

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

TRACKING NO.: 2023-269

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

Prepared By:	Boluwarin Mojeed	Division:	Corporate Real Estate Management
Date Prepared:	October 4, 2023	Phone No.:	416-392-7399

Purpose To obtain authority to enter into a Licence Agreement (the "Agreement") between The Willowdale Baptist Church (the "Licensor"), and the City, as Licensee, at 15 Olive Ave, North York, for a) Term 1: November, 2023 – April 30, 2024; and b) Term 2: November 1, 2024 – April 30, 2025 (individually, a "Term" and collectively, the "Terms") for the purpose of running a Warming Centre.

Property A portion of the basement of the property municipally known as 15 Olive Ave, North York, legally described as LT 83-87 PL 2282 TWP of York; Toronto (N York) , City of Toronto, being all part of PIN 10080-0071 (LT), (the "Property"), as shown on the Location Map in Appendix "B".

Actions Authority to be granted to enter in a Licence Agreement between the Landlord and the Tenant for the Property, substantially on the major terms and conditions set out in Appendix "A", and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.

Financial Impact The total cost to the City for the Terms in the form of the Licence Fee is estimated to be \$60,000.00 (plus HST) or \$61,056.00 (net of HST recovery).
 If the option to extend is exercised, the total cost to the City in the form of the Licence Fee is estimated to be \$93,000.00 (plus HST) or 94,636.80 (net of HST recovery).
 Funding is available in the 2023 Council Approved Operating Budget for Shelter, Support & Housing Administration ("SSHA") under cost centre FH5350.

Total estimated costs, net of HST recoveries and with HST, by fiscal year are shown below:

Original Terms				
Fiscal Year	2023	2024	2025	Total
Licence Fee (Before HST)	\$ 10,000.00	\$30,000.00	\$20,000.00	\$ 60,000.00
Subtotal	\$ 10,000.00	\$30,000.00	\$20,000.00	\$ 60,000.00
Total (Subtotal + HST)	\$ 11,300.00	\$33,900.00	\$22,600.00	\$ 67,800.00
Total Net of HST Recovery	\$ 10,176.00	\$30,528.00	\$20,352.00	\$ 61,056.00

Extension Term			
Fiscal Year	2025	2026	Total
Licence Fee (Before HST)	\$ 11,000.00	\$22,000.00	\$33,000.00
Subtotal	\$ 11,000.00	\$22,000.00	\$33,000.00
Total (Subtotal + HST)	\$ 12,430.00	\$24,860.00	\$37,290.00
Total Net of HST Recovery	\$ 11,193.60	\$22,387.20	\$33,580.80

The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact Section.

Comments The City of Toronto activates Warming Centres when an Extreme Cold Weather Alert (ECWA) is issued by the City's Medical Officer of Health or when SSHA activates based on Extreme Weather Conditions. The Warming Centres are activated to give those who are vulnerable and may be experiencing homelessness a safe, warm indoor place to rest and access snacks, washroom facilities and referrals to emergency shelter. The licence agreement allows SSHA to occupy a portion of the basement for use as a Warming Centre. The property may be operated by City staff or by a third-party operator.

The licence fee and other costs are fair, reasonable, and reflective of market rates.

Terms Refer to Appendix A – Major Terms and Conditions on page 4.

Property Details	Ward:	18 – Willowdale
	Assessment Roll No.:	N/A
	Approximate Size:	N/A
	Approximate Area:	697 m ² ± (7,500 ft ² ±)
	Other Information:	Basement

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 checked="" 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:	Lily Cheng	Councillor:	
Contact Name:	Saham Abdi	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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:	Briefed	Comments:	

Consultation with Divisions and/or Agencies

Division:	Shelter, Support & Housing Administration	Division:	Financial Planning
Contact Name:	Loretta Ramadhin	Contact Name:	Ciro Tarantino
Comments:	Comments Incorporated	Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name: Bronwyn Atkinson

DAF Tracking No.: 2023-269	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	Oct 4, 2023	Signed By: Jennifer Kowalski
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct 5, 2023	Signed By: Alison Folosea

Appendix A – Major Terms and Conditions

Premises:

Approximately 7,500 square feet of space at the basement of 15 Olive Ave, North York.

Licensors:

Willowdale Baptist Church.

Terms:

- a) Term 1: November 1, 2023 - April 30, 2024; and
- b) Term 2: November 1, 2024 - April 30, 2025

Option to Extend:

Option to extend for the period November 1, 2025 - April 30, 2026

Use:

Warming Centre operated by SSHA.

Gross Rent:

\$5,000 per month, plus HST for the original terms.

\$5,500 per month, plus HST for the extension period if exercised.

