



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

TRACKING NO.: 2023- 151

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

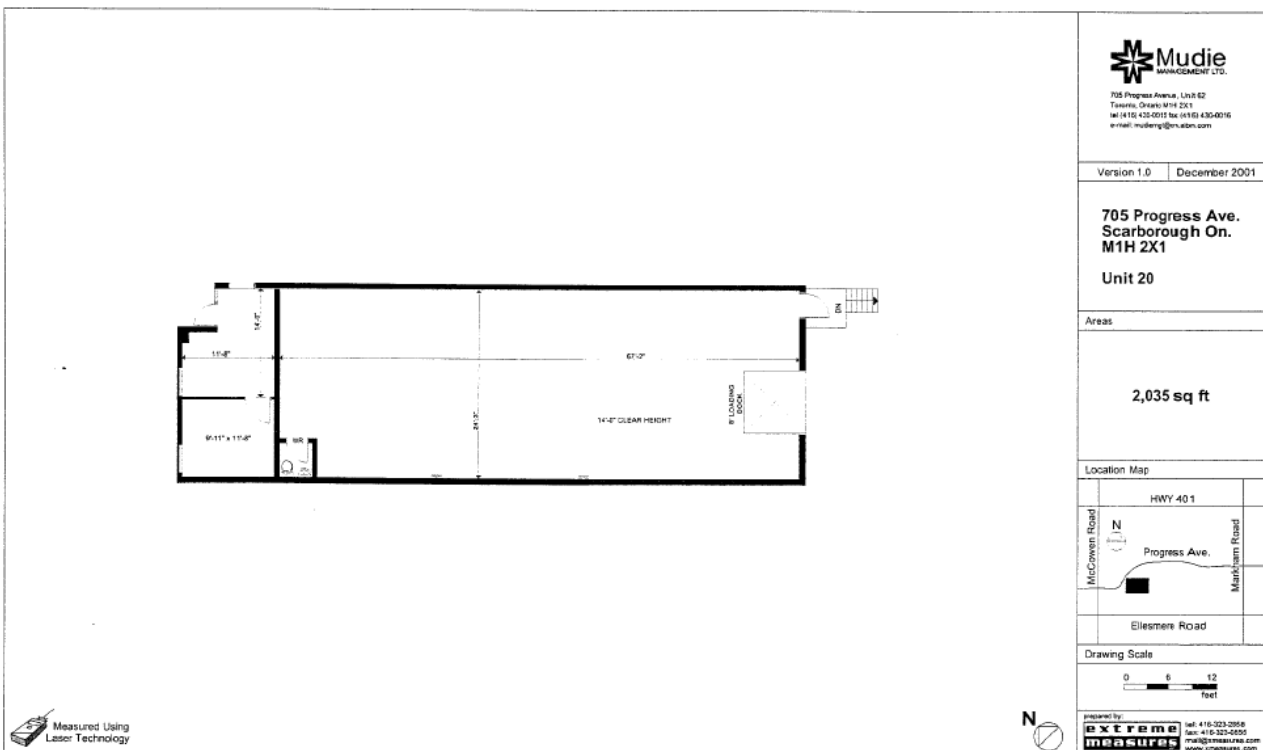
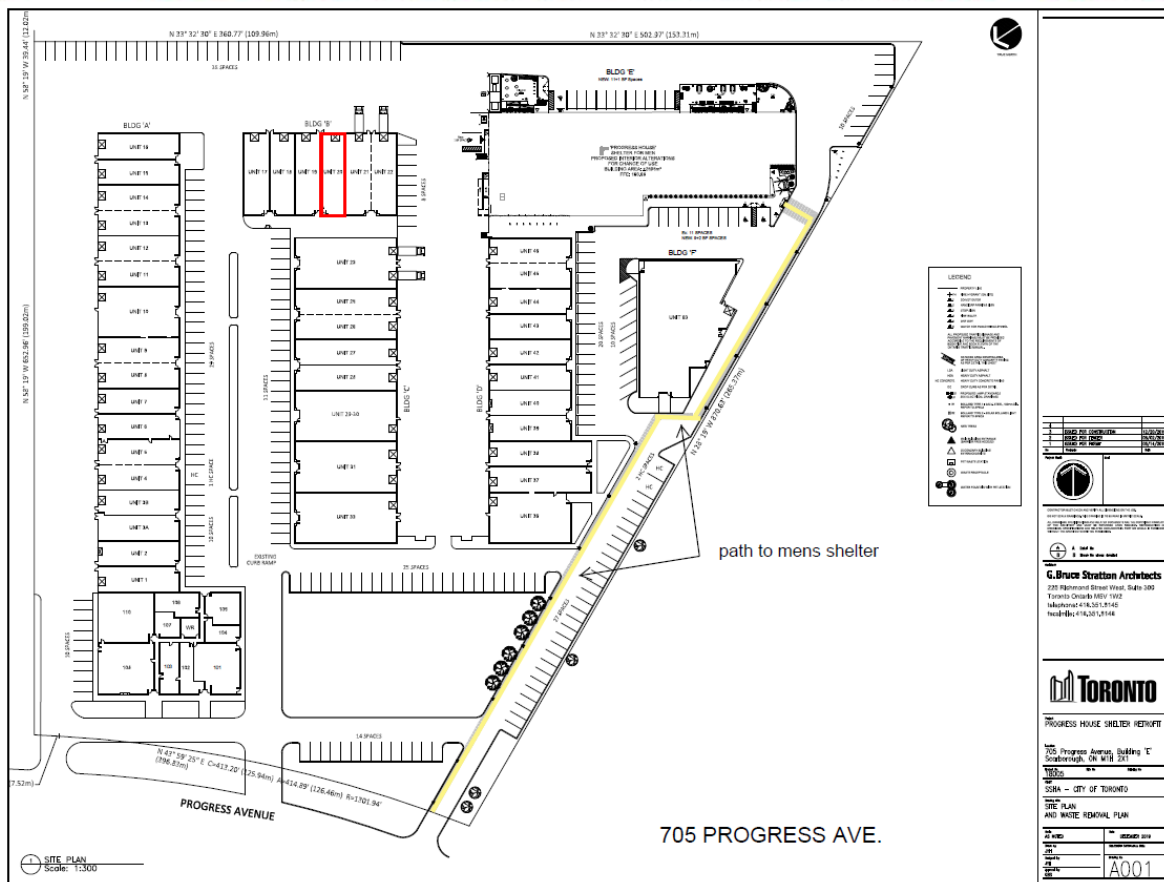
Prepared By:	Lianne Chen	Division:	Corporate Real Estate Management
Date Prepared:	April 19, 2023	Phone No.:	416-392-7665
<b>Purpose</b>	To obtain authority to enter into a lease extending and amending agreement with 2478215 Ontario Ltd. (the " <b>Tenant</b> ") with respect to the property municipally known as 705 Progress Avenue, Unit 20, Toronto, for the purpose of use as the offices, warehousing, distribution and assembly of lighting fixtures (the " <b>Lease Extending and Amending Agreement</b> ").		
<b>Property</b>	The property municipally known as 705 Progress Avenue, Unit 20, Toronto, as shown on the Location Map in Appendix " <b>A</b> ", comprising approximately 2,035 sq. ft. (the " <b>Premises</b> ").		
<b>Actions</b>	1. Authority be granted to enter into the Lease Extending and Amending Agreement with the Tenant, substantially on the major terms and conditions set out in Appendix " <b>B</b> ", 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>705 Progress Avenue is a jointly owned facility between the City of Toronto and the Toronto District School Board (collectively, the "<b>Landlord</b>"). Net revenues collected are divided equally between the parties. The City's portion of total revenues is \$50,366.25 (plus HST), based on the total minimum rent of \$100,732.50 (plus HST), for the period of thirty-six (36) months commencing July 1, 2023 and ending June 30, 2026 as outlined in the table below. The City's net revenue portion will be transferred to the dedicated parkland reserve fund (5% and 2% Land Acquisition Reserve Fund Scarborough - XR2007) less the management fee to be directed to the 2023 Council Approved Operating Budget for Corporate Real Estate Management (CREM), under cost center FA1378 and will be included in future operating budget submissions for Council consideration.</p> <p>2023: \$15,771.25 (plus HST)  2024: \$32,560.00 (plus HST)  2025: \$34,595.00 (plus HST)  2026: \$17,806.25 (plus HST)  <b>Total: \$100,732.50 (plus HST)</b></p> <p>The tenant is responsible for the proportionate share of realty taxes, building insurance and maintenance, as well as all other operating costs of the building including water, gas, hydro, heating and air conditioning.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>By a lease agreement dated February 13, 2023 (the "<b>Lease</b>"), the Landlord leased to the Tenant the Premises for a term of three (3) years, commencing July 1, 2020 to June 30, 2023 (see Delegated Approval Form 2022-261). Authority is now being sought to extend the Lease for a term of three (3) years (the "<b>Extended Term</b>"), and to amend the terms of the Lease.</p> <p>705 Progress Avenue is an industrial mall type of property consisting of approximately 156,000 square feet acquired in August, 1996 by the former City of Scarborough in partnership with the former Scarborough Board of Education (the "<b>Board</b>"). Pending development of the property as a future park and a school facility, it was decided to continue to lease the units to multiple tenants. Former City of Scarborough and the Board entered into an Operating Agreement dated January 2, 1997, amended by an Amending Agreement dated May 23, 2023, which provided that the City, in consultation with the Board, would engage a property manager (currently Compass Commercial Realty LP) and enter into a management agreement. The City and the property manager would be responsible for the day-to-day operation of the property. There are no plans at the present time to carry out the intended uses by the City and the Board for the property.</p> <p>The proposed minimum rent and other major terms and conditions of the Lease Extending and Amending Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
<b>Terms</b>	See Appendix " <b>B</b> ".		
<b>Property Details</b>	<b>Ward:</b>	24-Scarborough Guildwood	
	<b>Assessment Roll No.:</b>	Part of 1901-05-2-810-04300	
	<b>Approximate Size:</b>	N/A	
	<b>Approximate Area:</b>	2,035 sq. ft.	
	<b>Other Information:</b>	N/A	

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/Licensor):</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 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 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><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>

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:		Paul Ainslie				Councillor:				
Contact Name:		Paul Ainslie				Contact Name:				
Contacted by:		Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:		May 04, 2023 No Objections				Comments:				
Consultation with Divisions and/or Agencies										
Division:						Division:		<b>Financial Planning</b>		
Contact Name:						Contact Name:		Ciro Tarantino		
Comments:						Comments:		May 25, 2023 No objections		
Legal Services Division Contact										
Contact Name:		Michelle Xu (Comments Incorporated)								

DAF Tracking No.: 2023- 151	Date	Signature
Concurred with by:		
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Abdulle Elmi</b>	June 15, 2023	Signed by Abdulle Elmi
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Graham Leah</b>	July 6, 2023	Signed by Graham Leah

### Appendix "A" Floor Plan & Location Map



**Appendix "B"**  
**Major Terms and Conditions**

<b>Tenant</b>	2478215 Ontario Ltd.						
<b>Minimum Rent:</b>	<table> <tr> <td>Month 1-12</td> <td>\$31,542.50 net of HST (\$15.50/ft<sup>2</sup> per annum)</td> </tr> <tr> <td>Month 13-24</td> <td>\$33,577.50 net of HST (\$16.50/ft<sup>2</sup> per annum)</td> </tr> <tr> <td>Month 25-36</td> <td>\$35,612.50 net of HST (\$17.50/ft<sup>2</sup> per annum)</td> </tr> </table>	Month 1-12	\$31,542.50 net of HST (\$15.50/ft <sup>2</sup> per annum)	Month 13-24	\$33,577.50 net of HST (\$16.50/ft <sup>2</sup> per annum)	Month 25-36	\$35,612.50 net of HST (\$17.50/ft <sup>2</sup> per annum)
Month 1-12	\$31,542.50 net of HST (\$15.50/ft <sup>2</sup> per annum)						
Month 13-24	\$33,577.50 net of HST (\$16.50/ft <sup>2</sup> per annum)						
Month 25-36	\$35,612.50 net of HST (\$17.50/ft <sup>2</sup> per annum)						
<b>Additional Rent:</b>	Estimated \$12,026.85, plus any applicable taxes based on the 2023 operating cost budget rate of \$5.91/ ft <sup>2</sup> per annum.						
<b>Area of Premises:</b>	Approximately 2,035 ft <sup>2</sup> .						
<b>Extended Term:</b>	Three (3) years (July 1, 2023 – June 30, 2026).						
<b>Prepaid Rent and Security Deposit Top-up</b>	\$3,483.72 being the prepaid Rent and Security Deposit for the Extended Term after taking into account the prepaid Rent and Security Deposit on file for the original term of the Lease						
<b>Further Option to Extend</b>	None						
<b>Landlord's Early Termination:</b>	Amended from the Landlord's option to terminate the Lease upon six (6) months of prior written notice to the Tenant to upon three (3) months' prior written notice to the Tenant.						