

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

TRACKING NO.: 2023-004

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 20, 2023	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a lease agreement (the "Agreement") with AYA Logistics Limited (the "Tenant") with respect to a portion of the building on the lands municipally known as 30 Newbridge Road, Toronto for the purposes of warehouse and office uses.										
Property	That portion of the property legally described as Part 2 on Expropriation Plan AT4932023 being the whole of PIN 07549-0055 (LT) and known municipally as 30 Newbridge Road, Toronto (the " Property ").										
Actions	1. Authority be granted to enter into the Agreement with the Tenant, substantially on the major terms and conditions 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>Revenues will be directed to the 2023 Operating Budget submission for the TTC, under cost centre TT0010, and will be included in future operating budget submissions for Council consideration. Revenues to be remitted to the City for each fiscal year is as follows:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>2023</td> <td>\$ 54,120.00</td> </tr> <tr> <td>2024</td> <td>\$ 55,743.60</td> </tr> <tr> <td>2025</td> <td>\$ 57,415.91</td> </tr> <tr> <td>TOTAL</td> <td>\$ 167,279.51</td> </tr> </tbody> </table> <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>	Year	Amount	2023	\$ 54,120.00	2024	\$ 55,743.60	2025	\$ 57,415.91	TOTAL	\$ 167,279.51
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2023	\$ 54,120.00										
2024	\$ 55,743.60										
2025	\$ 57,415.91										
TOTAL	\$ 167,279.51										
Comments	<p>This owner of AYA Logistics has been an occupant of the Property as a business partner of Sokil Trucking. He has now started his own trucking company, and has been operating in the Property since January 1, 2023. The new space, consists of approximately 3,000 sq. ft. of warehouse space and 936 sq. ft. of office space.</p> <p>The proposed rent and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.</p>										
Terms	See Appendix "A"										

Property Details	Ward:	3 – Etobicoke-Lakeshore
	Assessment Roll No.:	1919 014 250 03350
	Approximate Size:	
	Approximate Area:	365.6 m ² ± (3,936 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 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:	Amber Morley	Councillor:	
Contact Name:	Amber Morley	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" 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:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Revisions Incorporated

Legal Services Division Contact

Contact Name:	Chris Cieslik
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DAF Tracking No.: 2023-004	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	June 23, 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

Schedule "A" – Terms

Landlord:	City of Toronto
Tenant:	AYA Logistics Limited
Address:	30 Newbridge Road, Toronto
Area:	Approximately 3,936 sq. ft. (3,000 sq. ft. of warehouse space and 936 sq. ft. of office space)
Term:	Three (3) years
Option to Renew:	None
Commencement	
Date:	January 1, 2023
Expiry Date:	December 31, 2025
Termination:	The Landlord shall have the right at any time during the Term, to terminate this Lease for any reason whatsoever, upon giving six (6) months' prior written notice to the Tenant.
Gross Rent:	Year 1: \$13.75 per sq ft per annum plus HST (\$54,120.00 +HST) Year 2: \$14.16 per sq ft per annum plus HST (\$55,743.60 +HST) Year 3: \$14.59 per sq ft per annum plus HST (\$57,415.91 +HST)
Use:	The Tenant shall use the Property for office, warehouse/storage and distribution related uses.
Tenant's Insurance:	Tenant to obtain and maintain: <ul style="list-style-type: none"> (a) "all risks" property insurance, not less broad than the standard commercial property floater policy (b) comprehensive general liability insurance with coverage for any one occurrence or claim of not less than Five Million Dollars (\$5,000,000.00) (c) "all risks" tenant's legal liability insurance including, without limitation, the loss of use of the Premises, with limits satisfactory to the Landlord from time to time acting reasonably (d) standard owners' form of automobile insurance providing third party liability insurance on all automobiles operated by the Tenant with inclusive liability limits of Two Million Dollars (\$2,000,000.00); and (e) any other form of insurance that the Landlord, acting reasonably, requires from time to time