

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2021-150

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

Prepared By:	Glenn Zeta	Division:	Corporate Real Estate Management
Date Prepared:	June 11, 2021	Phone No.:	416-338-7612
Purpose	To obtain authority for the City of Toronto as licensor (the "City") to enter into an extension and amending agreement (the "Agreement") with Toronto East Health Network as licensee (the "Licensee") to extend and amend the terms of a licence agreement entered into between the City and the Licensee on July 5, 2018 (the "Licence Agreement") to permit the Licensee to continue to use the Licensed Area (defined below) for the purposes of parking twenty (20) vehicles for a further ten (10) months.		
Property	Part of the lands and premises municipally known as 170 Memorial Park Drive and legally described as Blk A PI 3098 Twp of York except EY123619 & EY151577; Toronto (E York), City of Toronto, such part shown outlined in yellow in Appendix "B" attached hereto (such part referred to herein as the "Licensed Area").		
Actions	1. Authority be granted for the City to enter into the Agreement with the Licensee, substantially on the terms and conditions set out herein, and on such other or amended terms and conditions deemed appropriate by the Manager, Real Estate Services, and in a form acceptable to the City Solicitor.		
Financial Impact	Total revenue to the City is approximately \$ 9,984.00 (plus HST) for granting the license extension and will be directed to the 2021 Council Approved Operating Budget Submission for Corporate Real Estate Management (CREM) under cost center FA1379. Future year revenue will be referred to the City's annual budget process and will be included as part of the 2022 budget submission 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 City of Toronto was approached by Michael Garron Hospital in 2018 to inquire regarding parking availability at East York Civic Centre (EYCC) due to major renovations being undertaken at the hospital. After a review by EYCC, it was determined that it had a continuous vacancy rate of 25 parking spots. On June 1, 2018, the City and the Licensee entered into the Licence Agreement giving the Licensee authority to use the Licensed Area. The Licensee requested for a License Extension on April 2021. East York Civic Centre operating under Corporate Real Estate Management has operational management over the Licensed Area and has no concerns with the extension. The proposed fee and other terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.		
Terms	Except as set out in Appendix "A" attached hereto, the terms and conditions of the Agreement are the same as set out in the Licence Agreement.		
Property Details	Ward:	14 – Toronto Danforth	
	Assessment Roll No.:		
	Approximate Size:	1,394.38 m ² ± (15,008.97 ft ² ±)	
	Approximate Area:		
	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/REOs:</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/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>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 checked="" 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/REOs.</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 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:	Paula Fletcher	Councillor:	
Contact Name:	Susan Serran	Contact Name:	
Contacted by:	Phone <input 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:	Concurred - May 11, 2021	Comments:	

Consultation with Divisions and/or Agencies

Division:	Corporate Real Estate Management	Division:	Financial Planning
Contact Name:	Anita De Castro, Acting Manager	Contact Name:	Patricia Libardo
Comments:	Concurred – May 10, 2021	Comments:	Comments Incorporated – May 13, 2021

Legal Services Division Contact

Contact Name: Stefan Radovanovich (May 10, 2021)

DAF Tracking No.: 2021-150		Date	Signature
Concurred with by:	Acting Manager, Real Estate Services Alex Schuler	July 12, 2021	Signed by Alexander Schuler
<input type="checkbox"/> Recommended by:	Manager, Real Estate Services Daran Somas	July 12, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:			
<input type="checkbox"/> Approved by:	Director, Real Estate Services		X

Appendix A

Major Terms and Conditions

Licensors	City of Toronto.
Licensee	Toronto East Health Network
Approximate Area:	15,008 square feet.
Extended Term:	10 Months (June 1, 2021 – March 31, 2022) ("Extended Term")
License Fee:	\$9,984 per annum plus HST paid in monthly installments of \$998.40 plus HST.
Option To Renew:	The Licensee will have one (1) option to extend for a further term of (1) year on the same terms and conditions as set out in the Licence Agreement, except the License Fee shall be the greater of the annual License Fee payable during the Extended Term provided herein and the fair market licence fee for the Licensed Area as of the commencement date of such further Extended Term.
Insurance:	The Licensee is required to obtain and maintain Comprehensive Commercial General Liability insurance coverage in the amount of \$5,000,000.00 per occurrence.

Appendix B

Licensed Area (highlighted in yellow)

