

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

**TRACKING NO.: 2021-164**

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:	May 27, 2021	Phone No.:	416-338-2995

<b>Purpose</b>	To obtain authority for the City of Toronto (the " <b>City</b> "), on behalf of the Toronto Public Library (the " <b>Library</b> "), to enter into a lease extension and amending agreement (the " <b>Agreement</b> ") with bclMC Realty Corporation (the " <b>Landlord</b> ") for a rentable area of approximately 6,333 square feet at Bayview Village Shopping Centre, located at Unit 123A, 2901 Bayview Avenue, North York (the " <b>Premises</b> ").
<b>Property</b>	The property municipally known as Unit 123A, 2901 Bayview Avenue, Toronto (as legally described in Appendix "A").
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Authority be granted for the City of Toronto (the "City"), on behalf of the Toronto Public Library (the "Library"), to enter into a lease extension and amending agreement (the "Agreement") with bclMC Realty Corporation (the "Landlord") for a rentable area of approximately 6,333 square feet at Bayview Village Shopping Centre, located at Unit 123A, 2901 Bayview Avenue, North York (the "Premises"), commencing on February 1, 2022 and ending on January 31, 2023, 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.</li> <li>2. The City Librarian, or her designate, administer and manage the Lease including the provision of any consents, approvals, waivers, notices and notices of termination provided that the City Librarian may, at any time, refer consideration of such matters to Director of Real Estate Services for determination and direction.</li> <li>3. The appropriate Library Officials be authorized and directed to take the necessary action to give effect thereto.</li> <li>4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	<p>The City will pay \$400,245.72 (plus HST), or \$407,290.04 (net of HST recoveries), for the one (1) year extension term.</p> <p>Funding is available in the 2021 – 2023 Council Approved Operating Budget for the Toronto Public Library under cost center LB1000 and will be referred to the City's annual budget process and included as part of the 2022 budget submission for Council consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>
<b>Comments</b>	<p>The population in the area has expanded due to development along the Sheppard subway line, and the branch currently serves a population of approximately 55,459 people. Future development plans will result in continued population growth. While the Bayview branch provides a full range of neighbourhood library services, it is limited in its ability to meet the growing demand for services in the current location. For this undersized branch, there is no program room, and branch space is at a premium at this busy location. Toronto Public Library has been occupying space within this building since 2002, and one year extension from 2020 to 2021 was authorized by DAF 2019-256.</p> <p>The Library's approved capital plan includes a project to relocate the branch from the mall onto City land by the Bessarion subway stop. The project budget of \$15.3 million is for the construction of a larger 13,418 square foot library in a City joint-use facility with a daycare and a Parks Forestry and Recreation aquatics and recreation centre. The project is currently underway and it is anticipated that construction will be completed in Q1 of 2023. The current lease expires on January 31, 2022.</p> <p>This one-year lease extension to January 31, 2023 provides a bridge to the expected end of the construction. If construction is delayed, Library staff will once again seek a lease extension, possibly on a month-to-month basis, to allow the branch to remain in the mall until the construction is complete at the Bessarion site.</p> <p>The Toronto Public Library Board approved the one-year extension at its May 25<sup>th</sup>, 2021 Toronto Public Library Board Meeting.</p>
<b>Terms</b>	See Page 4.

<b>Property Details</b>	<b>Ward:</b>	17 – Don Valley North
	<b>Assessment Roll No.:</b>	19 08 113 080 001 01
	<b>Approximate Size:</b>	N/A
	<b>Approximate Area:</b>	588.36 m <sup>2</sup> ± (6,333 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:	Shelley Carroll	Councillor:	
Contact Name:	Tom Gleason, Josh Bowman, Daria Mancino	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 – May 26, 2021	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Toronto Public Library	Division:	Financial Planning
Contact Name:	Harvey Mooradian, Priscila Faminial	Contact Name:	Patricia Libardo
Comments:	Concurs – May 26, 2021	Comments:	Concurs – May 27, 2021

**Legal Services Division Contact**

Contact Name:	Michele Desimone
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DAF Tracking No.: 2021-164	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <input type="checkbox"/> Approved by: <b>Daran Somas</b>	May 31, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> <b>Alison Folosea</b>	June 3, 2021	Signed by Alison Folosea

Major Terms and Conditions

**Landlord:** bcIMC Realty Corporation

**Tenant:** City of Toronto, on behalf of the Toronto Public Library

**Premises:** Approximately 6,333 square feet of rentable space at the property located at Unit 123A, 2901 Bayview Avenue, also known as the Bayview Village Shopping Centre.

**Term:** One (1) year, commencing on February 1, 2022, and ending on January 31, 2023.

**Use:** Neighbourhood library branch, operated by the Toronto Public Library.

**Rent Breakdown:** The City will pay \$400,245.72 (plus HST), or \$407,290.04 (net of HST recoveries), for the one (1) year extension term, where Basic Rent is \$42.50 per square foot, and Additional Rent and Utilities are estimated at \$20.70 per square foot.

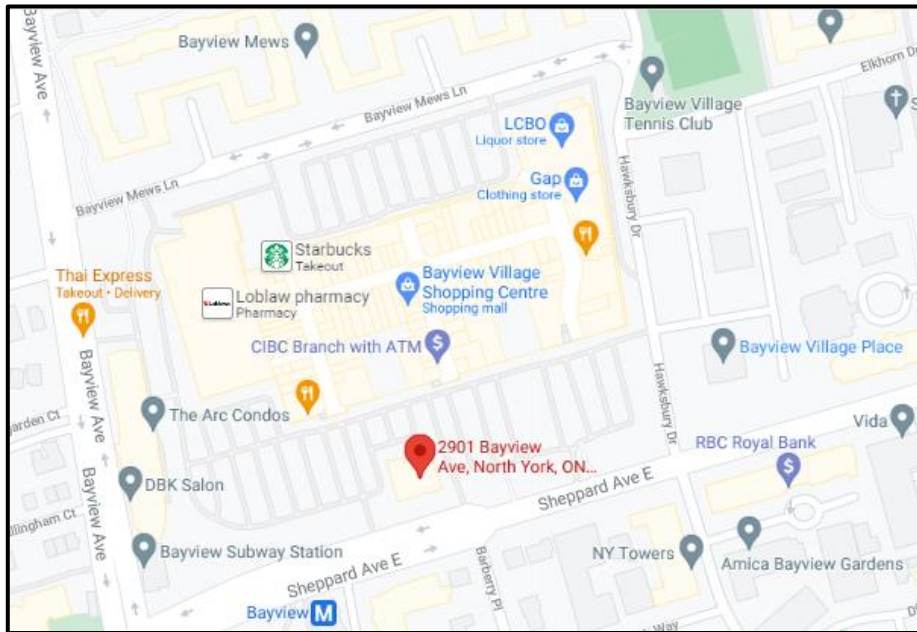
			Excluding HST			Net of HST recoveries (additional 1.76%)
Fiscal Year	Period	No. of Months	Basic Rent per Month	Additional Rent & Utilities per Month	Total Rent per Period	Total Rent per Period
2022	Feb. 1, 2022 to Dec. 31, 2022	11	\$ 22,429.38	\$ 10,924.43	\$366,891.91	\$ 373,349.21
2023	Jan. 1, 2023 to Jan. 31, 2023	1	\$ 22,429.38	\$ 10,924.43	\$ 33,353.81	\$ 33,940.84
<b>Total</b>					<b>\$400,245.72</b>	<b>\$ 407,290.04</b>

**Appendix "A" – Legal Description, Site Map, Aerial Map  
2901 Bayview Avenue, North York, ON**

Legal Description:

CONSOLIDATION OF VARIOUS PROPERTIES: PART OF LOT 16, CONCESSION 2 EAST OF YONGE STREET, DESIGNATED AS PARTS 1, 2, 3, 4, 5, 6, 19, 20, 21, AND 22, PLAN 64R16304, SAVE AND EXCEPT PARTS 3, 4, 5, AND 6, PLAN 66R21172; PART OF LOT 16, CONCESSION 2 EAST OF YONGE STREET, DESIGNATED AS PARTS 1 AND 55, PLAN 66R21172; S/T AN EASEMENT OVER PART 55, PLAN 66R21172 IN FAVOUR OF PARTS 2, 3, 4, 5 AND 6, PLAN 66R21172, AS IN AT524573; S/T AND T/W NY759101, PARTIALLY RELEASED BY TR52881, AT524471 AND AT3485562; S/T AN EASEMENT OVER PARTS 23, 25, 28, 51, 70 AND 71, PLAN 66R21172, AS IN NY506423; S/T AN EASEMENT OVER PARTS 19, 32, 35, 42, 43 AND 44, PLAN 66R21172 IN FAVOUR OF CITY OF TORONTO, AS IN AT524470; S/T AN EASEMENT OVER PARTS 7 TO 22, 24, TO 31, 33 TO 39, 42, 45 TO 48, 52 TO 55, 64, 68, 70 TO 74, 76, 77, 78, 80, 81, 82, AND 84 TO 87, PLAN 66R21172, IN FAVOUR OF PARTS 2, 3, 4, 5, AND 6, PLAN 66R21172, AS IN AT524573; S/T AN EASEMENT OVER PARTS 1, 4, 5, AND 6, PLAN 64R16101 IN FAVOUR OF CITY OF TORONTO, AS IN TR52882; T/W AN EASEMENT OVER PART 1, PLAN 66R23016, AS IN AT1421734; CITY OF TORONTO TOGETHER WITH AN EASEMENT OVER PT LT 16, CON 2, E.Y.S. DES. AS PT 1, PL 66R23016 AS IN AT2091024 CITY OF TORONTO.

Site Map:



Aerial Map:

