

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

TRACKING NO.: 2022-209

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

Prepared By:	Priscila Faminial / Boluwarin Mojeed	Division:	Toronto Public Library / CREM
Date Prepared:	July 25, 2022	Phone No.:	416-397-5952 / 416-392-7399
Purpose	To obtain authority to extend the lease between 7506473 Canada Inc. (the "Landlord"), and the City of Toronto (the "Tenant"), for approximately 3,341 square feet of rentable space at Yorkgate Mall, Unit 109, 1 York Gate Boulevard, Toronto (the "Premises") starting June 1, 2022, until December 31, 2022.		
Property	Yorkgate Mall, 1 York Gate Blvd, Unit 109, Toronto ON, M3N 3A1 (shown in Appendix B – The Property)		
Actions	1. Authority be granted to extend the lease between the Landlord, and the Tenant, for the Premises, substantially on the major terms and conditions set out in Appendix "A", and including such other terms and conditions deemed appropriate by the approving authority herein and the City Librarian and in a form acceptable to the City Solicitor;		
Financial Impact	<p>The total cost to the City for the seven (7) month term inclusive of minimum rent, utilities, and additional rent, which consists of the City's proportionate share of common area maintenance, will be \$70,024.58 (plus HST) or \$71,257.01 (net of HST recovery).</p> <p>Lease costs to be paid by the City for the fiscal year 2022 is shown in Appendix A – Major Terms and Conditions. Funding is available in the 2022 Council Approved Operating Budget for the Toronto Public Library under cost centre LB1000, and will be included in future Operating Budget submissions for Council consideration.</p> <p>The Chief Financial Officer and Treasurer as reviewed the DAF and agreed with the financial implications as identified in the Financial Impact section.</p>		
Comments	The temporary lease dated April 25, 2019 (the "Agreement") was approved under DAF 2019-088 and 2019-173 and put in place to allow for the construction of the York Woods branch of the Toronto Public Library ("TPL"). The Agreement allowed for an option to extend for four periods of three months each for a total extension of one year, which would take the lease to August 31, 2022. The Tenant requires the Agreement to be extended beyond August 31, 2022 as the construction of York Woods branch is expected to be completed by the end of December 2022.		
Terms	Refer to Appendix A – Major Terms and Conditions on page 4.		
Property Details	Ward:	Ward 7 – Humber River–Black Creek	
	Assessment Roll No.:	19 08 013 270 002 50	
	Approximate Size:		
	Approximate Area:	3,341 sq. ft.	
	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 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:	Anthony Perruzza	Councillor:	
Contact Name:	Matias de Dovitiis	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 Objections (September 14, 2022)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Public Library	Division:	Financial Planning
Contact Name:	Harvey Mooradian	Contact Name:	Filisha Jenkins
Comments:	Concurred (July 12, 2022)	Comments:	Concurred (August 2, 2022)

Legal Services Division Contact

Contact Name:	Michele Desimone
Comments:	Concurred (August 30, 2022)

DAF Tracking No.: 2022-209	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Susan Lin	Sep 14 2022	Signed By: Susan Lin
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Sep 22 2022	Signed By: Alison Folosea

Appendix A - Major Terms and Conditions

Premises:

Approximately 3,341 square feet of rentable space at Yorkgate Mall, Unit 109 at 1 York Gate Blvd.

Landlord:

7506473 Canada Inc.

Term:

7 months commencing June 1, 2022 to December 31, 2022.

Use:

Alternate space for York Woods branch during its renovation. This district library branch is operated by the Toronto Public Library.

Minimum Rent:

Base rent of \$22.00 per sq.ft. or \$42,876.17 for 7 months, plus applicable taxes.

Additional Rent:

The Tenant pays for its proportionate share of certain common costs (including HVAC maintenance) which is currently \$10.93 per sq. ft. or \$21,301.66 for 7 months, plus applicable taxes.

Utilities:

The Tenant pays for its proportionate share of utilities for the building, estimated at \$3.00 per sq.ft. or \$5,846.75 for 7 months, plus applicable taxes.

Total estimated costs, net of HST recoveries and with HST, for the fiscal year 2022, are as shown in the table below:

	7 months
Base Rent	\$ 42,876.17
Additional Rent	\$ 21,301.66
Subtotal	\$ 64,177.83
Utilities	\$ 5,846.75
Total	\$ 70,024.58
HST	\$ 9,103.19
Total	\$ 79,127.77
Total Net of HST Recovery	\$ 71,257.01

Appendix B – The Property



