

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

TRACKING NO.: 2023-233

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management
Date Prepared:	September 1, 2023	Phone No.:	416-338-3207

Purpose	To obtain authority for the City to enter into a nominal licence agreement with Scarborough Food Security Initiative (the " Licensee ") for a portion of City owned space at the property municipally known 5210 Yonge Street, for the purposes of operating a test/demonstration kitchen, cooking school, food workshop, event space and the sale of food and drinks (the " Licence Agreement ").
Property	A portion of the property municipally known as 5210 Yonge Street, Toronto, legally described as Part of Lot 18, Concession 1, West of Yonge Street, designated as Parts 26, 28 and 72 on Plan 66R30847, being all of PIN 10143-0687 (LT) (the " Property "), comprising approximately 425 square feet as shown on the sketch attached in Appendix "B" (the " Licensed Area ").
Actions	1. Authority be granted to enter into the Licence Agreement with the Licensee, substantially on the terms and conditions contained in Appendix "A", including other such terms and conditions as deemed appropriate by the approving authority herein, and on a form satisfactory to the City solicitor.
Financial Impact	The Licence Agreement is for nominal consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	On June 8 and 9, 2021, City Council adopted item GL23.19 – Food Incubator Tenancy Program at 5200 Yonge Street. The Licensee is a not-for-profit organization who successfully applied to a Request for Expression Of Interest which the City's Economic Development & Culture Division managed in accordance with 2021.GL23.19. This Licence Agreement will allow the Licensee to start operating its business from the Licensed Area while arrangements are being made to lease the Property to the Licensee to align with the arrangement set out in Appendix "C" of Item No. GL23.19.
Terms	See Appendix "A" for Major Terms and Conditions

Property Details	Ward:	18 – Willowdale
	Assessment Roll No.:	Null
	Approximate Size:	N/A
	Approximate Area:	39 m ² ± (425 ft ² ±)
	Other Information:	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 & 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 checked="" 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:	Lily Cheng	Councillor:	
Contact Name:	Ava Ha	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:	No Comments	Comments:	

Consultation with Divisions and/or Agencies

Division:	Econominc Development & Culture	Division:	Financial Planning
Contact Name:	Michael Wolfson	Contact Name:	Ciro Tarantino
Comments:	Concurrence	Comments:	Concurrence

Legal Services Division Contact

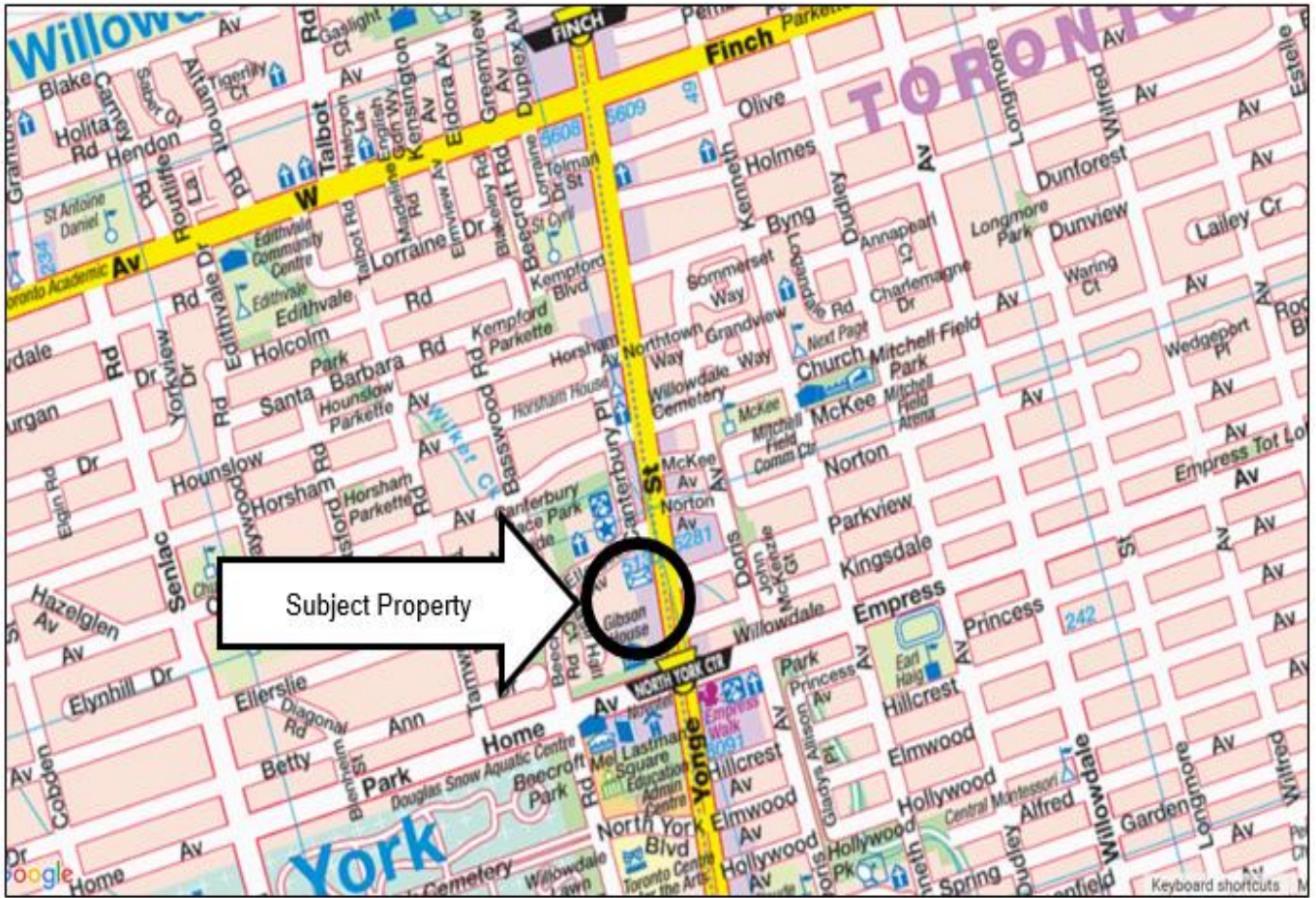
Contact Name: Gloria Lee – Comments incorporated

DAF Tracking No.: 2023-233	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott Brown	Sept 1, 2023	Signed By: Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	Sept 1, 2023	Signed By: Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by:		

APPENDIX "A" Major Terms & Conditions

Licensor	City of Toronto
Licensee	Scarborough Food Security Initiative
Term	September 1, 2023 – November 21, 2023
Licensed Area	Those parts of the Property shown on Schedule "B", comprising approximately four hundred twenty-five (425) square feet together with a non-exclusive right to use any common areas.
Proportionate Share	28%
Licence Fee	\$2
Operating Costs	Total of all costs and expenses attributable to the maintenance, repair, administration, management and operation
Net Licence	The Licence Agreement shall be fully net to the City
Use	Operating a test kitchen, demonstration kitchen, cooking school, food workshop and event space; and preparing and conducting the sale at retail of food and drinks
Indemnity	The Licensee shall fully indemnify and save harmless the City, its respective employees, agents and those for whom it is at law reasonable for of, from and against any loss, damage or injury to any person or property as a result of exercising its rights under the Licence, a breach of any warranty or performance of its obligations under the Licence or failure to comply with applicable laws.
Insurance	Commercial general liability insurance including products liability, if applicable, personal injury, employer's/and contingent employer's liability, tenant's legal liability, blanket contractual liability and provisions for cross liability and severability of interests and non-owned automobile liability with limits of not less than Five Million Dollars (\$5,000,000.00) per occurrence. If serving alcohol on the premises for compensation, liquor liability insurance in amounts no less than Two Million Dollars (\$2,000,000.00) per occurrence. The City is to be added as an additional insured

APPENDIX "B" Location Map and Licensed Premises



Licensed Premises

PROPERTY:
5000 YONGE ST.

DRAWING NUMBER: 17-0000-0000

DATE: 2017-01-10

SCALE: 1/8" = 1'-0"

PROJECT: 17-0000-0000

KEY-6

DEMO KITCHEN

Area: 200 Sqm / 4200sf

201	1	CONTOUR	CONTOUR
202	1	PAK. WASHING MACHINE	PAK. WASHING MACHINE
203	1	STOVE	STOVE
204	1	WALL MOUNTED SINK	WALL MOUNTED SINK
205	1	SINK	SINK
206	1	STOVE	STOVE
207	1	STOVE	STOVE
208	1	STOVE	STOVE
209	1	STOVE	STOVE
210	1	STOVE	STOVE
211	1	STOVE	STOVE
212	1	STOVE	STOVE