

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

TRACKING NO.: 2021-243

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

Prepared By:	Daniel Picheca	Division:	Corporate Real Estate Management
Date Prepared:	Aug 24, 2021	Phone No.:	416-937-7561
Purpose	To obtain authority to enter into a licence extension agreement with Marlene Cook (the " Licensee ") with respect to the property municipally known as 125 The Esplanade, Toronto (the " Temporary Building ") for the purpose of an antique and collectibles market for a term expiring on September 30, 2021 (the " Licence Extension Agreement ").		
Property	Part of the property at 125 The Esplanade, Toronto, ON comprising approximately 9,182 square feet, (the " Licensed Area ") shown in the Sketch and Location Map attached hereto as Schedule "A".		
Actions	1. Authority be granted to enter into the Licence Extension Agreement with the Licensee, substantially on the terms and conditions outlined herein, and including such other terms as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
Financial Impact	<p>Total revenue to the City with HST is \$15,885.54 and will be directed to the 2021 Council Approved Operating Budget for Corporate Real Estate Management under cost center FA1374.</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>		
Comments	<p>The St. Lawrence Market North Redevelopment Project (the "Project") has been ongoing since 2002, when City Council first approved the Project in principle. The Licensee has been a user in the previous North Building since 1996 as well as a current user of the Licensed Area since 2015 pursuant to a licence agreement. All users of the previous North Building, including the Licensee, were relocated on a temporary basis to the Temporary Building in 2015. In accordance with previous public documentation, the Temporary Building, which acts as an interim replacement while the North Market re-development occurred. The Licensee's use of the Temporary Building does not extend to any use or right in the redeveloped North Building.</p> <p>The terms and conditions negotiated with the Licensee are, in the opinion of Real Estate Services staff, reasonable in the circumstances and the rates to be charged have been determined to be appropriate.</p>		
Terms	<p>Approximately 9182 sq feet Extended Term: December 14, 2020 to September 30, 2021 Weekly Licence Fee: \$2345.60 plus HST Weekly table and chair rentals = \$466.00 plus HST</p> <p>The City acknowledges and agrees no Licence Fee is payable between March 16, 2020 to August 28, 2021 as the Licensee was not permitted to operate in the Licensed Area due to closure of the Licensed Area for the public's health and safety</p> <p>COVID closure health and safety - the City shall consult with the Licensee to determine whether the Licensed Area should be closed to the public due to public health and safety concerns. The City, in its sole discretion, acting reasonably, shall make the final determination on whether to close the Licensed Area due to public health and safety concerns. If it is determined that the Licensed Area should be closed due to public health and safety concerns then the Licensee shall not be required to pay the Licence Fee during such closure.</p> <p>Reduced capacity due to COVID - In the event that the reduced indoor capacity occupancy levels due to COVID-19 restrictions is limited to twenty-five percent (25%) of the total capacity, the Licensee, in its sole discretion and without penalty, shall not be required to open for business and will not be required to pay the Licence Fee for any such particular Sunday</p> <p>Assignment Rights - The City agrees that the Licence and the Agreement shall be assigned by an assignment agreement by Marlene Cook to The Sunday Antique Market Inc. within thirty (30) days after the execution of this Agreement</p>		

Property Details	Ward:	13 – Toronto Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	9182 square feet
	Other Information:	

Revised: October 5, 2020

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.
3. Issuance of RFPs/REOIs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000. <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.	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million. <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.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million. <input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by

- (i) City. as owner
- (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
- (j) Documentation relating to Land Titles applications
- (k) Correcting/Quit Claim Transfer/Deeds

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:	Kristyn Wong Tam	Councillor:	
Contact Name:	Councillor Kristyn Wong Tam	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input checked="" type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Concur to extension	Comments:	

Consultation with Divisions and/or Agencies

Division:	Financial Planning	Division:	
Contact Name:	Patricia Libardo	Contact Name:	
Comments:	Reviewed and Approved	Comments:	

Legal Services Division Contact

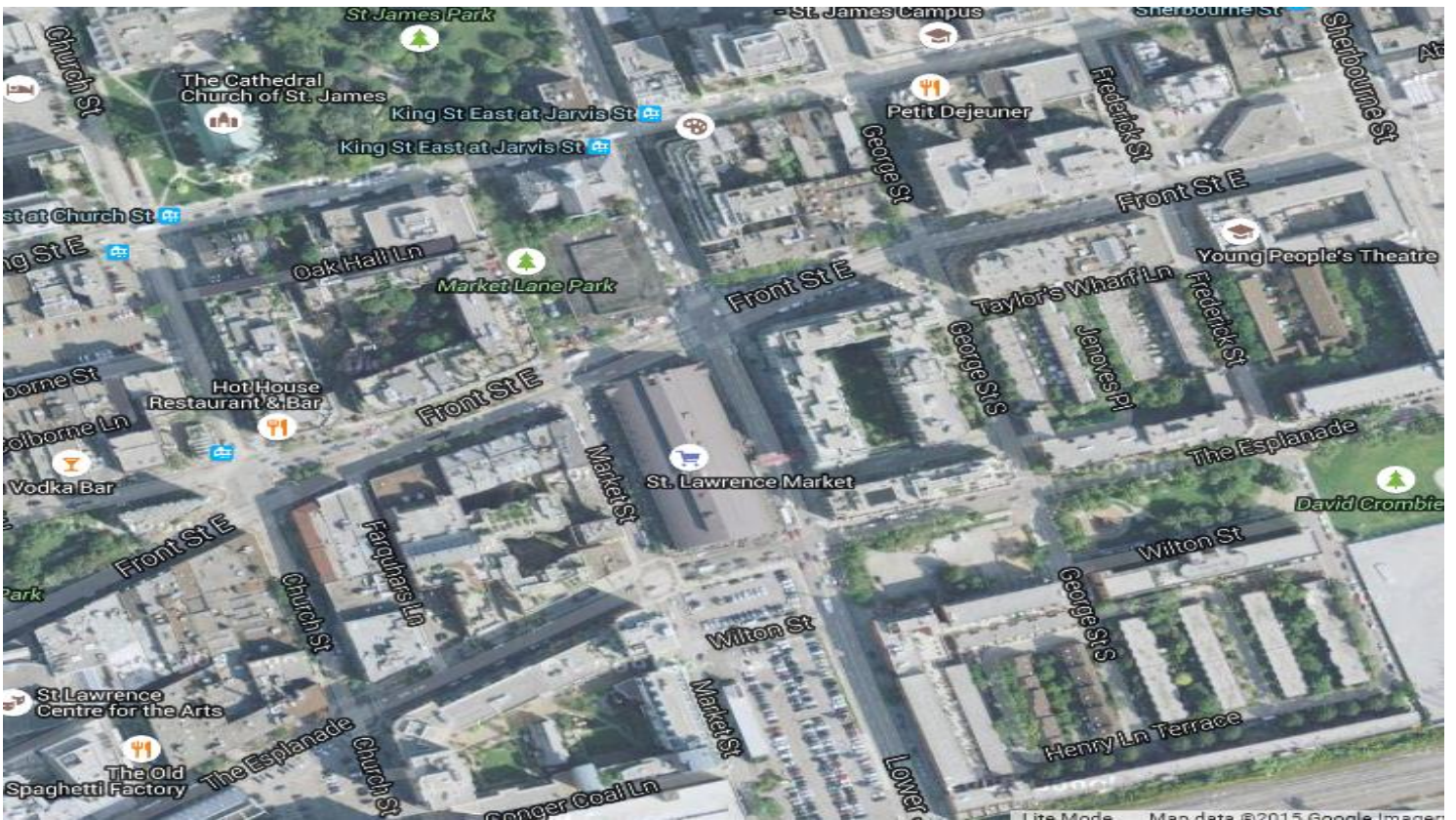
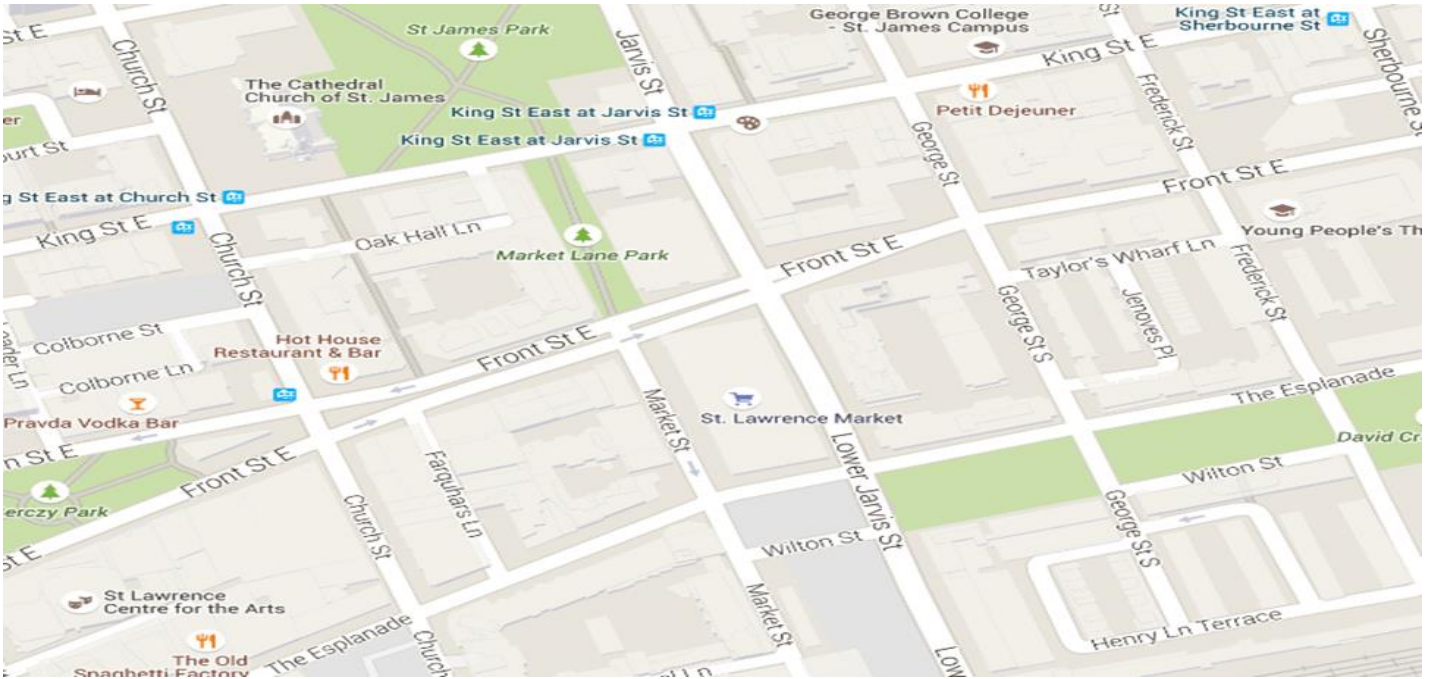
Contact Name:	
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DAF Tracking No.: 2021-243	Date	Signature
Concurred with by: Jeff Agyemang, Property Officer 3, Real Estate Services		
<input checked="" type="checkbox"/> Recommended by: Daniel Picheca Acting Manager, St Lawrence Market	September 1, 2021	Signed by Daniel Picheca
<input type="checkbox"/> Approved by: Director, Real Estate Services	September 8, 2021	Signed by Graham Leah

Schedule "A"

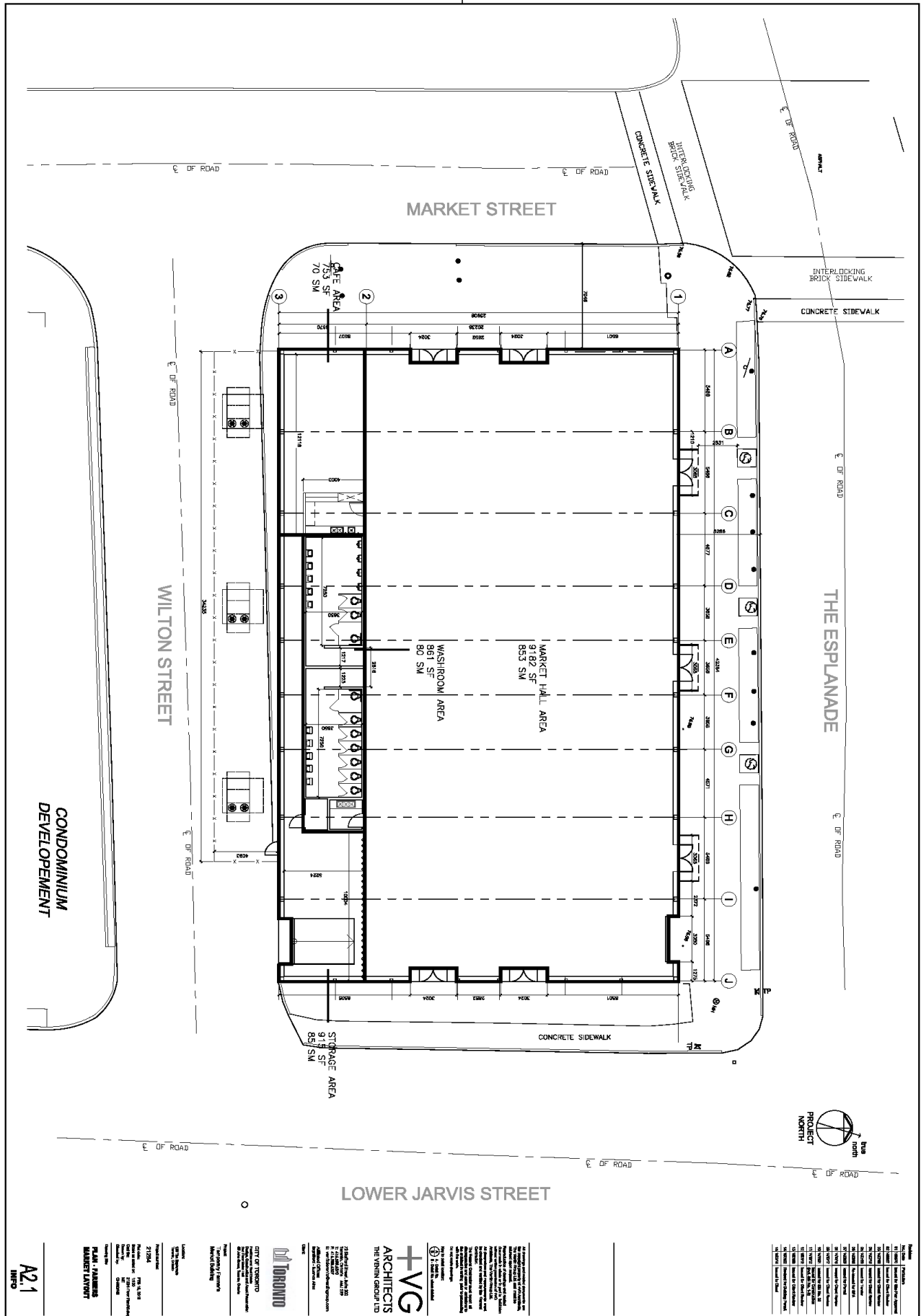
Map of Temporary Market - St. Lawrence Market 125 The Esplanade, Toronto, ON

Street View



Schedule "B"

Floor Plan – Antique Market



A2.1
INFO

PLANNING
MARTIN, THARRIS
MARKET LAYOUT

DATE: 2/15/24
PROJECT: MARKET LAYOUT
CLIENT: THE TRIN GROUP LTD

CITY OF TORONTO
DEPARTMENT OF PLANNING
100 Queen Street West
Toronto, Ontario M5H 2N2

TORONTO

ARCHITECTS
THE TRIN GROUP LTD
100 Queen Street West
Toronto, Ontario M5H 2N2

+VGA
ARCHITECTS
100 Queen Street West
Toronto, Ontario M5H 2N2

PROJECT NORTH
N
0
180

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2/15/24
2	ISSUED FOR PERMIT	2/15/24
3	ISSUED FOR PERMIT	2/15/24
4	ISSUED FOR PERMIT	2/15/24
5	ISSUED FOR PERMIT	2/15/24
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19	ISSUED FOR PERMIT	2/15/24
20	ISSUED FOR PERMIT	2/15/24