

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

TRACKING NO.: 2023-225

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

Prepared By:	Desiree Picchiello	Division:	Corporate Real Estate Management
Date Prepared:	August 10, 2023	Phone No.:	416-338-5028

Purpose	To obtain authority for the City, in its capacity as the tenant of the property municipally known as 3100 Weston Road (the "Property") pursuant to a lease agreement dated December 1, 1999, as amended and extended by letter agreements dated September 24, 2008, February 2009 and August 8, 2019 (collectively the "Lease") with the Order of St. Basil the Great Holding Corporation (the "Landlord"), to execute and submit the purchaser and lender an estoppel certificate and tenant acknowledgement, (collectively the "Certificates"), in connection with the sale and re-financing of the Property.
Property	Approximately 13.5 acres located at 3100 Weston Road, Toronto, Ontario. The Property is improved by a two-storey building and surface parking lot which the City currently uses to operate the Carmine Stefano Community Centre.
Actions	1. Authority be granted to execute the Certificates, substantially on the terms and conditions set out in Appendix A and B hereto, and such other terms as deemed appropriate by the approving authority, in a form satisfactory to the City Solicitor
Financial Impact	There is no financial impact.
Comments	<p>Real Estate Services staff have confirmed that all payments are up-to-date and that there are no known defaults on the part of the City or Landlord relating to the lease agreement.</p> <p>The Lease requires the City to provide the Certificates upon request of the Landlord and Real Estate Services staff have reviewed the specific terms thereof and considers it reasonable for the City to execute the Certificates.</p> <p>The City has entered into negotiations with the proposed purchaser to establish terms for the continuation of the Lease by the City of Toronto for the leased premises for an additional four (4) years.</p>
Terms	N/A

Property Details	Ward:	7 – Humber River-Black Creek
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	54,632.56 m 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 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 checked="" 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:	Anthony Peruzza	Councillor:	
Contact Name:	councillor_perruzza@toronto.ca	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Consulted	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	
Contact Name:	Alex Deighan	Contact Name:	
Comments:	Approved	Comments:	

Legal Services Division Contact

Contact Name:	Catherine Thomas
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DAF Tracking No.: 2023-225	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	August 11, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	August 11, 2023	Signed by Alison Folosea

APPENDIX "A"

PURCHASER: AvranceCorp. Developments and 1000331725 Ontario Inc.

LANDLORD: The Order of St. Basil The Great Holding Corporation

TENANT: City of Toronto

LEASED AREA: 13.5 acres of land and 49,833 square feet of interior space within existing two storey building

LEASE STATUS: Valid and in force

LEASE TERM: original lease term commenced December 1, 1999 and expires on November 30, 2024.

RENT: current annual base rent is \$475,905.15. All payments due and owing under the Lease have been paid to the Landlord.

LANDLORD'S SHARE: the Landlord is up to date with its share of the total operating costs

PERMITTED USE: Neighbourhood/community centre

DEFAULTS: none

DISPUTES: none

SUBTENANT: West Toronto United / Catholic Soccer League

SUB-LEASED AREA: First floor Suite #105, formerly the "Secretary" Office

SUB-LEASED TERM: to expire November 29, 2024

APPENDIX "B"

LENDER: 2763161 Ontario Limited

LANDLORD: The Order of St. Basil The Great Holding Corporation

TENANT: City of Toronto

LEASED PREMISES: 13.5 acres of land and 49,833 square feet of interior space within existing two storey building

LEASE STATUS: valid and in force

LEASE TERM: December 1, 1999 and expires on November 30, 2024.

RENT: current annual base rent is \$475,905.15. All payments due and owing under the Lease have been paid to the Landlord.

LANDLORD'S SHARE: the Landlord is up to date with its share of the total operating costs

PERMITTED USE: Neighbourhood/community centre

DEFAULTS: none

DISPUTES: none

CITY COVENANTS: If the Lender exercises any of its rights and remedies under the mortgage by taking possession or selling or foreclosing, the Tenant and Lender shall be bound by the terms of the Lease and the Tenant atoms to the Lender as its landlord, effective immediately upon the Lender succeeding to the interest of the Landlord under the Lease, without further documentation other than the notice of assignment of leases/rents set out below. The respective rights and obligations of the Tenant and Lender upon such attornment shall be in accordance with the terms of the Lease to the extent of the remaining balance.

SUBTENANT: West Toronto United / Catholic Soccer League

SUB-LEASED AREA: First floor Suite #105, formerly the "Secretary" Office

SUB-LEASED TERM: to expire November 29, 2024