

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

**TRACKING NO.: 2023-040**

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	January 31st, 2023	Phone No.:	416-392-1167

<b>Purpose</b>	To obtain authority to enter into a new license agreement with Road Auto & Tire Centre Inc. (the "Licensee") for part of the City-owned property known as 625 Keele Street, to permit the temporary parking of cars for the Licensee's automobile repair business, located at 192 Mulock Avenue.
<b>Property</b>	Part of the vacant parcel at 625 Keele Street, being a triangle of approximately 300 square metres in area, at the southeast corner of the intersection of St. Clair Avenue West and Keele Street. (Only accessible via the adjacent property, municipally known as 192 Mulock Ave.) See "Appendix B" Maps
<b>Actions</b>	1. Authority be granted to enter into a new Licence Agreement with the Licensee, substantially on the 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.
<b>Financial Impact</b>	<p>The Licensee will pay the City a fee in the amount of \$3,900.00 (plus HST), for the six (6) month term, payable upon execution of the license agreement. Revenue will be directed to the 2023 Council Approved Operating Budget for Corporate Real Estate Management (CREM) under cost center FA0012.</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>
<b>Comments</b>	<p>The Licensee already occupying the space, requested permission to continue licensing the property known as 625 Keele Street, consisting of approximately 300 square meters in area, as it is vacant and adjacent to their site at 192 Mulock Avenue. They will be using the site for the purpose of the temporary parking of cars to be worked on by their automobile repair business.</p> <p>A previous license agreement was approved by Delegated authority 2022-199.</p> <p>The proposed license fee and other major terms and conditions of the License Agreement are considered to be fair, reasonable and reflective of market rates.</p>
<b>Terms</b>	See Appendix "A"

<b>Property Details</b>	<b>Ward:</b>	5 – York South Weston
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	300 m <sup>2</sup> ±
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></p> <p><input checked="" 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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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 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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:	Frances Nunziata	Councillor:	
Contact Name:	Frances Nunziata	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 17, 2020)	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Transportation Services	Division:	<b>Financial Planning</b>
Contact Name:	Edward Presta	Contact Name:	Filisha Jenkins
Comments:	Concurs	Comments:	Concurs

**Legal Services Division Contact**

Contact Name:	Vanessa Bacher
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DAF Tracking No.: 2023- 040	Date	Signature
Concurred with by: <b>Manager, Real Estate Services Jennifer Kowalski</b>	February 2, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> <b>Recommended by: Manager, Real Estate Services Ronald Ro</b>	February 1, 2023	Signed by Ronald Ro
<input type="checkbox"/> <b>Approved by: Director, Real Estate Services</b>		n/a

**Appendix "A" – Terms & Conditions**

Licensee:	Road Auto & Tire Centre Inc.
Licensor:	City of Toronto
Licensed Premises:	625 Keele Street
Approximate Space:	300 m <sup>2</sup>
Licence Commencement:	January 1 <sup>st</sup> 2023
License Expiry:	June 30 <sup>th</sup> 2023
License Fee:	\$3900.00 for the period from January 1 <sup>st</sup> 2023 to June 30 <sup>th</sup> , 2023. Payable upon execution of the agreement
Termination:	During the Term of this Agreement, if applicable, the Licensee or the City shall have the right to terminate this Agreement, in their respective sole discretion, upon thirty (30) days' notice given by the terminating party to the other party.
Acceptance:	The Licensee accepts the Licensed Premises in its "as is" and "where is" condition, and acknowledges that the City makes no representation and gives no warranty with respect to the Lands or the Licensed Premises as to their fitness for the Licensee's purposes or the condition, quality, merchantability or utility thereof, except as set out herein.
Insurance:	<p>the Licensee at its own expense, shall take out and keep in full force and effect:</p> <p>(a) commercial general liability insurance including, products liability, if applicable, personal injury, employer's/and contingent employer's liability, blanket contractual liability and provisions for cross liability and severability of interests and non-owned automobile liability with limits of not less than Five Million Dollars (\$5,000,000.00), per occurrence. The City is to be added as an additional insured; and</p> <p>(b) Standard Garage Automobile Liability in the amount of not less than Two Million Dollars (\$2,000,000.00) for each occurrence. The policy must include coverage for Collision/Upset Legal Liability and Specified Perils for any one customer vehicle and Liability for Comprehensive Damage to a Customer's Automobile, including Open Lot Theft</p>

Appendix "B" Map and Area Sketch

