

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

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	October 13 th 2021	Phone No.:	416-396-5622

Purpose	To obtain authority to enter into a licence agreement with the City of Toronto (the " Licensor "), and D. Crupi & Sons Limited (The " Licensee ") with respect to the property municipally known as 71 Metropolitan Rd. for the purpose of constructing a pathway for vehicular and pedestrian access to the Licensee's property (the " Licence Agreement ").
Property	A portion of the property municipally known as 71 Metropolitan Rd, Scarborough, ON M1R 2T5, and legally described as Part of Block D on Plan 4597 Scarborough E of 66R12915; Part of Block F Plan 4597 Scarborough S of Metropolitan Rd & E OF 66R12915; Part of Knott Rd Plan 4597 Scarborough closed by SC190090 E OF 66R12915; 1 FT reserve Plan 4597 Scarborough E of Knott Rd; Toronto, City of Toronto, being a part of PIN 06154-0009 (LT) (the " Property "), as shown on the Location Map in Appendix "A".
Actions	1. Authority be granted to enter into the Licence Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
Financial Impact	This licence Agreement will generate \$15,300.00 (plus HST and all applicable taxes) annually or \$1,275.00 monthly (plus HST and all applicable taxes) in revenue for the length of the term. The initial term shall be for 10 years which shall generate \$153,000.00 (plus HST and all applicable taxes) overall with the option to extend the term for an additional 5 years. Revenue will be directed to the 2021 Council Approved Operating Budget for Corporate Real Estate Management (CREM) under cost center FA0012. 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.
Comments	The Chief Financial Officer and Treasurer has been provided the financial impacts associated with this program for review as part of the 2022 budget process. The purpose of the pathway is to allow support for heavier vehicles and improve accessibility to the property. The licensee will construct the pathway by constructing an asphalt entrance pad and a gravel driveway, and installing a gated access security system. The Licensee will provide the City with the access code of the gated security system, together with the contact information for a licensee representative who can provide the City with access to the pathway.
Terms	<i>Refer to page 4 for details.</i>

Property Details	Ward:	21 - Scarborough Center
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	Approximately 17,975 ft ²
	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/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 & 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 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/REOIs.</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 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>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:	Michael Thompson	Councillor:	
Contact Name:	councillor_thompson@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 objections 07/29/21	Comments:	

Consultation with Divisions and/or Agencies

Division:	Community & Social Services	Division:	Financial Planning
Contact Name:	Ian J Brown	Contact Name:	Patricia Libardo
Comments:	Approved on 03/30/21	Comments:	Approved on (09/30/2021)

Legal Services Division Contact

Contact Name: Amna Shakil (10/12/2021)

DAF Tracking No.: 2021-280	Date	Signature
Concurred with by: Manager, Real Estate Services	Oct. 20, 2021	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Scott Delahunt	Oct. 20, 2021	Signed by Scott Delahunt
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct. 21, 2021	Signed by Alison Folosea

Major Terms & Conditions

Licensed Area: comprising approximately 1670 square meters, and as shown on the sketch attached as Schedule "A" (the "**Licensed Area**").

Licensor: City of Toronto

Licensee: D. Crupi & Sons Limited

Term: 10 years, commencing as of the date of the Licence Agreement.

Option to Extend: the City shall grant the Licensee one option to extend the Term for a further period of five (5) years.

Use: The pathway will be constructed to for vehicular and pedestrian access to the Licensee's property.

License Fee: \$15,300 annually paid on the first of every month in the amount of \$1,275.00

Insurance: Commercial General Liability(\$5,000,000.00) per occurrence; Contractor's Pollution Liability with a minimal limit of \$1,000,000.00; Standard Automobile Liability coverage with a limit of at least \$2,000,000.00 for all licensed motorized vehicles used on the *Licensed Area*; and Contractors Equipment Insurance.

Restoration:

At the end of the Term, the Licensee the Licensee shall immediately, at its sole cost and expense and to the satisfaction of the City Designate, acting reasonably:

- (a) remove the gravel and the asphalt from the Licensed Area;
- (b) sod the Licensed Area;
- (c) remove all of the Licensee's Chattels and Fixtures from and about the Licensed Area;
- (d) restore the Licensed Area to a condition as close as is practicable to its condition prior to occupation by the Licensee;
and
- (e) leave the Licensed Area clean, tidy, and in good repair.

Maintenance Obligations: the licensee shall be obligated to perform all maintenance and repairs on the pathway during the Term, including but not limited to:

- (a) snow and ice maintenance;
- (b) waste removal and garbage collection;
- (c) de-weeding; and
- (d) grading as required.

Schedule A

The Licensed Area consists of the "Ashpalt Entrance Pad" and the "Gravel Driveway".

