

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

**TRACKING NO.: 2021-100**

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

Prepared By:	Daniel Picheca	Division:	Corporate Real Estate Management
Date Prepared:	March 30, 2021	Phone No.:	(416) 937-7561

<b>Purpose</b>	To obtain authority to accept the notice of termination from the current tenant, Violet Grosdanoff-Viglasky (the "Current Tenant") with respect to the Leased Premises effective March 31, 2021 and enter into a lease agreement (the "Lease") with 2802144 ONTARIO INC., (the "New Tenant") for a term of two (2) years commencing on April 1, 2021 to March 31, 2023 (the "Term") at 92-95 Front Street East, Store No. UL48, Toronto, ON M5E 1C3, located on the upper level of the St. Lawrence Market South Building (the "Market").
<b>Property</b>	A part of the St. Lawrence Market South Building located at 92-95 Front Street East, Toronto, ON M5E 1C3, Store No. UL48 comprising of approximately 182.51 sq. ft. (location as shown on Schedules "A" and "B" attached hereto) (the "Leased Premises").
<b>Actions</b>	1. It is recommended that: Authority be granted to accept the notice of termination from the Current Tenant and enter into the Lease with the New Tenant for the Term, substantially on the terms and conditions outlined herein, and any such other terms and conditions as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	The City will receive total revenues of approximately \$45,485.99, (plus HST) from the New Tenant for the Term with no further option to extend. Annual revenue to City is detailed as follows: 2021 - \$22,437.25 (plus HST) and 2022 - \$23,048.74 (plus HST) and will be directed to 2021 Council Approved Operating Budget for Corporate Real Estate Management under cost center FA 1375.  The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
<b>Comments</b>	The Market has been operated by the City of Toronto as a food market since 1903. Currently, 62 different tenants occupy approximately 47,000 square feet of rentable space in the Market. The Current Tenant entered into an agreement of purchase and sale to sell all of its assets of the business known as "Luba's Coffee and Tea Boutique" to the New Tenant.  The terms and conditions negotiated with the New Tenant are, in the opinion of Real Estate Services staff, reasonable in the circumstances and the rates to be charged have been determined to be appropriate.
<b>Terms</b>	The Tenant: 2802144 ONTARIO INC c.o.b. as "Luba's Gourmet Coffee and Tea Boutique"  Term: April 1, 2021 to March 31, 2023  Semi-Gross Rent: \$45,485.99 plus HST for the Term  Permitted Use: Conducting the business of the sale, at retail, of a wide variety of coffee and tea sold in bulk as well as related accessories and coffee by the cup.  Insurance: Commercial general liability insurance with limits not less than Two Million Dollars (\$2,000,000.00) per occurrence, all risks property insurance, business interruption insurance, crime insurance, and any form of insurance as the Tenant or the Landlord may require from time to time.  Indemnifier: Expedita Barit

<b>Property Details</b>	<b>Ward:</b>	13 – Toronto Centre
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	182.51 sq. ft.
	<b>Approximate Area:</b>	47,000
	<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 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 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 checked="" 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:	Kristyn Wong Tam	Councillor:	
Contact Name:	Edward LaRusic	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 – Mar 24, 2021	Comments:	

**Consultation with Divisions and/or Agencies**

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	No Objections – Mar 26, 2021

**Legal Services Division Contact**

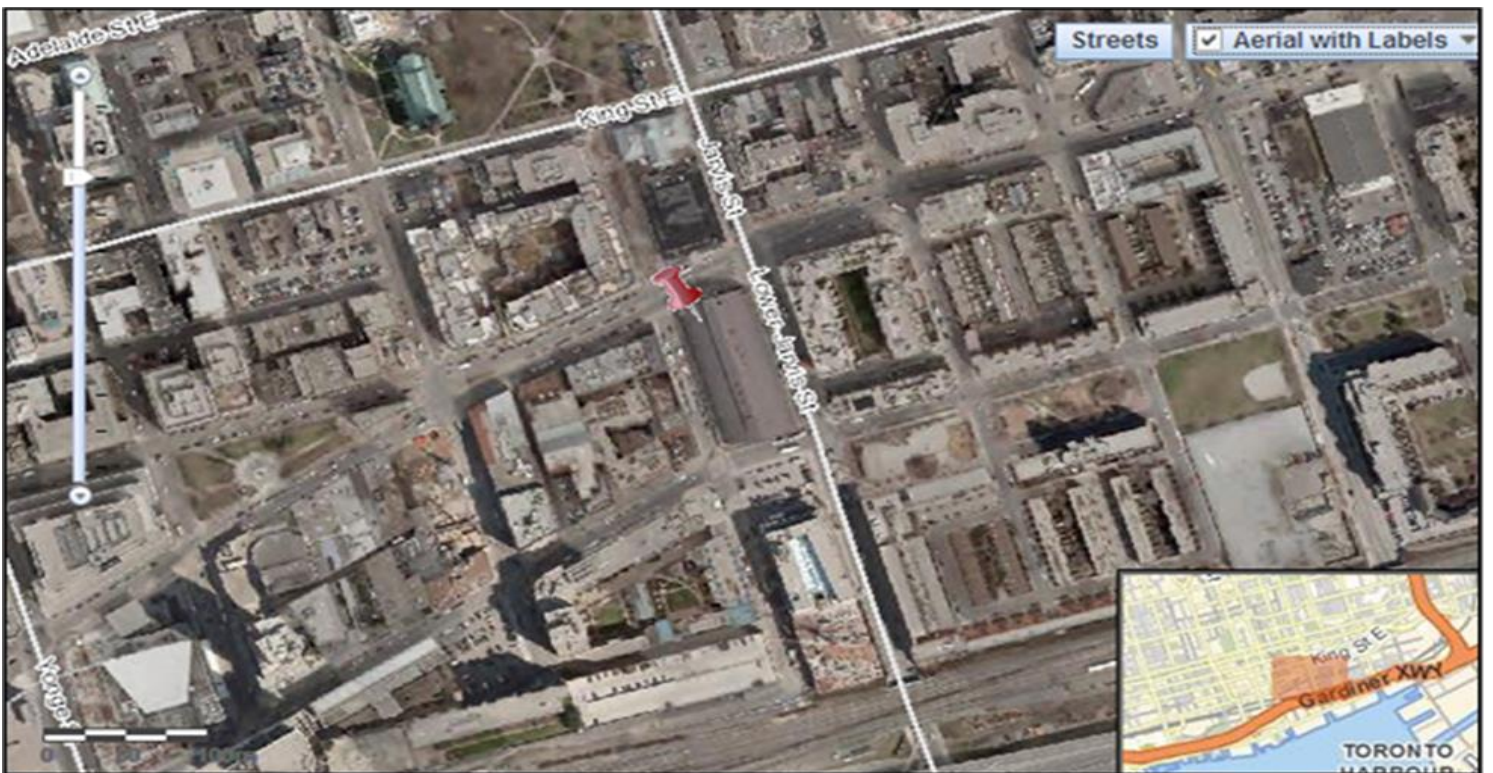
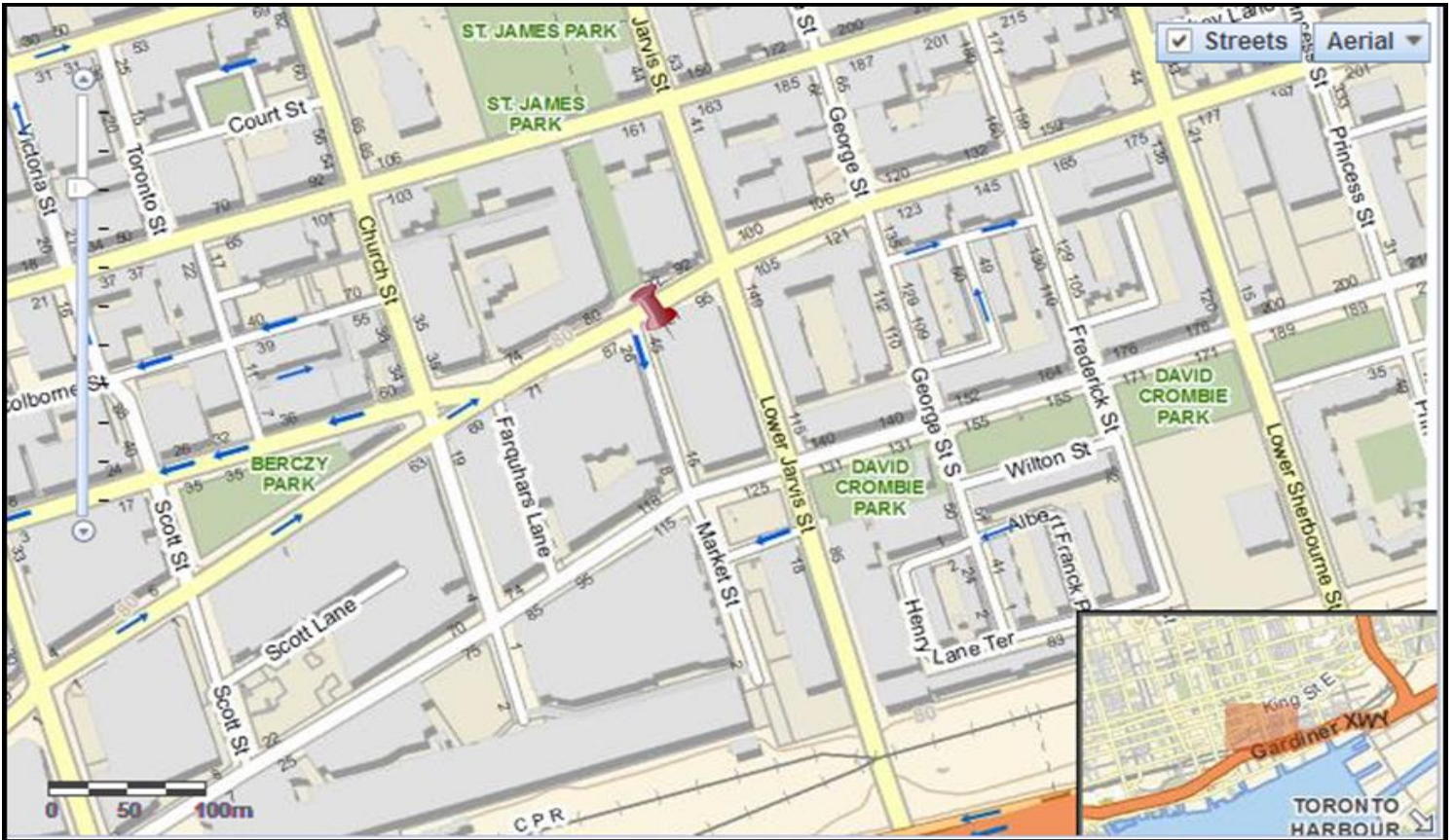
Contact Name:	Gloria Lee
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DAF Tracking No.: 2021-100	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> Daran Somas <input type="checkbox"/> Approved by:	<b>Mar. 31, 2021</b>	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> Alison Folosea	<b>Mar. 31, 2021</b>	Signed by Alison Folosea

### Schedule "A"

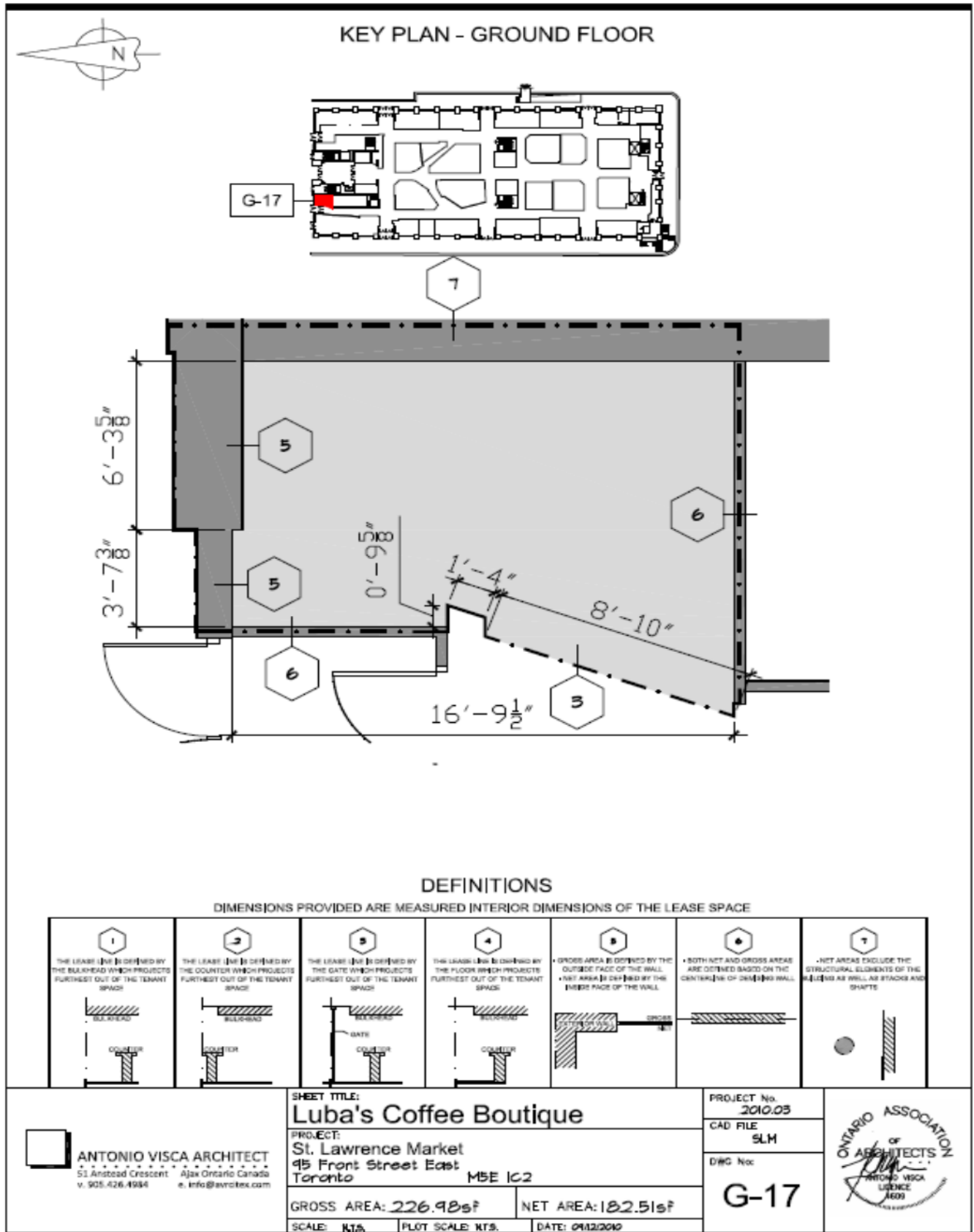
### Map of South St. Lawrence Market 92-95 Front St. E., Toronto, ON

### Street View



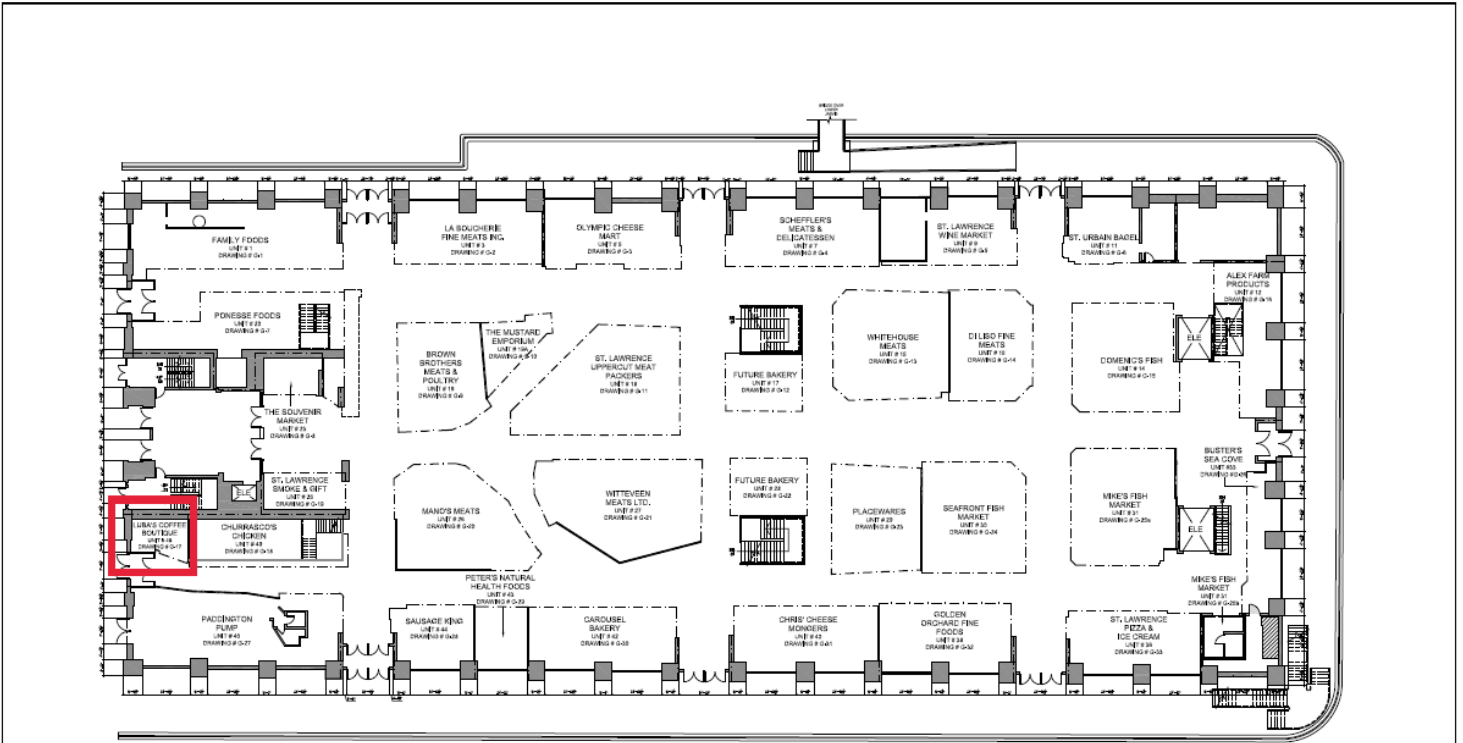
Schedule "B"

Floor Plan – Luba's Gourmet Coffee and Tea Boutique





# Floor Plan

## St. Lawrence Market - South Market



GROSS FLOOR AREA = 48 810sf

	 <p><b>ANTONIO VISCA ARCHITECT</b>                  51 Avenue Chestnut   Ajax Ontario L4R 4R8                  v.905.426.4884   a.info@aviscatx.com</p>	SHEET TITLE <b>St. Lawrence Market Ground Level</b>		PROJECT No. 2020025	<b>0-2</b>
		PROJECT St. Lawrence Market 10 Front Street East Toronto ON M5E 1G2		CAD FILE SLN	
		SCALE: N/A	PLOT SCALE: N/A	DATE: 11/20/20	