the "**Agreement**") with Lakemount Developments Inc. (the "**Landlord**") to extend the term of a lease entered into between the City of Toronto (the "**City**") and Landlord on July 1, 2009 as extended by a letter agreement dated November 14, 2016 (collectively, the "**Lease**") and to amend the terms thereof for the purpose of leasing from the Landlord ninety-two (92) parking spaces located within a parking garage situated on the lands and premises known municipally as 10 Gateway Boulevard, Toronto.

Property 10 Gateway Boulevard, situated east of Don Mills Rd., south of Eglinton Ave. E. see Appendix B (Ward 16 – Don Valley East)

Actions 1. Authority be granted for the City to enter into the Agreement on the terms and conditions set out in Appendix "A" attached hereto, together with such other terms and conditions deemed appropriate by the approving authority herein, and in form satisfactory to the City Solicitor.

Financial Impact The total cost to the City will be \$441,647.88 (plus HST) or \$449,420.88 (net of HST recoveries) for the five (5) year extended term. The below table reflects the total lease expenditures to the City for each fiscal year.

Fiscal Year	Period	Total	
		Excluding HST	Net of HST recoveries
2020	Jul 1, 2020 - Dec 31, 2020	\$ 41,593.20	\$ 42,325.24
2021	Jan 1, 2021 - Dec 31, 2021	\$ 84,434.22	\$ 85,920.26
2022	Jan 1, 2022 - Dec 31, 2022	\$ 86,967.24	\$ 88,497.86
2023	Jan 1, 2023 - Dec 31, 2023	\$ 89,576.22	\$ 91,152.76
2024	Jan 1, 2024 - Dec 31, 2024	\$ 92,263.50	\$ 93,887.34
2025	Jan 1, 2025 - Jun 30, 2025	\$ 46,813.50	\$ 47,637.42
	TOTAL	\$ 441,647.88	\$ 449,420.88

Funding for the parking costs of \$42,325.24 (net of HST recoveries), to be incurred in the 2020 fiscal year, are available in the 2020 Council Approved Operating Budgets for the below Divisions. Future costs will be submitted through the respective Divisions' Operating Budget submissions for Council consideration.

2020 Council Approved Operating Budget		Total	
Division	Period	Excluding HST	Net of HST recoveries
Technology Services	Jul 1, 2020 - Dec 31, 2020	\$ 29,386.50	\$ 29,903.70
OEM	Jul 1, 2020 - Dec 31, 2020	\$ 5,425.20	\$ 5,520.68
Toronto Fire Services	Jul 1, 2020 - Dec 31, 2020	\$ 4,521.00	\$ 4,600.57
Toronto Paramedic Services	Jul 1, 2020 - Dec 31, 2020	\$ 2,260.50	\$ 2,300.28
	TOTAL	\$ 41,593.20	\$ 42,325.24

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

Comments On September 7, 2006, authority was granted by DAF 2008-146 to enter into a three (3) year lease agreement with Western Industrial Group (Gateway) Inc. for sixty (60) parking spaces in the garage situated at 10 Gateway Blvd, for Information and Technology Division staff located at 703 Don Mills Road. By adoption of DAF 2010-048 the City entered into a six (6) year lease agreement with Lakemount Developments Inc. for sixty-five (65) parking spaces at 10 Gateway Blvd. The six year lease expired on June 30, 2015 but the City continued to occupy the parking spaces on an overhold basis.

Comments continued on page 4.

Terms Please see Appendix A for Major Terms and Conditions

Property Details	Ward:	16 – Don Valley East
	Assessment Roll No.:	
	Approximate Size:	N/A
	Approximate Area:	N/A
	Other Information:	92 Parking Stalls

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

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:	Denzil Minnan-Wong	Councillor:	
Contact Name:	Amalia Stefanopolous	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	No Objections – July 29, 2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	Multiple Divisions	Division:	Financial Planning
Contact Name:	N/A	Contact Name:	Filisha Jenkins
Comments:	Concurred – July 23, 2020	Comments:	Concurred – July 29, 2020

Legal Services Division Contact

Contact Name:	Stefan Radovanovich
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DAF Tracking No.: 2020- 297	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:	Oct. 28, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 11, 2020	Signed by Alison Folosea

Appendix "B"
Location Map
10 Gateway Blvd.

