

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

TRACKING NO.: 2023-290

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:	November 1, 2023	Phone No.:	(416) 338-3207

Purpose	To obtain authority for the City of Toronto (the "City") to enter into a short-term licence agreement with St. Jude Community Homes (the "Licensee") for the purposes of conducting due diligence prior to construction (the "Licence").
Property	Municipally known as 292 Parliament Street, comprising a portion of the ground floor as outlined on the attached sketch in Appendix "B" (the "Licensed Area").
Actions	1. Authority be granted to enter into a Licence Agreement with the Licensee, substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>This is a nominal Licence. There is no financial impact.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>This Licensee is a non-profit which has entered into a partnership with the Housing Secretariat to aid in the provision of affordable housing units. In relation to this partnership, the Licensee also has a below market rent lease from the City for the balance of the space within the building, consisting of the second floor and above.</p> <p>The City is licensing the space to the Licensee for the purpose of undertaking environmental testing and structural investigations as part of their pre-construction due diligence. After the expiry of the Licence the Licensee will be undertaking renovations to the ground floor, which they will then partially lease from the City to use as office and community service space.</p> <p>The renovations that are to be undertaken by the Licensee also extend to space that will be used by the Ministry of the Attorney General once complete. The Ministry will be leasing a portion of the ground floor from the City to operate the Downtown East Community Justice Centre, an action of the City Council approved "SafeTO: A Community Safety and Well-Being Plan". They are partnering with the Licensee to provide financing and support during the construction period, which the Licensee will be project managing.</p>
Terms	See Schedule A for Terms and Conditions.

Property Details	Ward:	13 – Toronto Centre
	Assessment Roll No.:	1904-07-2-140-00700
	Approximate Size:	N/A
	Approximate Area:	606 m ² ± (6,523 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:	Chris Moise	Councillor:	
Contact Name:	Tyler Johnson	Contact Name:	
Contacted by:	<input checked="" 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 concerns	Comments:	

Consultation with Divisions and/or Agencies

Division:	Social Development, Finance & Administration	Division:	Financial Planning
Contact Name:	Scott Mckean	Contact Name:	Ciro Tarantino
Comments:	Comments Incorporated	Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name: Bronwyn Atkinson

DAF Tracking No.: 2023-290	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	Nov. 2, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services	Nov. 2, 2023	Signed by Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by: Jennifer Kowalski		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

APPENDIX "A"

Licensor	City of Toronto
Licensee	St. Jude Community Homes
Licensed Area	<p>Approximately 6,520 square feet, located on the ground floor of 292 Parliament Street, as shown in Appendix "B"</p> <p>Shall be accepted in "as is, where is" condition, and the Licensee shall be responsible for the restoration of the Licensed Area to it's original condition upon expiry of the term.</p>
Use	To provide access to conduct due diligence activities, including destructive or invasive testing and Phase II environmental testing, for the study of the <i>Licensed Area</i> and the preparation of drawings and associated documents for the pre-design & design phase prior to construction, and to seek permits and approvals from building/ City authorities
Commencement Date	November 1, 2023
Term	Three (3) months
Licence Fee	\$2 (plus HST), net
Indemnity	The Licensee shall at all times indemnify and save harmless the City from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, made or brought against, suffered by or imposed on the City or its property in respect of any loss, damage or injury (including fatal injury) to any person or property, including, without restriction, employees, agents and property of the City or of the Licensee,
Insurance	Commercial General Liability Insurance which has inclusive limits of not less than Five Million Dollars (\$5,000,000.00) per occurrence, for bodily injury and property damage resulting from any one occurrence and which extends to include Personal Injury Liability, Broad Form Contractual Liability, Completed Operations Coverage, Employer's and/or Contingent Employer's Liability; and Non-Owned Automobile Liability. The policy shall include a Cross Liability and Severability of Interest Clause and shall name the City as an additional insured, but only with respect to liability arising out of the operations of the Licensee at the <i>Licensed Area</i>