

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2022-226

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

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management															
Date Prepared:	November 7, 2022	Phone No.:	416-397-0806															
Purpose	To obtain authority to enter into a licence amending agreement (the "Licence Amending Agreement") with Metrolinx over a portion of the property municipally known as 640 Lansdowne Avenue to amend the terms of certain parts of the licensed premises to allow Create Toronto and Housing Secretariat to accommodate the construction of a long-term care facility and a park.																	
Property	Part of 640 Lansdowne Avenue, being PIN No. 21330-0595 (LT) shown as Part 3 and 5 on Plan 66R-30573, City of Toronto (the "Licensed Premises"), and also shown as Parts 1, 2, 3 and 4 on the drawing on Appendix 'A'.																	
Actions	1. Authority be granted to enter into the Licence Amending Agreement with the Metrolinx, substantially on the terms and conditions outlined below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.																	
Financial Impact	<p>The City will receive an additional licence fee of \$144,020 (plus HST) for the current term. Assuming the licence is extended up to a maximum of two (2) years, the total additional licence fee will be \$926,508 (plus HST) less than estimated earlier.</p> <p>All rental revenues will be directed to 2022 Council Approved Operating Budgets for the Housing Secretariat and Parks, Forestry and Recreation Divisions, as outlined by the adoption of MM8.52 by City Council at its meeting on June 18 and 19, 2019.</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 City and Metrolinx entered into an agreement dated June 28, 2019 with respect to a portion of the Licensed Premises, shown as Parts 1 and 2 on Appendix "A", for the purposes of the Metrolinx GO Expansion Program, authorized by DAF 2019-174. The term of the agreement was for four years and six months commencing on July 1, 2019 and ending on December 31, 2023 with four further rights of renewals for up to six months each. The agreement was amended on March 10, 2021, authorized by DAF 2021-031, to include the areas shown as Parts 3 and 4 for a one-year term beginning on February 15, 2021 with four further rights of renewal for six months each.</p> <p>CreateTO and Housing Secretariat requires a portion of the Licenses Premises to begin construction on a long-term care facility and a park. In order to accommodate CreateTO and Housing Secretariat request, Metrolinx and the City agreed to amend the terms as indicated below.</p> <p>Real Estate Services staff consider the amended terms to be fair, reasonable and reflective of market value.</p>																	
Terms	<table border="1"> <thead> <tr> <th>Licensed Premises</th><th>Term</th><th>Optional Extension Term</th></tr> </thead> <tbody> <tr> <td>A1 – Part 1</td><td>July 1, 2019 – Dec 31, 2023</td><td>Jan 1, 2024 – Dec 31, 2025</td></tr> <tr> <td>A2 – Part 2</td><td>July 1, 2019 - June 30, 2023</td><td>N/A</td></tr> <tr> <td>B1 – Part 3</td><td>March 23, 2021 – March 31, 2023</td><td>N/A</td></tr> <tr> <td>B2 – Part 4</td><td>March 23, 2021 – December 31, 2023</td><td>Jan 1, 2024 – Dec 31, 2025</td></tr> </tbody> </table>			Licensed Premises	Term	Optional Extension Term	A1 – Part 1	July 1, 2019 – Dec 31, 2023	Jan 1, 2024 – Dec 31, 2025	A2 – Part 2	July 1, 2019 - June 30, 2023	N/A	B1 – Part 3	March 23, 2021 – March 31, 2023	N/A	B2 – Part 4	March 23, 2021 – December 31, 2023	Jan 1, 2024 – Dec 31, 2025
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A1 – Part 1	July 1, 2019 – Dec 31, 2023	Jan 1, 2024 – Dec 31, 2025																
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Property Details	<table border="1"> <tr> <td>Ward:</td><td>09 - Davenport</td></tr> <tr> <td>Assessment Roll No.:</td><td>Part of 19040312302400</td></tr> <tr> <td>Approximate Size:</td><td></td></tr> <tr> <td>Approximate Area:</td><td>10,489 m2</td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>			Ward:	09 - Davenport	Assessment Roll No.:	Part of 19040312302400	Approximate Size:		Approximate Area:	10,489 m2	Other Information:						
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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 (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:	Ana Bailão	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" 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:	No concerns	Comments:	

Consultation with Divisions and/or Agencies

Division:	CreateTO/Housing Secretariat	Division:	Financial Planning
Contact Name:	Melita Varga, Manager, Environmental Services / Amelia Bishop, Housing Development Officer	Contact Name:	Filisha Jenkins
Comments:		Comments:	Included

Legal Services Division Contact

Contact Name:	Lisa Davies
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DAF Tracking No.: 2022-226	Date	Signature
Concurred with by: Manager, Real Estate Services		
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown <input type="checkbox"/> Approved by:	Nov. 14, 2022	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 16, 2022	Signed by Alison Folosea

Appendix "A"

Location Map and Reference plan.

