

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

TRACKING NO.: 2021-137

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

Prepared By:	Desirée Picchiello	Division:	Corporate Real Estate Management
Date Prepared:	April 28 2021	Phone No.:	416-396-5622
<b>Purpose</b>	To obtain authority to enter into an agreement with NAFA Properties Inc. (the "Current Tenant") and Gestion Famille Wei Li Inc. / Wei Li Family Holding Inc. (the "Proposed Tenant") and Sinobec Group Inc. (the "Guarantor") with respect to the City-owned lands at the rear of 65 Skyway Avenue, Toronto for the purpose of consenting to the assignment of a lease made as of October 1, 1980 (the "Lease") by the Current Tenant to the Proposed Tenant (the "Consent to Assign Agreement") as well as separate agreement with the Proposed Tenant and Caisse Desjardins De Brossard (the "Lender") regarding a leasehold mortgage (the "Consent to Charge Agreement") .		
<b>Property</b>	Lands at the rear of 65 Skyway Avenue, Toronto, designated as Parts 1 & 2 on Plan 64R-8647 and containing an area of approximately 1.78 acres, as shown in Appendix "A" (the "Property").		
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the Consent to Assign Agreement with the Current Tenant and Proposed Tenant and the Guarantor, substantially on the major terms and conditions set out below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.</li> <li>Authority be granted to enter into the Consent to Charge Agreement with the Proposed Tenant and the Lender, substantially on the major terms and conditions set out below, including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.</li> </ol>		
<b>Financial Impact</b>	<p>The Current Tenant is in arrears of \$19,987.92 (inclusive of HST) as of April 28 2021 and the City will collect payment of such arrears upon execution of the Agreement.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>The Lease is for a term of 92 years and 5 months, commencing on October 1, 1980 and expiring on February 28, 2073. The Current Tenant commenced proceedings through the mechanisms set out in the <i>Companies' Creditors Arrangement Act</i> and has recently obtained a court order which approved a sale transaction between the Current Tenant (as vendor) and the Proposed Tenant (as purchaser). This sale transaction includes assignment of the Lease from the Current Tenant to the Proposed Tenant.</p> <p>The Lease provides that the tenant will not assign, sub-let, mortgage, pledge or encumber the lease without the landlord's prior written consent (with certain exceptions that do not apply to this proposed assignment). Accordingly, the Current Tenant has requested the City's consent to an assignment of the Lease to the Proposed Tenant. CREM has reviewed the proposed assignment and determined that the Proposed Tenant is a suitable tenant for the City, provided that the Guarantor guarantee the Proposed Tenant's obligations thereunder for the remainder of the Lease. CREM is also satisfied that the Lender is an institutional mortgagee within the meaning of the Lease.</p>		
<b>Terms</b>	As a condition of the Consent to Assign Agreement, the City must receive payment in satisfaction of the outstanding arrears in amount of \$19,987.92 (inclusive of HST) under the Lease, as well as payment in satisfaction of the Legal Services fee for preparing the Agreement. There are no other terms or conditions in the Agreement that will have the effect of amending the Lease.		
<b>Property Details</b>	<b>Ward:</b>	1 – Etobicoke North	
	<b>Assessment Roll No.:</b>	1919-03-8-240-00300	
	<b>Approximate Size:</b>	18 m x 400.2 m ± (59 ft x 1312 ft ±)	
	<b>Approximate Area:</b>	1.78 acres, or 7203.4 m <sup>2</sup> ± (77536.8 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/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 \$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 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 checked="" 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:	Michael Ford	Councillor:	
Contact Name:	councillor_mford@toronto.ca	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 oppositions 4/29/21	Comments:	

**Consultation with Divisions and/or Agencies**

Division:		Division:	<b>Financial Planning</b>
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	Approved on 4/29/21

**Legal Services Division Contact**

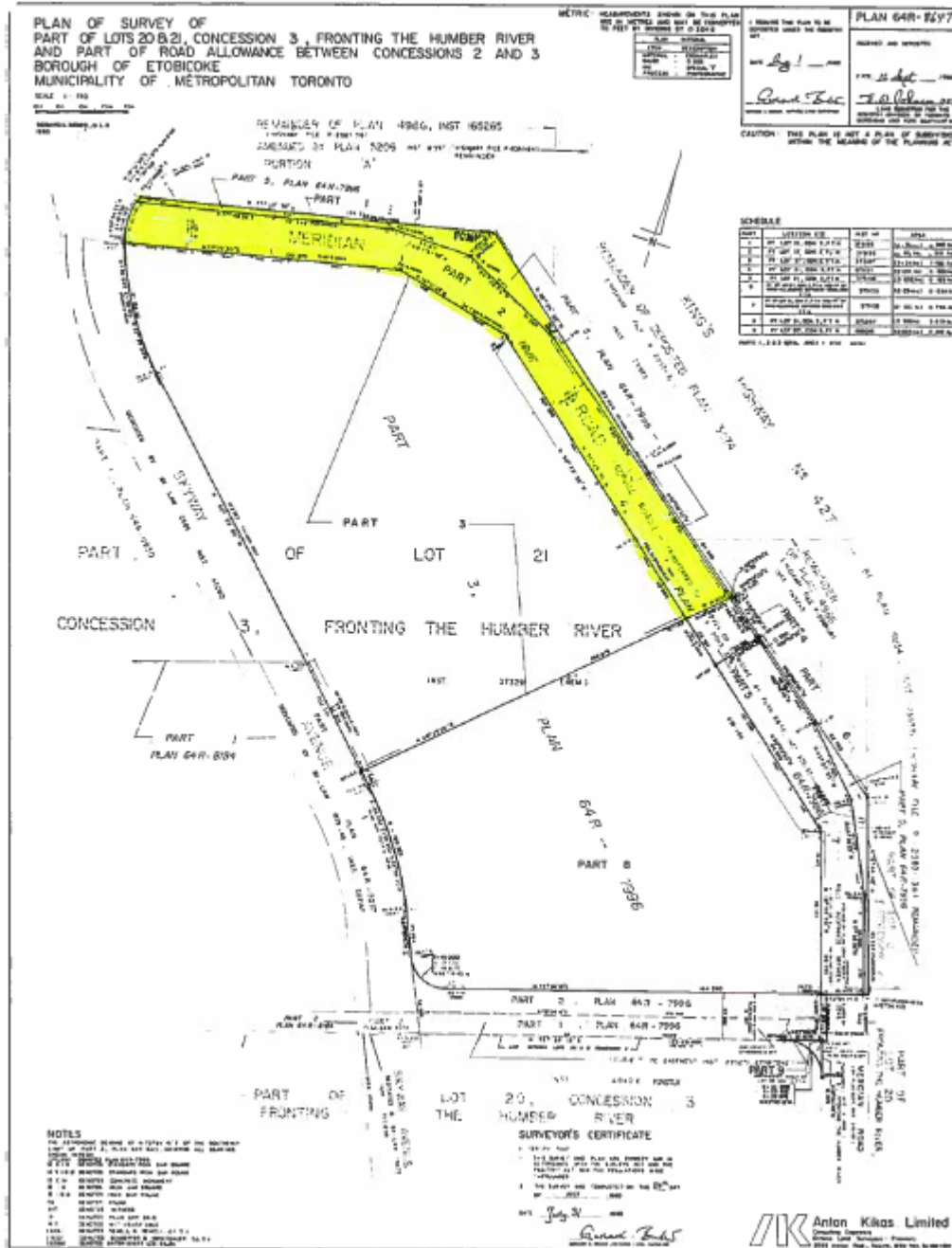
Contact Name:	Catherine Thomas
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DAF Tracking No.: 2021-137	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Daran Somas</b> <input type="checkbox"/> Approved by:	April 30, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	April 30, 2021	Signed by Alison Folosea

# APPENDIX "A"

## Excerpt of Plan 64R-8647

64R8647



## Location Map



## Property View

