

**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2021-031

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

<b>Prepared By:</b>	Irina Fofanova	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	February 1, 2021	<b>Phone No.:</b>	416-397-0806
<b>Purpose</b>	To obtain authority to enter into a licence amending agreement with Metrolinx (the "Licence Amending Agreement") over portion of the property owned by Toronto Transit Commission ("TTC") municipally known as 640 Lansdowne Avenue to increase the licensed premises by including Part 5 on Plan 66R-30573 (the "Additional Licensed Premises")		
<b>Property</b>	Part of 640 Lansdowne Avenue, being PIN No. 21330-0595 (LT) shown as Part 3 and 5 on Plan 66R-30573, City of Toronto (the "Licensed Premises"), as shown on Appendix 'A'.		
<b>Actions</b>	1. Authority be granted to enter into the Licence Amending Agreement with the Metrolinx, substantially on the terms and conditions outlined below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.		
<b>Financial Impact</b>	<p>The City will receive an additional licence fee of \$151,585 + HST for the term of one year. Assuming the licence is extended up to a maximum of 2 years, the total additional licence fee for the extended periods totaling 2 years will be \$792,370 +HST.</p> <p>Metrolinx will also be responsible for additional cost of \$14,640 + HST payable to CreateTO to retrofit monitoring wells within the Additional Licensed Premises.</p> <p>By its adoption of MM8.52, City Council at its meeting on June 18 and 19, 2019, directed that any rental revenues with respect to this site, shall be directed to the City's Housing Secretariat and Parks, Forestry and Recreation Division.</p> <p>The Chief Financial Officer and Treasurer has been provided the financial impacts associated with this program for review as part of the 2021 budget process.</p>		
<b>Comments</b>	<p>The City and Metrolinx entered into an agreement dated June 28, 2019 with respect to a portion of the Licensed Premises for the purposes of the Metrolinx GO Expansion Program (the "Licence Agreement").</p> <p>The City and Metrolinx have agreed to amend the License Agreement in accordance with Metrolinx request to include the Additional Licensed Premises, shown as Part 5 on Plan 66R-30573 in Appendix "A" for a one (1) year term, with a right to further extend the Licence for the Additional Licensed Premises for a further period of two (2) years.</p> <p>CreateTO and Housing Secretariat have been consulted and are agreeable to the adding Part 5 subject to the amended terms set out in the DAF. Real Estate Services staff consider the amended terms to be fair, reasonable and reflective of market value.</p>		
<b>Terms</b>	<p>Additional Licensed Premises: Part 5 on Plan 66R-30573</p> <p>Term for the Additional Licensed Premises: 1 year, commencing on Feb. 15, 2021 and expiring on Feb. 14, 2022</p> <p>Additional Licence Fee: \$151,585 annually with 3 % increase for each following year</p> <p>Option to renew: 4 times for 6 months each with 6 months' notice</p> <p>Area of the Additional Licensed premises : 2135 square meters</p> <p>Additional cost: \$14,640 + HST payable to CreateTO to retrofit monitoring wells</p>		
<b>Property Details</b>	<b>Ward:</b>	09 - Davenport	
	<b>Assessment Roll No.:</b>	Part of 19040312302400	
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	10,489 m2	
	<b>Other Information:</b>		

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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/REOs:</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/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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 checked="" type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Ana Bailão	Councillor:	
Contact Name:	Michael Giles - January 25, 2021	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:	No Objections	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	CreateTO/Housing Secretariat	Division:	<b>Financial Planning</b>
Contact Name:	Tracy Smith, Director, Environmental Services / Nadia Lawrence, Housing Development Officer	Contact Name:	Patricia Libardo
Comments:	No issues – Jan. 20, 2021	Comments:	Included – January 29, 2021

**Legal Services Division Contact**

Contact Name: Lisa Davies – January 19, 2021

DAF Tracking No.: 2021-031	Date	Signature
Recommended by: Manager, Real Estate Services	Feb. 1, 2021	Signed by Melanie Hale-Carter
Recommended by: Director, Real Estate Services	Feb. 8, 2021	Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: <b>Executive Director, Corporate Real Estate Management</b>	<b>Feb. 8, 2021</b>	Signed by Patrick Matozzo
<input type="checkbox"/> Approved by: <b>Patrick Matozzo</b>		
<input checked="" type="checkbox"/> Approved by: <b>Deputy City Manager, Corporate Services Josie Scioli</b>	<b>Feb. 9, 2021</b>	Signed by Josie Scioli

**Appendix "A"**

Location Map and Reference plan.

