

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

TRACKING NO.: 2022-092

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:	May 2, 2022	Phone No.:	416-338-7612
Purpose	To obtain authority for the City as licensor to enter into an extension and amending agreement (the "Agreement") with Toronto East Health Network (the "Licensee") to extend and amend the terms of a licence and extension agreement for the purposes of parking twenty (20) vehicles at 170 Memorial Park Drive.		
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, as shown outlined in yellow in Appendix "B" attached hereto (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 approving authority herein, and in a form acceptable to the City Solicitor.		
Financial Impact	<p>Total revenue to the City is approximately \$6,288.00 (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.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>Delegated Approval Form No. 2018-036 authorized the City to enter into a license with the Licensee for twenty (20) parking spaces on the Licensed Area for a term of three (3) years commencing June 1, 2018 and expiring on May 31, 2021.</p> <p>As authorized by Delegated Approval Form No. 2018-036, the licence was extended by an offer to licence dated May 28, 2018 and accepted on July 5, 2018, for a period of ten (10) months, commencing on June 1, 2021 and expiring March 31, 2022.</p> <p>The Licensee has requested a six-month extension as it is undergoing construction and the parking spots are vital to its hospital operations. East York Civic Centre, operating under Corporate Real Estate Management, has operational management over the Licensed Area and has no objections to the extension.</p> <p>The proposed fee and other terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
Terms	Please see Appendix A		
Property Details	Ward:	14 – Toronto Danforth	
	Assessment Roll No.:	N/A	
	Approximate Size:	N/A	
	Approximate Area:	1,394.38 m ² (15,008.97 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/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>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/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 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 (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers 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:	<input type="checkbox"/> Phone <input 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:	Concurred	Comments:	

Consultation with Divisions and/or Agencies

Division:	Corporate Real Estate Management	Division:	Financial Planning
Contact Name:	Anita De Castro, Manager	Contact Name:	Ciro Tarantino
Comments:	Concurred	Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name: _____

DAF Tracking No.: 2022-092	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	May 5, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown <input checked="" type="checkbox"/> Approved by:	May 5, 2022	Signed by Vinette Prescott-Brown
<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: 6 Months (April 1, 2022 – September 30, 2022)

License Fee: \$12,576 per annum plus HST paid in monthly installments of \$1,048.00 plus HST.

Option To Renew: The Licensee will have one (1) option to extend for a further term of (6) months on the same terms and conditions as set out in the original 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.

Termination Right: Both parties have the right to terminate the License provided 30 ("Thirty") days' notice to the other party.

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)

