

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

TRACKING NO.: 2021-057

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

Prepared By:	Mark Gunaratnam	Division:	Corporate Real Estate Management
Date Prepared:	February 10, 2021	Phone No.:	416-392-2598

Purpose	To obtain authority for the City of Toronto (the " City ") to sign an estoppel certificate (the " Certificate ") to the Canadian Imperial Bank of Commerce (the " Lender ") with respect to the status of the lease between the City and Pinedale Properties Limited in Trust for 970 Lawrence Avenue West, (the " Landlord ") with respect to the premises as 970 Lawrence Avenue West in order for Landlord to refinance their mortgage(s) with the Lender.
Property	970 Lawrence Avenue West, Toronto (the " Premises ") as shown on the location map attached as Appendix "A". The premises currently being leased to the City is approximately 11,577 square feet.
Actions	1. <i>Authority be granted for the City of Toronto (the "City") to sign an estoppel certificate (the "Certificate") to the Canadian Imperial Bank of Commerce (the "Lender") with respect to the status of a lease between the City and Pinedale Properties Limited in Trust for 970 Lawrence Avenue West, (the "Landlord") with respect to the premises at 970 Lawrence Avenue West in order for Landlord to refinance their mortgage(s) with the Lender.</i>
Financial Impact	There is no financial impact by the City executing the Certificate. 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.
Comments	Toronto Police Services (TPS) uses the Premises to house their Parking Enforcement Unit. The Premises fulfills its requirement to be located near a highway and be easily accessible to the general public. In January 2020 TPS recommended the terms and conditions for a 3 year extension option to the Toronto Police Services Board, which was approved at its meeting held on February 25, 2020. This 3 year extension will be executed in 2021 and presently TPS is on overhold as a month to month tenant. Although TPS is on overhold, the lease is in full force and effect, has not been amended by the City, has not been assigned, sublet, transferred, encumbered or otherwise disposed of any or all of its interest in the lease or the premises. The lease commenced on January 1 st , 1995. The current term commenced on January 1, 2015 and expired on December 31, 2019. The minimum rent for the current term is \$15,436.00 per month and is calculated on a total area of 11,577sf. The Landlord does not hold any prepaid rent or security deposit and TPS does not pay percentage rent. Furthermore, Landlord confirms minimum rent, common area maintenance expenses, taxes, insurance, and any other applicable charges as described in the lease have been paid in full and all free rent periods have expired. Furthermore, TPS has reviewed the estoppel certificate and confirmed the details to be accurate on December 15, 2020.
Terms	The Certificate provides information about the status of the lease between the City and the Landlord as provided above. Real Estate Services and TPS Staff consider the proposed Certificate to be accurate, fair and reasonable.

Property Details	Ward:	15 – Eglinton-Lawrence
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	1,075.54 m ² ± (11,577 ft ² ±)
	Other Information:	

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/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>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 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 checked="" 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:	Mike Cole	Councillor:	
Contact Name:	Lola Dandybaeva	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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 (Dec 29,2020)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	Enrico Pera	Contact Name:	Patricia Libardo
Comments:	No Objections (Dec 15, 2020)	Comments:	No Objections (February 4, 2021)

Legal Services Division Contact

Contact Name: **Luxmen Aloysius (Jan 7, 2020)**

DAF Tracking No.: 2021- 057	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Feb. 11, 2021	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Feb. 18. 2021	Signed by Alison Folosea

DAF 2021-057

Appendix "A": Location Map

