



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

TRACKING NO.: 2023-090

| 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:   | March 15, 2023   | Phone No.:           | 416-392-7665                     |
| <b>Purpose</b>   | To obtain authority to enter into a lease agreement between the City of Toronto as landlord (the "Landlord") and Amanda Macdonald and Stephen Macdonald (the "Tenant") with respect to the property municipally known as 37984 Fourth Line, located in St. Thomas, Ontario for the purpose of residential use (the " <b>Lease Agreement</b> ").  |                      |                                  |
| <b>Property</b>  | The property municipally known as 37984 Fourth Line, St. Thomas, Ontario, legally described and outlined in red in Appendix "A" attached hereto including the double attached garage with up and over doors and a private laneway with parking for several vehicles (the " <b>Leased Premises</b> ").  |                      |                                  |
| <b>Actions</b>   | Authority be granted to enter into the month to month Lease Agreement with the Tenant, substantially on the major terms and conditions set out in Appendix "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>The purpose of this DAF is to document the status of an existing month to month tenancy. The current monthly rent is \$1,720.40 excluding HST. Any future residential rent increases will follow the rent increase guidelines published by the Ontario Landlord and Tenant Board. In addition, the Tenant is responsible for the utilities including water, heat and hydro.</p> <p>Revenues to the City will be included in 2023 Council Approved Operating Budget for Corporate Real Estate Management (CREM) under cost centre FA2490, and will be included in future year operating budget submissions for Council consideration.</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>On April 8, 2020, the Tenant agreed to and signed a standard form residential lease agreement with the Landlord to reside at the Leased Premises. The lease agreement was for a fixed term of one (1) year eleven (11) months and fifteen (15) days starting on April 16, 2020 and ending March 31, 2022. At the conclusion of this fixed term, the Tenant had the opportunity to continue to reside at the Leased Premises on a month to month basis.</p> <p>No records show a DAF was approved at the time. As a result, the lease agreement signed by the Tenant was not fully executed. Despite a DAF and lease agreement not being signed by the Landlord, a Landlord and Tenant relationship still existed between the parties beginning on April 16, 2020.</p> <p>As of March 2023, this Landlord and Tenant relationship continues to exist. In order to ensure all documentation is complete, authority is now being sought via DAF for the Landlord to sign this Lease Agreement. The aforementioned Lease Agreement is the same lease agreement originally executed by the Tenant on April 8, 2020.</p> <p>Compass Commercial Realty LP manages the City-owned properties surrounding the Green Lane Landfill site on behalf of City of Toronto. A credit check on the Tenant was conducted and was deemed to be satisfactory. The proposed rent and other major terms and conditions of the Lease Agreement are considered to be fair, reasonable and reflective of market rates.</p> |                      |                                  |
| <b>Terms</b>   | See Appendix "B".  |                      |                                  |
| <b>Property Details</b>  | <b>Ward:</b>   | 00 – Outside City    |                                  |
|  | <b>Assessment Roll No.:</b>  | 34 24 000 005 064 00 |                                  |
|  | <b>Approximate Size:</b>   | 2,200 sq ft.         |                                  |
|  | <b>Approximate Area:</b>   | N/A                  |                                  |
|  | <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/REOs:</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/REOs.</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> |

|   |                                       |        |      |       |               |
|---|---------------------------------------|--------|------|-------|---------------|
| <b>Pre-Condition to Approval</b>  |                                       |        |      |       |               |
| <input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property |                                       |        |      |       |               |
| <b>Consultation with Councillor(s)</b>  |                                       |        |      |       |               |
| Councillor:   | N/A - 00 – Outside City               |        |      |       | Councillor:   |
| Contact Name:   |                                       |        |      |       | Contact Name: |
| Contacted by:   | Phone                                 | E-Mail | Memo | Other | Contacted by: |
| Comments:   |                                       |        |      |       | Comments:     |
| <b>Consultation with Divisions and/or Agencies</b>  |                                       |        |      |       |               |
| Division:   |                                       |        |      |       | Division:     |
| Contact Name:   |                                       |        |      |       | Contact Name: |
| Comments:   |                                       |        |      |       | Comments:     |
| <b>Legal Services Division Contact</b>  |                                       |        |      |       |               |
| Contact Name:   | Chris Cieslik (Comments incorporated) |        |      |       |               |

| DAF Tracking No.: 2023- 090   | Date           | Signature              |
|---|----------------|------------------------|
|   |                | X                      |
| <input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services, Abdulle Elmi</b>                        | July 27, 2023  | Signed by Abdulle Elmi |
| <input type="checkbox"/> Approved by:   |                |                        |
| <input checked="" type="checkbox"/> Approved by: <b>Director, Property Management &amp; Lease Administration, Graham Leah</b> | August 1, 2023 | Signed by Graham Leah  |

**Appendix A**

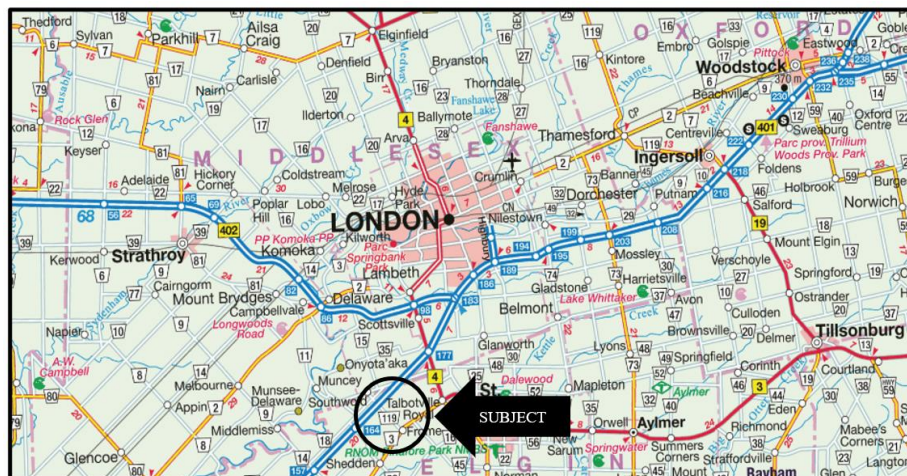
**Location Map**

1. 37984 Fourth Line

PT LT 20 CON 3 SOUTHWOLD AS IN E293133; SOUTHWOLD (PIN: 35158-0125)



37984 Fourth Line



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

|                                     |   |
|-------------------------------------|---|
| <b>Gross Rent:</b>                  | Current monthly rent : \$1,720.40 / month (no HST)  |
| <b>Additional Rent:</b>             | N/A   |
| <b>Term:</b>                        | Month to Month  |
| <b>Use:</b>                         | Residential   |
| <b>Landlord's Work:</b>             | N/A.  |
| <b>Utilities</b>                    | Tenant is responsible for Hydro, Heat and Water.  |
| <b>Deposit:</b>                     | \$1,700.00, applicable to the last month rent. The Tenant agrees to increase the amount of deposit for the last month's rent to the current monthly rent as it may be increased from time to time by paying the landlord the difference between the then currently-held deposit and the newly increased monthly rent. |
| <b>Tenant Ending the Tenancy:</b>   | At least 60 days' notice.   |
| <b>Landlord Ending the Tenancy:</b> | Must give proper notice with LTB forms in certain situation set out under the <i>Residential Tenancies Act, 2006</i> (the Act)  |
| <b>NSF Fee:</b>                     | \$20.00 per NSF cheque.   |
| <b>Payment:</b>                     | Rent is to be paid in advance on the 1 <sup>st</sup> of the month, and subject to any increases imposed thereon by the Landlord from time to time at least (90) days prior written notices in accordance with the Ontario Landlord and Tenant Board guidelines  |
| <b>Insurance:</b>                   | The tenant must have liability insurance at all time, if the landlord asks for proof of coverage, the tenant must provide it, it is up to the tenant to get contents insurance if they want it.   |