

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

TRACKING NO.: 2022-058

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

Prepared By:	Jeff Agyemang	Division:	Corporate Real Estate Management
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Date Prepared:	March 11, 2022	Phone No.:	416-937-7561
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Purpose
 To obtain authority to enter into: 1) a licence extension agreement with Marlene Cook (the "**Licensee**") with respect to the property municipally known as 125 The Esplanade, Toronto (the "**Temporary Building**") for the purpose of an antique and collectibles market for a term expiring on December 18, 2022 (the "**Licence Extension Agreement**"); and 2) the Consent to assignment of the licence with the Licensee, as assignor and The Sunday Antique Market Inc., as assignee.

Property
 Part of the property at 125 The Esplanade, Toronto, ON comprising approximately 9,182 square feet, (the "**Licensed Area**") shown in the Sketch and Location Map attached hereto as Schedule "A".

Actions

1. Authority be granted to enter into the Licence Extension Agreement with the Licensee, substantially on the terms and conditions outlined herein, and including such other terms as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
2. Authority be granted for the City of Toronto, as licensor to consent to assignment of the licence from the Licensee, as assignee to The Sunday Antique Market Inc., as assignee, on terms and conditions acceptable to the approving authority herein, and in a form acceptable to the City Solicitor.

Financial Impact
 Total revenue to the City with HST is \$127,084.32 and will be directed to the 2022 Council Approved Operating Budget for Corporate Real Estate Management under cost center FA1374.

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

Comments
 The St. Lawrence Market North Redevelopment Project (the "**Project**") has been ongoing since 2002, when City Council first approved the Project in principle. The Licensee has been a user in the previous North Building since 1996 as well as a current user of the Licensed Area since 2015 pursuant to a licence agreement. All users of the previous North Building, including the Licensee, were relocated on a temporary basis to the Temporary Building in 2015. In accordance with previous public documentation, the Temporary Building, which acts as an interim replacement while the North Market re-development occurred. The Licensee's use of the Temporary Building does not extend to any use or right in the redeveloped North Building.

The terms and conditions negotiated with the Licensee are, in the opinion of Real Estate Services staff, reasonable in the circumstances and the rates to be charged have been determined to be appropriate.

The Licensee has made a request to assign the licence to The Sunday Antique Market Inc. which will assume the Licensee's obligations under the licence.

Terms

Approximately 9182 sq feet

Extended Term: On a monthly basis commencing on December 20, 2021 until no later than December 18, 2022

Weekly Licence Fee: \$2345.60 plus HST (no Licence Fee is payable for each Sunday between December 20, 2021 and March 12, 2022 due to COVID-19 restrictions which prevented the Licensee from operating its business in the Licensed Area with an occupancy level at 90% capacity)

Weekly table and chair rental fee = \$466.00 plus HST

Early termination right: The Licensee and the City each has the right to terminate the Licence upon giving 30 days' prior written notice to the other.

Other: The Licensee shall not be required to operate its business in the Licensed Area if: 1) the City determines that the Licensed Area should be closed due to public health and safety concerns; or 2) the reduced indoor capacity occupancy levels due to COVID-19 restrictions is limited to ninety percent (90%) or less of the total capacity.

Property Details	Ward:	13 – Toronto Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	9182 square feet
	Other Information:	

Revised: October 5, 2020

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 checked="" 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 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

- (i) City. as owner
- (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
- (j) Documentation relating to Land Titles applications
- (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:

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager 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:	Kristyn Wong Tam	Councillor:	
Contact Name:	Councillor Kristyn Wong Tam	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input checked="" type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Concur to extension	Comments:	

Consultation with Divisions and/or Agencies

Division:	Financial Planning	Division:	
Contact Name:	Ciro Tarantino	Contact Name:	
Comments:	Reviewed and Approved	Comments:	

Legal Services Division Contact

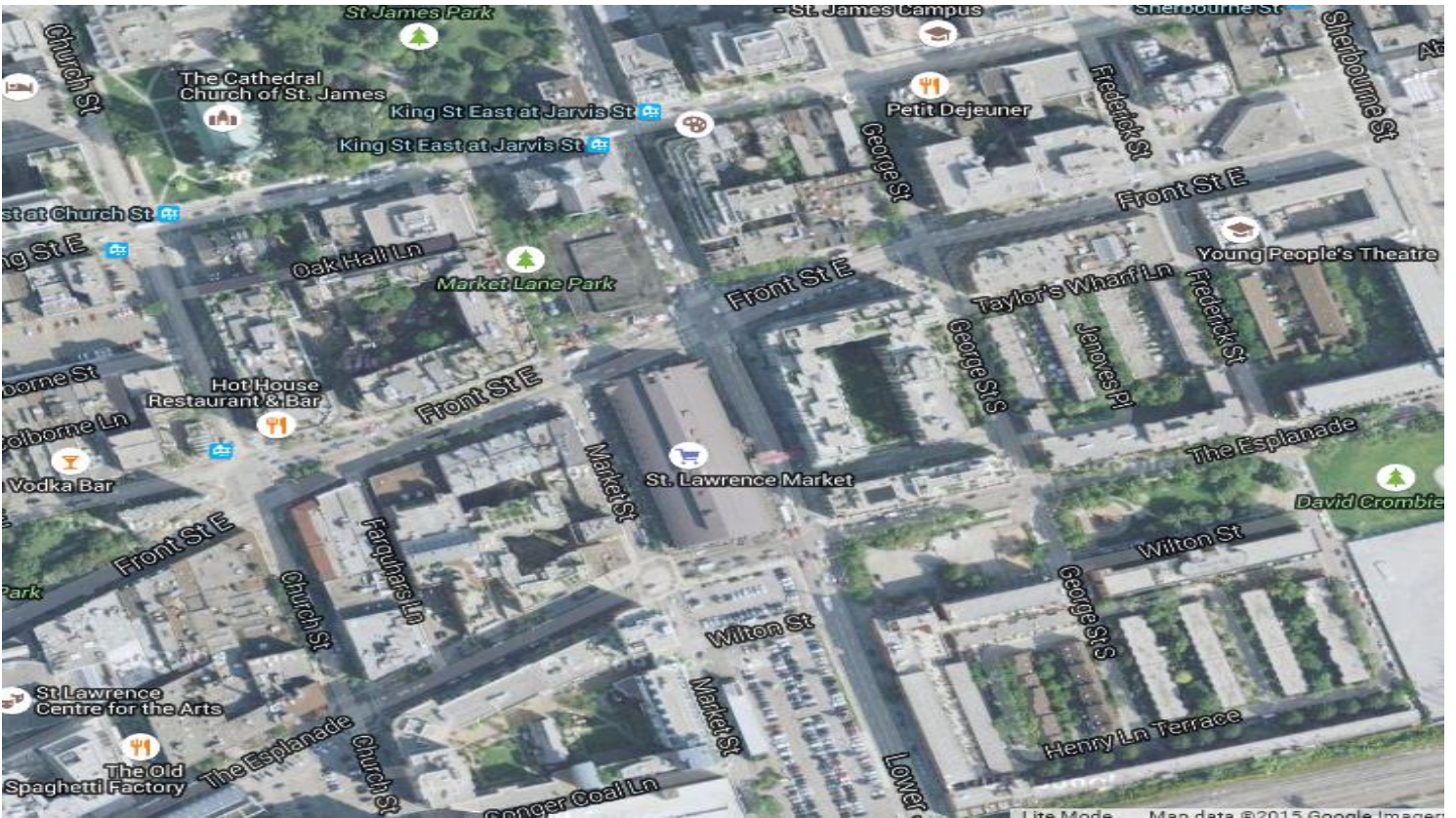
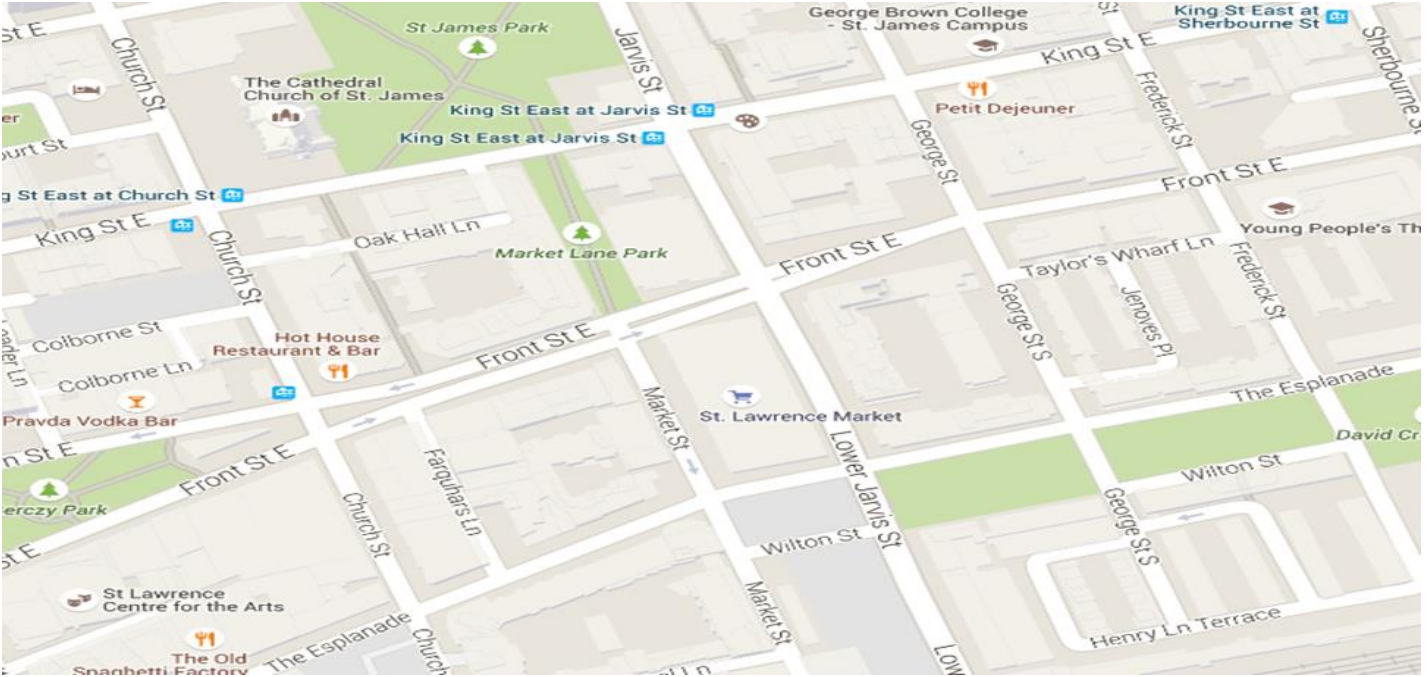
Contact Name:	Gloria Lee
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DAF Tracking No.: 2022-058	Date	Signature
Concurred with by:		
<input checked="" type="checkbox"/> Recommended by: Daniel Picheca Acting Manager, St Lawrence Market <input type="checkbox"/> Approved by:	March 11, 2022	Signed by Daniel Picheca
<input checked="" type="checkbox"/> Approved by: Graham Leah, Director, Property Management	March 11, 2022	Signed by Graham Leah

Schedule "A"

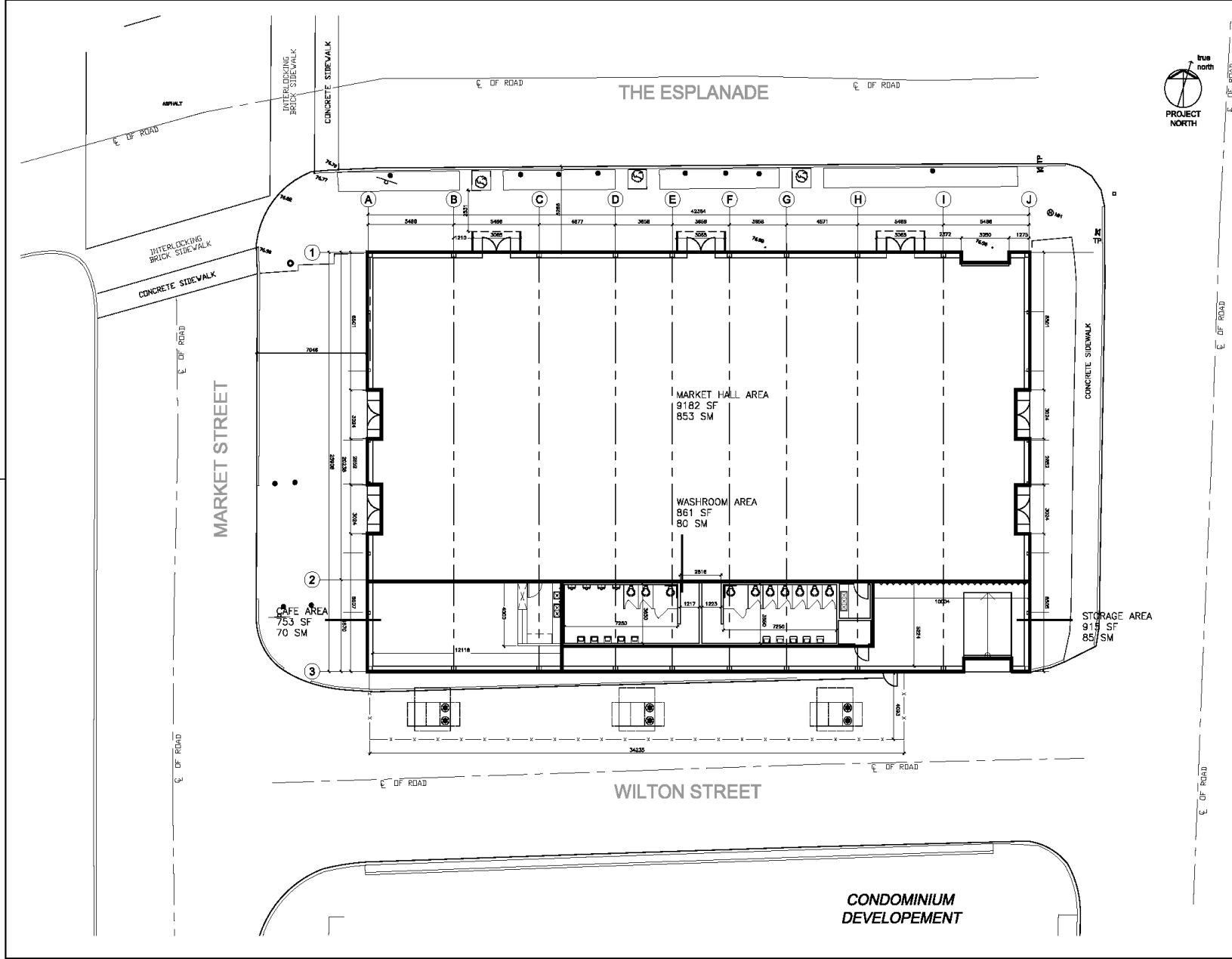
Map of Temporary Market - St. Lawrence Market 125 The Esplanade, Toronto, ON

Street View



Schedule "B"

Floor Plan – Antique Market



Revision	Date	Description
01	10/07/17	Issued for the Final Approval
02	10/07/17	Issued for the Final Approval
03	10/07/17	Issued for the Final Approval
04	10/07/17	Issued for the Final Approval
05	10/07/17	Issued for the Final Approval
06	10/07/17	Issued for the Final Approval
07	10/07/17	Issued for the Final Approval
08	10/07/17	Issued for the Final Approval
09	10/07/17	Issued for the Final Approval
10	10/07/17	Issued for the Final Approval
11	10/07/17	Issued for the Final Approval
12	10/07/17	Issued for the Final Approval
13	10/07/17	Issued for the Final Approval
14	10/07/17	Issued for the Final Approval
15	10/07/17	Issued for the Final Approval
16	10/07/17	Issued for the Final Approval
17	10/07/17	Issued for the Final Approval
18	10/07/17	Issued for the Final Approval
19	10/07/17	Issued for the Final Approval
20	10/07/17	Issued for the Final Approval

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VG ARCHITECTS
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Architect of Record
Client

CITY OF TORONTO
Department of Planning
City of Toronto and Area Partnership
100 King Street West, Toronto, Ontario

Project: "Antiquity of Farmers' Market Building"

Location: 100 King Street West, Toronto, Ontario

Project Number: 21294

File Name: PM - A2.1.rvt
Date of Issue: 10/20/17
Drawing Title: 21294-PM-Plan-Layout
Drawing No: 02
Sheet No: 02 of 02

Drawn by: [Name]
Checked by: [Name]
Reviewed by: [Name]

Project: **PLAN - FARMERS MARKET LAYOUT**