

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

**TRACKING NO.: 2020-311**

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

<b>Prepared By:</b>	Glenn Zeta	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	November 13, 2020	<b>Phone No.:</b>	416-338-7612
<b>Purpose</b>	To obtain authority for the City of Toronto (the "City" or the "Licensor") to enter into a second licence extension & amendment agreement (the "Licence Extension") with Auckland and Main Urban Properties Inc. ("Auckland and Main" or the "Licensee") for that portion of the City-owned Property, as defined below, shown outlined in yellow on Appendix "B", attached hereto, to permit the Licensee to continue to use the Licensed Area, as defined below, for parking site trailers for another two months.		
<b>Property</b>	The City-owned property municipally known as 30 St. Albans Road, Etobicoke and legally described as Lots 14-18 Plan 2561, being all of PIN 0754-90138 (see Appendix "B").		
<b>Actions</b>	1. Authority be granted to enter into the Licence Extension with Auckland and Main, as Licensee, and the City of Toronto, as Licensor, for the Licensed Area, substantially on the terms and conditions set out herein, and on any such other or amended terms and conditions deemed appropriate by the Director, Real Estate Services (the "Director"), and in a form acceptable to the City Solicitor.		
<b>Financial Impact</b>	<p>Total revenue to the City is approximately \$ 1,229.44 (plus HST) for granting the two-month licence extension. The Licensee has also agreed to reimburse the City's legal costs incurred in connection with the preparation and execution of the Licence Extension, in accordance with Chapter 441 of the Municipal Code.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
<b>Comments</b>	<p>Auckland and Main is involved with a mixed-use development occurring on certain properties adjacent to the Licensed Area. Pursuant to DAF 2017-194, the City entered into a licence staging and tie back agreement (the "Original Agreement") with Auckland and Main on October 23, 2017. The Original Agreement contained a six-month extension right, which Auckland and Main exercised on March 31, 2020. Work related to the tiebacks was completed however Auckland and Main requires continued use of the Licensed Area to park its site trailers and requested a one month extension until October 30, 2020. Pursuant to DAF 2020-252, the City granted same (the "First Extension"). On November 6, 2020, Auckland and Main requested a further extension of the same limited use of the Licensed Area until December 31, 2020.</p> <p>Toronto Water has operational management over the Licensed Area and has no concerns with the extension.</p>		
<b>Terms</b>	Except as set out in Appendix "A", the Terms are the same as the Original Agreement, as amended by the First Extension.		
<b>Property Details</b>	<b>Ward:</b>	3 – Etobicoke-Lakeshore	
	<b>Assessment Roll No.:</b>	1919-03-1-010-02700	
	<b>Approximate Size:</b>	N/A	
	<b>Approximate Area:</b>	168 m <sup>2</sup> (1,808 ft <sup>2</sup> )	
	<b>Other Information:</b>		

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 &amp; Parks &amp; Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></p> <p><input checked="" 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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></p> <p><input 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:	Mark Grimes	Councillor:	
Contact Name:	Kim Edgar	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> x E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objections – November 11, 2020	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Toronto Water	Division:	<b>Financial Planning</b>
Contact Name:	Mike Brannon	Contact Name:	Patricia Libardo
Comments:	Concurred – November 12, 2020	Comments:	Concurred – November 12, 2020

**Legal Services Division Contact**

Contact Name: Catherine Thomas – November 12, 2020

DAF Tracking No.: 2020- 311	Date	Signature
Concurred with by: <b>Manager, Real Estate Services Melanie Hale-Carter</b>	Nov. 16, 2020	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> <b>Recommended by: Manager, Real Estate Services Daran Somas</b>	<b>Nov. 16, 2020</b>	Signed by Daran Somas
<input type="checkbox"/> <b>Approved by: Director, Real Estate Services</b>		X

**Appendix "A"**  
**Major Terms & Conditions**

**Licensor:**

City of Toronto

**Licensee:**

Aukland and Main Urban Properties Inc.

**Licensed Premises:**

A portion 30 St.Albans Rd. shown as the "Licensed Area" in Appendix "A"

**Term:**

Two-month commencing retroactively on October 31, 2020 and terminating on December 31, 2020. No extension rights.

**Use:**

The Licensee shall only use the Licensed Area for the purpose of parking site trailers.

**License Fee:**

The Licensee shall pay to the City, a licence fee in the amount of \$1,229.44 plus HST.

**Restoration:**

As per the Original Agreement, the Licensed Area shall be restored to its initial condition or better at no cost to the City and to the satisfaction of the City designate no later than the Termination date.

### Appendix "B" – Legal Description, Map of the Property and Licensed Area

#### 30 St. Albans Road

**Legal Description:**

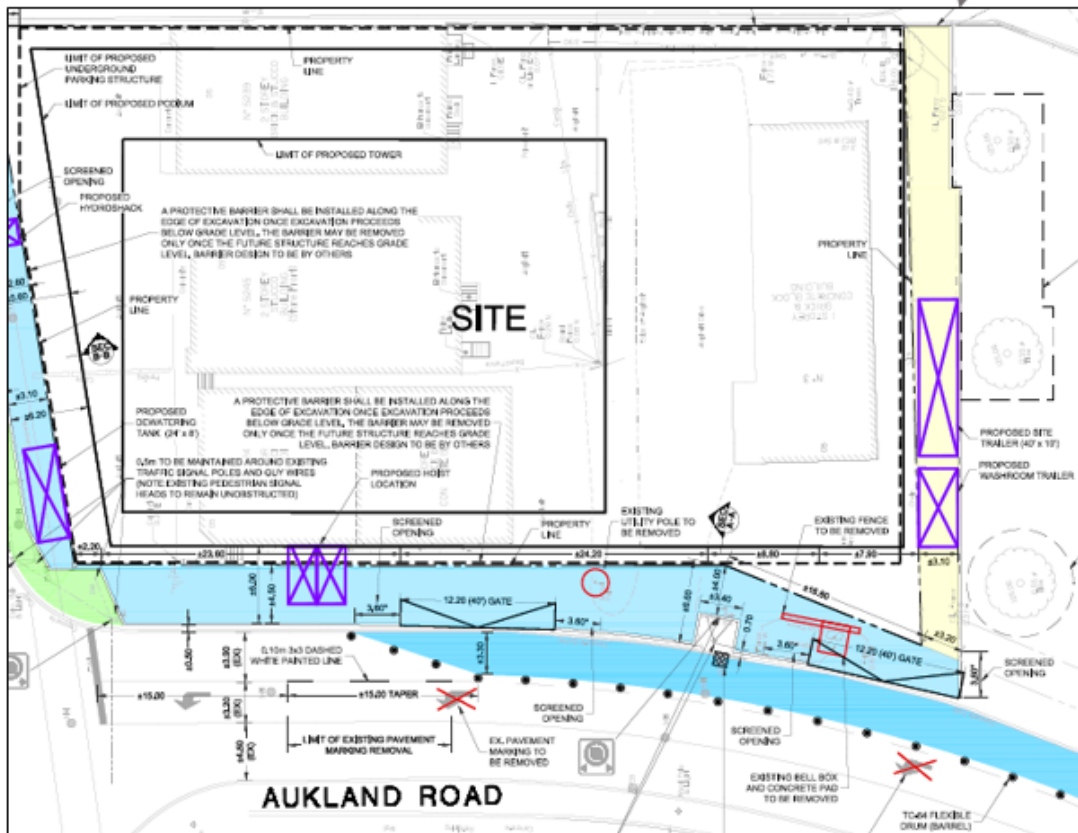
PIN 075490138

LOTS 14, 15, 16, 17 and 18 PLAN 2561



Licensed area is shaded in yellow.

Tree  
Protection  
Zone



**AUKLAND ROAD**