

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

TRACKING NO.: 2023-162

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

Prepared By:	Devi Mohan	Division:	Corporate Real Estate Management
Date Prepared:	June 27, 2023	Phone No.:	(437) 991-8168

Purpose	To obtain authority to extend a license on behalf of the Toronto Public Library Board (the "TPL") as Licensee, with His Majesty The King In Right of Ontario as represented by The Minister of Infrastructure, as Licensor, for land used as a parking lot comprising an area of approximately 0.14 acres near 578 Finch Ave W, Toronto, shown in Appendix "A" (the "Premises") starting September 1, 2022 for a term of 5 years.																																
Property	The parking lot within 578 Finch Ave W, Toronto, legally described as Part of Lot 21, Concession 2 WYS, Formerly City of North York, City of Toronto.																																
Actions	<ol style="list-style-type: none"> Authority be granted to extend the licence with the Licensor substantially on the terms and conditions outlined herein, and any such other terms and conditions deemed appropriate by the Director of Real Estate Services, and in a form acceptable to the City Solicitor; The City Librarian, or her designate, administer and manage the Licence including the provision of any consents, approvals, waivers, notices and notices of termination provided that the City Librarian may, at any time, refer consideration of such matters to Director of Transaction Services, Corporate Real Estate Management for determination and direction; 																																
Financial Impact	<p>TPL will remit a license fee in the amount of \$250 per month plus applicable taxes.</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Licence Fee</th> <th>Licence Fee w/ HST</th> <th>Net of HST Recoveries</th> </tr> </thead> <tbody> <tr> <td>2022</td> <td>1,000.00</td> <td>1,130.00</td> <td>1,017.60</td> </tr> <tr> <td>2023</td> <td>3,000.00</td> <td>3,390.00</td> <td>3,052.80</td> </tr> <tr> <td>2024</td> <td>3,000.00</td> <td>3,390.00</td> <td>3,052.80</td> </tr> <tr> <td>2025</td> <td>3,000.00</td> <td>3,390.00</td> <td>3,052.80</td> </tr> <tr> <td>2026</td> <td>3,000.00</td> <td>3,390.00</td> <td>3,052.80</td> </tr> <tr> <td>2027</td> <td>2,000.00</td> <td>2,260.00</td> <td>2,035.20</td> </tr> <tr> <td>Total</td> <td>15,000.00</td> <td>16,950.00</td> <td>15,264.00</td> </tr> </tbody> </table> <p>The funds will come out of the cost center LB1000.</p> <p>The Director, Finance and Treasurer (TPL) and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>	Year	Licence Fee	Licence Fee w/ HST	Net of HST Recoveries	2022	1,000.00	1,130.00	1,017.60	2023	3,000.00	3,390.00	3,052.80	2024	3,000.00	3,390.00	3,052.80	2025	3,000.00	3,390.00	3,052.80	2026	3,000.00	3,390.00	3,052.80	2027	2,000.00	2,260.00	2,035.20	Total	15,000.00	16,950.00	15,264.00
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Comments	<p>The parking lot located adjacent to the TPL's Centennial branch is owned by the Province of Ontario and has been used as a parking lot for library patrons since 2007. The most recent agreement expired on August 31, 2022. The Licensor has agreed to extend the licence for an additional five years as it is still required for parking purposes.</p> <p>The terms and conditions of the licence extension are fair, reasonable and reflective of market value.</p>																																
Terms	Please see Appendix "A"																																

Property Details	Ward:	Ward 6 – York Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	0.14 Acres
	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 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>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 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:	James Pasternak	Councillor:	
Contact Name:	Kriti Bhatt	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	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Public Library	Division:	Financial Planning
Contact Name:	Larry Hughsam	Contact Name:	Ciro Tarantino
Comments:	No objections	Comments:	No objections

Legal Services Division Contact

Contact Name:	Frank Weng
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DAF Tracking No.: 2023-162	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	July 14, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	July 14, 2023	Signed by Ronald Ro
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		

Appendix "A" – Major Terms and Conditions of the Agreement

Premises: Approximately 0.14 acres of land


Licensor:

HIS MAJESTY THE KING IN THE RIGHT OF ONTARIO as represented by THE MINISTER OF INFRASTRUCTURE

Term: Five years commencing on September 1, 2022 to August 31, 2027

Use: Parking lot at Centennial library branch

Licence fee: \$250.00 per month, or \$3,000.00 per year, plus HST

 **Licence Lands**



Appendix "B" – Location Map

