

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

TRACKING NO.: 2023-157

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	June 15, 2023	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a lease with The City of Toronto Economic Development Corporation c.o.b. as Toronto Port Lands Company (the "Landlord") with respect to the property municipally known as 480 Unwin Avenue, Toronto for the purposes of Toronto Transit Commission (the "TTC") uses identified in Appendix "A".
Property	A portion of the lands having an area of approximately 6,402 square metres, located on the property municipally known as 480 Unwin Avenue, Toronto, legally described as LT 71-82 PI 520E Toronto; Pt Lt 65-70, 83 PI 520E Toronto; Pt Blk L, M, N, P, Q, X PI 675e Toronto; Pt Unwin Av PI 675e Toronto Closed By ES29327; Pt Pk Reserve PI 520E Toronto; Pt Blk Rd, P PI 520E Toronto Pt 1, 2, 3, 4 64R14516, Pt 1, 2, 3, 4, 5, 6, 7, 9, 11 64R14517; Pt Blk O PI 675E Toronto; Pt Blk TS PI 520E Toronto Pt 12, 14 64R14532 save & except Pts 44 & 45 PI 66R25186; save and except Parts 9 And 10, Plan 66R-25037; save and except Pt Blk P & Q PI 675E designated as Parts 3, 4, 5 & 7, Plan 66R-30073; S/T CA681939, CT282365, CT458770; together with an easement over Part of Lot P, Plan 675E, designated as Parts 9 and 10, Plan 66R-25037 until such time as said Parts 9 and 10, Plan 66R-25037 have been dedicated for public highway purposes as in AT2984449; subject to an easement over Pt Blk P PI 67E designated as Parts 1, 2 & 6 On 66R30073 as in AT4897894; together with an easement over Pt Blk P & Q, PI 675E, City of Toronto, being Part of PIN 21385-0218 (LT), (the "Property"), as shown on the Location Map In Appendix "B" and as outlined in Appendix "C".
Actions	1. Authority be granted to enter into the Lease with the Landlord, substantially on the terms and conditions set out in Appendix "A", and including such other or amended terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor. If the parties wish to extend the Lease beyond the Initial Term at market value, staff will seek authority to enter into the Lease extension by initiating a new DAF for lease extension at market value.
Financial Impact	The lease will be for nominal amount during the initial term. Estimated operating costs of approximately \$740,647.74 (net of HST) or \$753,683.14 (net of HST recoveries) are detailed below and will be funded by the TTC under Job# 700994, Cost Centre 0735 and IO 6800. The cost to the City on a fiscal year basis, is as follows: 1. \$72,413.27 (net of HST recovery) in 2022 2. \$146,274.81 (net of HST recovery) in 2023 3. \$149,200.30 (net of HST recovery) in 2024 4. \$152,184.31 (net of HST recovery) in 2025 5. \$155,288.00 (net of HST recovery) in 2026 6. \$78,382.45 (net of HST recovery) in 2027 The Chief Financial Officer and Treasurer have reviewed this DAF and agrees with the financial impact information.
Comments	By a Funding Agreement Letter between the Landlord and the TTC dated April 22, 2022, the Landlord agreed to lease the Property to the TTC/City for nominal consideration for five years commencing on July 1, 2022. The Property is contaminated, and the parties agree that the City will not be responsible to cure any pre-existing contamination. The proposed rent and other major terms and conditions of the Lease are considered to be fair, reasonable and reflective of market rates.
Terms	See Appendix "A".

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	1904 081 020 00150
	Approximate Size:	
	Approximate Area:	7,428.16 m ² ± (79,956 ft ² ±)
	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 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 checked="" 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:	Paula Fletcher	Councillor:	
Contact Name:		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:	Consulted	Comments:	

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	Mike Cernik	Contact Name:	Ciro Tarantino
Comments:	No concerns	Comments:	Revisions incorporated

Legal Services Division Contact

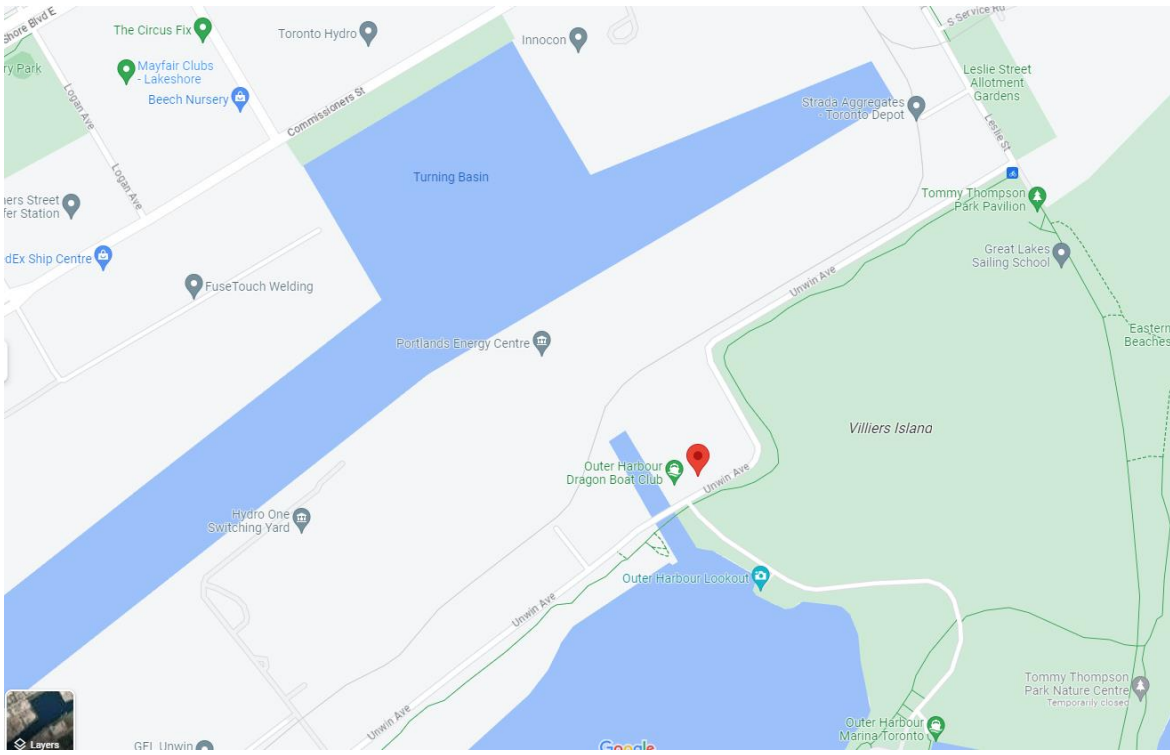
Contact Name:	Michelle Xu
---------------	-------------

DAF Tracking No.: 2023-157	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott Brown	June 21, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	June 23, 2023	Signed by Alison Folosea

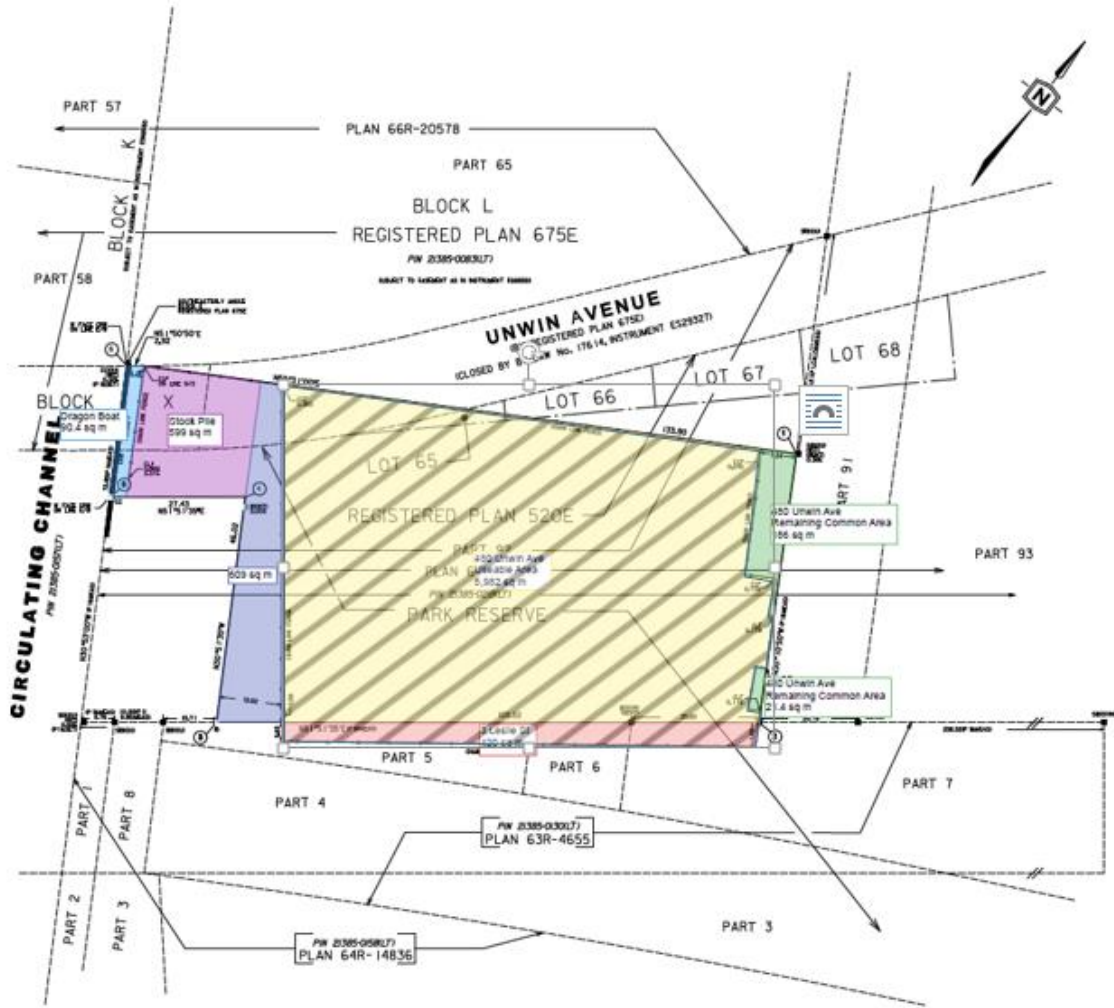
APPENDIX "A"


Landlord:	City of Toronto Economic Development Corporation c.o.b. as Toronto Port Lands Company
Tenant:	City of Toronto
Premises:	A portion of 480 Unwin Avenue and 3 Leslie Street, Toronto, Ontario
Basic Rent:	\$0.00
Rentable Area:	6,402 square metres
Term:	5 years, commencing on July 1, 2022 and expiring on June 30, 2027
Use:	Municipal Capital Facility for temporary lunch/office trailer, change room/tool room trailer, washroom/water tank trailer, storage of water tank and sewage tank, material storage, temporary tent structures, staging and layout area to prebuild and store streetcar track intersections and their components, vehicle and construction equipment parking.
Insurance:	<p>(i) "All Risks" insurance on property of every description and kind owned by the Tenant, in an amount not less than the full replacement cost thereof from time to time; and</p> <p>(ii) general liability and property damage insurance, for any one occurrence or claim of not less than five million dollars (\$5,000,000) or such higher limits as the Landlord may reasonably require from time to time.</p>
Contamination:	<p>Upon the expiration or early termination of this Lease, the Tenant shall remove, at its expense, any contaminant or contamination which, it has brought to or created on the Property that did not exist immediately prior to the Commencement Date, through the Tenant's use or occupation of the Property.</p> <p>The Tenant's indemnity with respect to environmental contamination survives the expiry of the Lease.</p>
Municipal Capital Facilities Agreement:	The City may apply for Municipal Capital Facilities exemption at its own cost.
Environmental Questionnaire and Compliance Certificate:	The Tenant shall execute and deliver Environmental Questionnaire on or before the Commencement Date and thereafter from time to time within 30 days of request by the Landlord.

Appendix "B" - Location Map



Appendix "C" – Premises



 = Leased Premises

PREPARED FOR CLIENTS