

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

TRACKING NO.: 2022-211

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management
Date Prepared:	September 16, 2022	Phone No.:	416-338-3207

Purpose To obtain authority to enter into a sublease extension agreement with South Asian Women's Centre (the "**Subtenant**"), to occupy a portion of the facility located at 800 Lansdowne Avenue, Toronto, for the continued provision of non-profit community services (the "**Agreement**").

Property Internal office space comprising approximately 1,880 square feet at 800 Lansdowne Avenue, Unit 101, Building C, Toronto (the "**Subleased Premises**"), as shown in Appendix "A"

Actions 1. Authority be granted to enter into the Agreement with the Subtenant, substantially on the terms and conditions outlined herein, and on such other terms and conditions as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.

Financial Impact The total revenue to the City is estimated to be \$183,780 (plus HST) over the potential four (4) year term, including \$112,000 for market rent, and \$71,780 for additional rent. All revenue generated in each fiscal year is detailed in the below table and will be directed to the Corporate Real Estate Management (CREM) Operating Budget under cost centre FA1379. The revenue will offset the City costs, payable to the landlord of the Property, resulting in a neutral financial impact to the City.

Fiscal Year	Market Rent (before HST)	Est. Additional Rent (before HST)	Total (before HST)
2022	\$9,333	\$5,982	\$15,315
2023	\$28,000	\$17,945	\$45,945
2024	\$28,000	\$17,945	\$45,945
2025	\$28,000	\$17,945	\$45,945
2026	\$18,667	\$11,963	\$30,630
Total	\$112,000	\$71,780	\$183,780

Comments The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.

The original sublease agreement, commencing July 27, 2007 and expiring August 30, 2021, was a below market rent lease as authorized by City Council through its adoption of Clause No. 77 of Report No. 6 of the Toronto East York Community Council, at its meeting on July 19, 20, 21 and 26, 2005 (the "**Original Sublease**"). The Original Sublease was a result of a Section 37 agreement for a nominal rent head lease between the head landlord and the City. As the head lease has expired, the head landlord and the City have negotiated an extension at market rent, and as such the Subtenant is now required to pay market rent for the Subleased Premises.

The Original Sublease was previously extended for one (1) additional year at market rent, authorized by DAF 2021-331.

The proposed rent and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.

Terms Substantially the same terms and conditions as the Original Sublease, with key amendments as follows:

1. Basic Rent: \$28,000 plus HST per annum (\$2,333.33 plus HST per month)
2. Extended Term: one (1) year, August 31, 2022 – August 30, 2023
3. Three (3) Renewal Options, provided the City has exercised its option under the head lease:
 - i. August 31, 2023 – August 30, 2024
 - ii. August 31, 2024 – August 30, 2025
 - iii. August 31, 2025 – August 30, 2026

Property Details	Ward:	9 - Davenport
	Assessment Roll No.:	1904-03-1-520-00152
	Approximate Size:	N/A
	Approximate Area:	174.66 m ² ± (1,880 ft ² ±)
	Other Information:	N/A

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:	Deputy Mayor Ana Bailao	Councillor:	
Contact Name:	Deyan Kostovski	Contact Name:	
Contacted by:	<input checked="" 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:	Concurrence received – September 15, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:	Social Development, Finance & Administration	Division:	Financial Planning
Contact Name:	Aderonke Akande	Contact Name:	Filisha Jenkins
Comments:	Concurrence received – September 15, 2022	Comments:	Comments incorporated – September 15, 2022

Legal Services Division Contact

Contact Name: Frank Weng – Comments incorporated – September 15, 2022

DAF Tracking No.: 2022-211	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Susan Lin	Sept. 15, 2022	Signed by Susan Lin
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Sept. 22, 2022	Signed by Alison Folosea

Appendix A Location Map & Subleased Premises

