

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

**TRACKING NO.: 2021-270**

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

Prepared By:	Bruno Iozzo	Division:	Corporate Real Estate Management
Date Prepared:	September 30, 2021	Phone No.:	(416) 392-8151

<b>Purpose</b>	To obtain authority to enter into a lease agreement (the "Lease Agreement") with 2364208 Ontario Inc. (the "Tenant") to lease the property municipally known as 480 Coxwell Avenue for the purpose of the continued use of the site by the Tenant as a vehicle rental business.
<b>Property</b>	The land, building and improvements on the property municipally known as 480 Coxwell Avenue as displayed in the maps within Appendix "A" and legally described as LT 78-79 PL 1301 Toronto and PT LT 87 PL 655 Midway, designated as Parts 1 and 2 on Expropriation Plan AT5743043; City of Toronto (PIN 21034-0745).
<b>Actions</b>	1. Authority be granted to enter into the Lease Agreement with the Tenant, substantially on the terms and conditions set out below, and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	<p>Total revenue to the City is \$124,238 plus applicable taxes over the course of the lease term. The tenant shall be responsible to pay all additional costs associated with the Lease Agreement including property taxes, operating and maintenance costs.</p> <p>Revenue will be directed to the 2021 Council Approved Operating Budget 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 and future year budget submissions 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>Through the registration of Expropriation Plan AT5743043 on May 20, 2021, the City of Toronto expropriated the Property to construct a new odour control facility (the "Facility") associated with Coxwell Bypass Sewer.</p> <p>The Tenant is currently operating at the Property as a former tenant of the former property owner (the lease is no longer valid given the City's expropriation of the Property). The Tenant has requested to remain on the site once the City of Toronto takes possession of the Property on October 1<sup>st</sup>, 2021. City staff will need to perform various testing on the Property to prepare for the proposed construction of the Facility. Given the need to perform the required testing, the City has agreed to lease the Property to the Tenant in the interim in an effort to mitigate claims made by the Tenant in the future. The City has agreed to lease the Property to the Tenant for a term that will expire on March 14, 2023 (the date the lease would have expired with the former property owner).</p>
<b>Terms</b>	<p><b>Landlord:</b> City of Toronto</p> <p><b>Tenant:</b> 2364208 Ontario Inc.</p> <p><b>Property Address:</b> 480 Coxwell Avenue</p> <p><b>Term:</b> 17 months and 14 days</p> <p><b>Commencement Date:</b> October 1, 2021</p> <p><b>Termination Date:</b> March 14, 2023</p> <p><b>Use:</b> Vehicle rental business</p> <p><b>Basic Rent:</b> \$7,119.00 per month plus applicable taxes</p> <p><b>Net Lease:</b> The Tenant accepts the Property "as is" and acknowledges that it shall be responsible for each and every single financial aspect of the Property and any costs or expenses whatsoever</p> <p><b>Reservation of Rights by City:</b> The Tenant acknowledges that the City reserves for itself a non-exclusive licence to periodically enter the Property at any time throughout the Term to complete any work related to the future redevelopment of the Property as an Odour Control Facility</p> <p><b>Insurance:</b> The Tenant shall take out and maintain at all times during the Term the insurance requirements contained within the Lease Agreement</p>

<b>Property Details</b>	<b>Ward:</b>	14 – Toronto-Danforth
	<b>Assessment Roll No.:</b>	19 04 083 520 002 00
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	24,628 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/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 checked="" 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 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 – Executive Assistant	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:	No concerns (September 22, 2021)	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Dina Kuvandykova	Contact Name:	Patricia Libardo
Comments:	No concerns (September 20, 2021)	Comments:	Revisions included (September 22, 2021)

**Legal Services Division Contact**

Contact Name: Vanessa Bacher (September 28, 2021)

DAF Tracking No.: 2021-270	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Scott Delahunt</b>	October 3, 2021	Signed by Scott Delahunt
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	October 15, 2021	Signed by Alison Folosea

# Appendix "A" – Location Map

