

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

TRACKING NO.: 2022-259

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

Prepared By:	Rutvik Pandya	Division:	Corporate Real Estate Management
Date Prepared:	November 4, 2022	Phone No.:	416-338-5812

Purpose	To obtain authority to enter into a lease extension and amending agreement (the "Agreement") with 2276918 Ontario Inc. (the "Landlord") with respect to the leased premises at 145 Millwick Drive, Toronto for the purpose of a senior's recreation space.
Property	The leased premises is located on the first floor of the building at 145 Millwick Drive (the "Leased Premises").
Actions	1. Authority be granted to enter into the Agreement with the Landlord, substantially on the major terms and conditions set out in Appendix "A", 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 pay a monthly license fee of \$2,500 (plus HST) or \$2,544 (net of HST recovery) for the one (1) year term of the license extension (payable the first day of each month), for a total cost of \$30,000 (plus HST) or \$30,528 (net of HST recovery). The cost to be incurred by the City for each fiscal year, is as follows:</p> <p>2022: \$5,088 (net of HST recovery) 2023: \$25,440 (net of HST recovery) TOTAL: \$30,528 (net of HST recovery)</p> <p>Funding is available in the 2022 Council Approved Operating Budget for Parks, Forestry and Recreation under cost centre P08504, and will be included in future budget submissions for Council consideration.</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 original lease agreement for the Leased Premises was entered into between the Landlord and the City of Toronto on November 1, 2011 for a three (3) year term expiring on October 31, 2014 as a need for indoor and outdoor recreation space for seniors within the area was identified. The lease was renewed on November 1, 2014 for a three (3) year term expiring on October 31, 2017. In 2017, the lease was further renewed for a three (3) year from November 1, 2017 to October 31, 2022.</p> <p>In consultation with Community Recreation staff, another lease renewal for one (1) year term is required as there is a plan to relocate this program to a City-owned space. The terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.</p>
Terms	See Appendix "A" for major terms and conditions.

Property Details	Ward:	7 – Humber River – Black Creek
	Assessment Roll No.:	1908 013 510 15211
	Approximate Size:	N/A
	Approximate Area:	2000 ft ²
	Other Information:	N/A

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 checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<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 City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (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:
<ul style="list-style-type: none"> 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:
<ul style="list-style-type: none"> 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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Anthony Peruzza	Councillor:	
Contact Name:	Jessica Luke-Smith	Contact Name:	
Contacted by:	Phone <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:	Concurred – October 17, 2022	Comments:	
Consultation with Divisions and/or Agencies			
Division:	Parks Forestry and Recreation	Division:	Financial Planning
Contact Name:	Glenn Zeta	Contact Name:	Filisha Jenkins
Comments:	Included	Comments:	Concurred – October 25, 2022
Legal Services Division Contact			
Contact Name:	Lisa Strucken – October 20, 2022		

DAF Tracking No.: 2022- 259	Date	Signature
Concurred with by: Manager, Real Estate Services Van Hua	Nov. 4, 2022	Signed by Van Hua
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Leila Valenzuela	Nov. 4, 2022	Signed by Leila Valenzuela
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

APPENDIX "A"

Major Terms & Conditions

Landlord:

2276918 Ontario Inc.

Tenant:

City of Toronto

Leased Premises:

145 Millwick Dr.

Term:

One (1) year commencing on November 1, 2022 and terminating on October 31, 2023.

Use:

Senior Recreational Space

Basic Rent:

\$2,500 monthly plus HST for the one (1) year term extension payable by first day of each month.

Early Termination Rights:

The City will have the option to terminate the Lease provided a 60 days' notice is given to the Landlord.

APPENDIX "B"

Location Map

