

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

**TRACKING NO.: 2023-240**

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

<b>Prepared By:</b>	Eric Allen	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	September 19, 2023	<b>Phone No.:</b>	416-392-1852

<b>Purpose</b>	To obtain authority to execute a Consent Letter as required by the Toronto Transit Commission, as landlord, to consent to each of the tenants the ability to grant collateral charges in respect of the leasehold interest in the lands and buildings to each of the other Tenants, in accordance with the terms of the Lease Amendment Agreement between Toronto Transit Commission (the "Landlord") and OPG Investment Holdings GP Inc., CT REIT (Yonge Eglinton) GP Corp., and CANSQUARE (Canada 8) GP Limited (the "Tenants") dated April 30, 2019.
<b>Property</b>	A portion of the TTC-owned lands municipally known as 2180 Yonge St, Toronto (Canada Square), legally described as part of PIN 21172-0309(LT) being LT 1-5 PL 491E TORONTO; PT LT 6-12 PL 491E TORONTO; LANE PL 491E TORONTO , CLOSED BY EN114566; PT LT 16 CON 3 FTB TWP OF YORK PT 1-22, 24, 26-43, 45-68, 63R365 TOGETHER WITH AN EASEMENT OVER PART OF LOT 16 AND PART OF ROAD ALLOWANCE BETWEEN LOTS 16 AND 21 CONCESSION 3, FROM THE BAY; PART OF LOT 12, ALL OF LOTS 13, 14, 15, 16, 17 AND 18 ON PLAN 491E DESIGNATED AS PTS 1 AND 22 ON PLAN 66R-27956 AS IN AT3974130 CITY OF TORONTO, and shown in Appendix A.
<b>Actions</b>	1. Authority be granted to execute a Consent Letter as required by Toronto Transit Commission on the terms and conditions determined by the Director of Real Estate Services, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	There is no financial impact.
<b>Comments</b>	As authorized by 2018.EX33.7, adopted by City Council on April 24, 2018, the Toronto Transit Commission entered into a Lease Amendment Agreement with the Tenants with respect to a portion of the TTC-owned lands municipally known as 2180 Yonge St, Toronto (Canada Square). The commencement date of the Lease Amendment Agreement, which would take the place of five original leases, is predicated on the satisfaction or waiver of certain conditions in favour of the tenant which has not yet occurred and the conditions continue to extend per the agreements. The extensions of the lease pre-commencement conditions are largely due to delays in the planning approvals process. Accordingly, with the exception of certain "Effective Provisions", which took effect upon the execution of the lease, much of the lease is not in effect yet. One of those provisions relates to the ability of the Tenants to grant leasehold collateral charges amongst each other without the consent of the Landlord. As a redevelopment property, such leasehold cross-charges are reasonable.
<b>Terms</b>	N/A

<b>Property Details</b>	<b>Ward:</b>	12 – Toronto-St. Paul's
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	36,456 m <sup>2</sup> ± ( 392,409 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><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/REOIs.</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 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 checked="" 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:	Councillor Josh Matlow	Councillor:	
Contact Name:	Andrew Athanasiu	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:	No comments	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Toronto Transit Commission	Division:	<b>Financial Planning</b>
Contact Name:	David Cooper; Michael Atlas	Contact Name:	Ciro Tarantino
Comments:	No comments	Comments:	No comments

**Legal Services Division Contact**

Contact Name: Jennifer Davidson

DAF Tracking No.: 2023-240	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> Jennifer Kowalski	Sept 25, 2023	Signed By: Jennifer Kowalski
<input type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> Alison Folosea	Sept 27, 2023	Signed By: Alison Folosea

### APPENDIX "A"

### Lands municipally known as 2180 Yonge St, Toronto (Canada Square)

