

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

TRACKING NO.: 2024-009

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

Prepared By:	Bruno Iozzo	Division:	Corporate Real Estate Management
Date Prepared:	January 3, 2024	Phone No.:	(416) 392-8151

Purpose	To obtain authority to enter into a lease agreement (the "Lease Agreement") with 2364208 Ontario Inc. (the "Tenant") to lease the property municipally known as 480 Coxwell Avenue for the purpose of the continued use of the site by the Tenant as a vehicle rental business.
Property	The land, building and improvements on the property municipally known as 480 Coxwell Avenue as displayed in the maps within Appendix "A" and legally described as LT 78-79 PL 1301 Toronto and PT LT 87 PL 655 Midway, designated as Parts 1 and 2 on Expropriation Plan AT5743043; City of Toronto (PIN 21034-0745).
Actions	1. Authority be granted to enter into the Lease Agreement with the Tenant, substantially on the terms and conditions set out below, and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
Financial Impact	The City will collect \$468,000.00 plus applicable taxes over the course of the lease term. The Tenant shall be responsible to pay all additional costs associated with the Lease Agreement including property taxes, operating and maintenance costs. Revenue will be directed to the 2024 Council Approved Operating Budget for Corporate Real Estate Management (CREM) under cost center FA1379. Future year revenue will be referred to the City's annual budget process and will be included as part of the 2024 and future year budget submissions for Council consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	Through the registration of Expropriation Plan AT5743043 on May 20, 2021, the City of Toronto expropriated the Property for the purpose of constructing a new odour control facility (the "Facility") associated with nearby Coxwell Bypass Sewer. The City took possession of the Property on October 1, 2021. The Tenant was leasing the Property from the former property owner prior to the City's possession date. Through DAF 2021-270 and amended through DAF 2022-005, the City obtained authority to enter into a lease agreement with the Tenant to lease the Property for a term of 17 months and 14 days, ending on the same date as the Tenant's previous lease with the former property owner (March 14, 2023). The Tenant approached the City and requested to continue to lease the Property beyond the current lease expiry date. Given delays in the construction of the proposed odour control facility on the Property, City staff have confirmed that it would be acceptable to continue to lease the Property to the Tenant for a term of four (4) years, expiring on March 14, 2027. The proposed licence fee and other major terms and conditions of the Licence Agreement are considered fair, reasonable and reflective of market rate.
Terms	Term: 4 Years Commencement Date: March 15, 2023 Termination Date: March 14, 2027 Use: Vehicle rental business Basic Rent: \$9,750.00 per month plus applicable taxes Net Lease: The Tenant accepts the Property "as is" and acknowledges that it shall be responsible for each and every single financial aspect of the Property and any costs or expenses whatsoever Reservation of Rights by City: The Tenant acknowledges that the City reserves for itself a non-exclusive licence to periodically enter the Property at any time throughout the Term to complete any work related to the future redevelopment of the Property as an odour control facility Insurance: The Tenant shall take out and maintain at all times during the Term the insurance requirements contained within the Lease Agreement

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	19 04 083 520 002 00
	Approximate Size:	
	Approximate Area:	24,628 ft 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/REOs:</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/Licensor):</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/REOs.</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 checked="" 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:	Paula Fletcher	Councillor:	
Contact Name:	Nicolas Valverde – Advisor, Policy and Legislation	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:	Concur	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Shivan Narine	Contact Name:	Filisha Jenkins
Comments:		Comments:	

Legal Services Division Contact

Contact Name:	Vanessa Bacher
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DAF Tracking No.: 2024-009	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown <input type="checkbox"/> Approved by:	January 4, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	January 10, 2024	Signed by Alison Folosea

Appendix "A" – Location Map

