

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

TRACKING NO.: 2021-129

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

Prepared By:	Rafael Gutierrez	Division:	Corporate Real Estate Management
Date Prepared:	March 30, 2021	Phone No.:	416-338-2995

**Purpose** To obtain authority for the City of Toronto (the "**City**"), on behalf of the Toronto Transit Commission (the "**TTC**"), to enter into a lease extension and amending agreement (the "**Agreement**") with Madekat Holdings Corporation (the "**Landlord**"), for a rentable area of approximately 2,554.6 square feet of office space at the property located at Suite #200, 1 East Mall Crescent, Etobicoke, Ontario (the "**Premises**").

**Property** The property municipally known as Suite #200, 1 East Mall Crescent, Etobicoke (as legally described in Appendix "A").

**Actions** 1. Authority be granted to the City to enter into the Agreement with the Landlord for the Premises, commencing July 1, 2021 and ending June 30, 2026, on the terms and conditions set out below, and including such other terms or amended terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.

**Financial Impact** The City will pay a total sum of \$380,379.60 (plus HST), or \$387,074.28 (net of HST recoveries), for the five (5) year term.

Lease Year	Fiscal Year	Period	No. of Months	Excluding HST			Net of HST recoveries
				Basic Rent per Month	Additional Rent per Month	Total Rent per Period	Total Rent per Period
1	2021	Jul. 1, 2021 to Dec. 31, 2021	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
	2022	Jan. 1, 2022 to Jun. 30, 2022	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
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	2024	Jan. 1, 2024 to Jun. 30, 2024	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
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	2025	Jan. 1, 2025 to Jun. 30, 2025	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
5	2025	Jul. 1, 2025 to Dec. 31, 2025	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
	2026	Jan. 1, 2026 to Jun. 30, 2026	6	\$ 3,406.13	\$ 2,933.53	\$ 38,037.96	\$ 38,707.43
<b>TOTAL</b>						<b>\$ 380,379.60</b>	<b>\$ 387,074.28</b>

Funding has been included in the 2021-2030 Council Approved Capital Budget and Plan for the Toronto Transit Commission under CTT028-1 Easier Access III. Future year expenditures will be referred to the City's annual budget process and will be included as part of future year budget submissions for Council consideration.

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

**Comments** The TTC requires continued use of the Premises as office space. Pursuant to Chapter 279 of the Toronto Municipal Code, the transaction falls outside of the TTC's authority and must be directed through the Real Estate Approval Process.

Corporate Real Estate Management staff have determined these rates to be fair market value. ModernTO has no objections with this extension.

**Terms** See Page 4.

<b>Property Details</b>	<b>Ward:</b>	3 – Etobicoke-Lakeshore
	<b>Assessment Roll No.:</b>	19 19 031 170 001 00
	<b>Approximate Size:</b>	N/A
	<b>Approximate Area:</b>	237.33 m <sup>2</sup> ± (2,554.6 ft <sup>2</sup> )
	<b>Other Information:</b>	N/A

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 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, Ellen Gouchman	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:	Concurs (April 7, 2021)	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Toronto Transit Commission	Division:	Financial Planning
Contact Name:	Gurpreet Dubb	Contact Name:	Patricia Libardo
Comments:	Concurs (April 1, 2021)	Comments:	Concurs (April 23, 2021)

**Legal Services Division Contact**

Contact Name:	Gloria Lee
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DAF Tracking No.: 2021-129	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	May 20, 2021	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	May 21, 2021	Signed by Alison Folosea

## Major Terms and Conditions

**Landlord:** Madekat Holdings Corporation

**Tenant:** City of Toronto

**Premises:** Approximately 2,554.6 square feet of office space at the property located at Suite #200, 1 East Mall Crescent, Etobicoke, Ontario.

**Lease Term:** Five (5) years

**Commencement Date:** July 1, 2021

**Expiry Date:** June 30, 2026

**Use:** Office

**Rent Breakdown:**

Lease Year	Fiscal Year	Period	No. of Months	Excluding HST			Net of HST recoveries
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**Option to Extend:** None

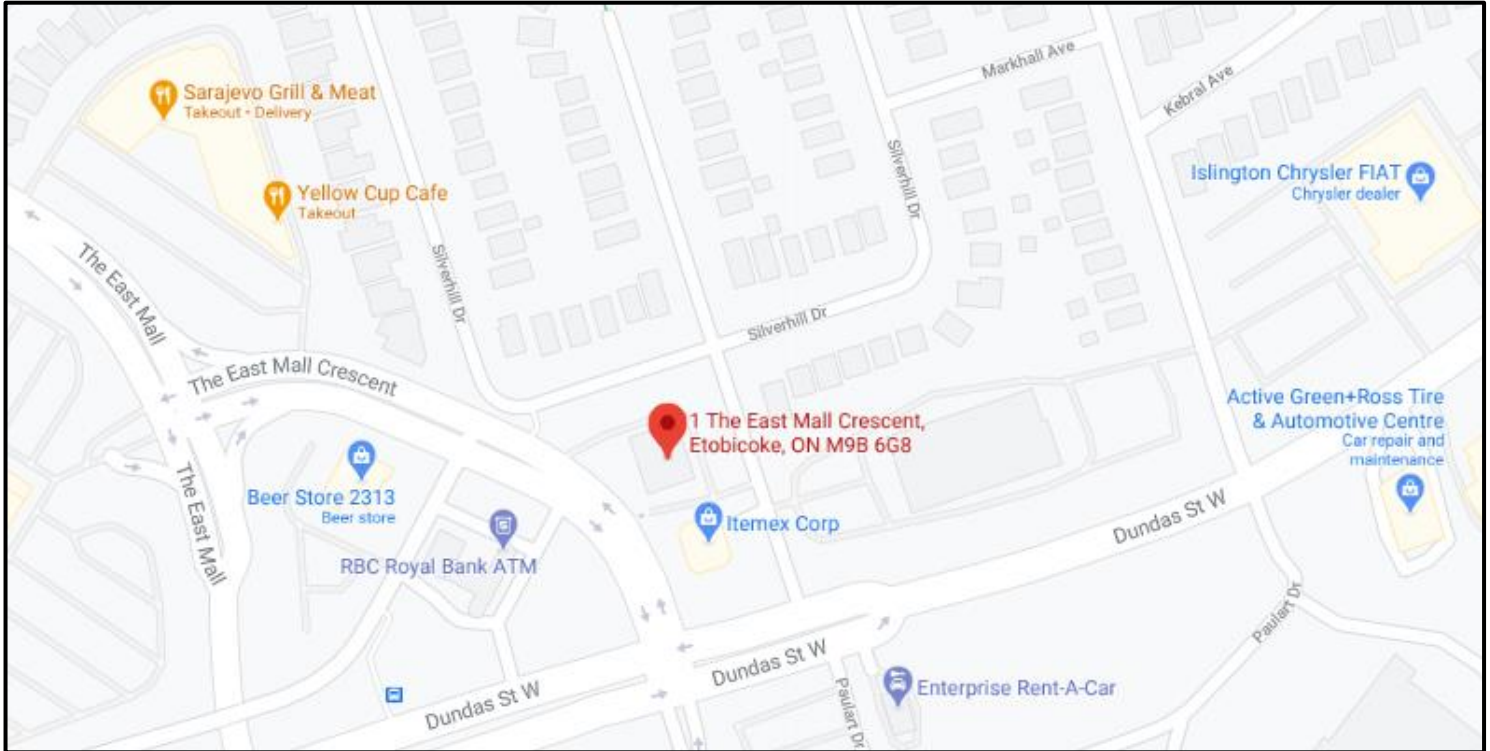
**Toronto Transit Commission as City Agent:** The Toronto Transit Commission as an agent of the City of Toronto, can undertake and fulfill any obligation, covenant, or requirement of the City of Toronto arising in respect of the Lease.

### Appendix "A" – Legal Description, Site Map, Aerial Map 1 East Mall Crescent, Etobicoke, ON

Legal Description:

PCL A-3, SEC B4392 ; PT BLK A, PL 4392 , PARTS 1 & 2 , 66R6774 , S/T A ROW IN COMMON WITH ALL OTHERS ENTITLED THERETO, IN, OVER, ALONG AND UPON THAT PT OF SAID BLK A, DESIGNATED AS PT 2 ON 66R6774 ; ETOBICOKE , CITY OF TORONTO

Site Map:



Aerial Map:

