

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

TRACKING NO.: 2024-001

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

Prepared By:	Sami Aljundi	Division:	Corporate Real Estate Management
Date Prepared:	2 nd Jan 2024	Phone No.:	416 338 4862

Purpose To obtain authority to enter into a lease extension agreement (the "**Agreement**") with Redpath Sugar Ltd. (the "**Tenant**") with respect to the property municipally known as part of 105 Queens Quay East, Toronto, for the purpose of tying and/or mooring Tenant's vessels for the Tenant's sugar business, for a term of ten (10) years, commencing on September 1, 2023 and expiring on August 31, 2032 (the "**Extended Term**").

Property The property is a portion of the breakwater wall, including lands, having a total area of approximately 1,800 square feet located within the lands municipally known as 105 Queens Quay East, Toronto, legally described BLOCK 8, PLAN 66M2476; SUBJECT TO AN EASEMENT AS IN CT558471; CITY OF TORONTO, being part of PIN 21384-0141 (LT) (the "**Property**"), as shown on the Location Map attached in Appendix "**B**" and the Leased Area Sketch attached as Appendix "**C**".

Actions 1. Authority be granted to enter into the Agreement with the Tenant, substantially on the major terms and conditions set out in Appendix "**A**," including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.

Financial Impact From and after September 1, 2023, and throughout the Extended Term, the sum of Twenty-One Thousand Eight Hundred Seventy-Five Dollars (\$21,875.00) plus HST per annum, which amount will increase each year by two-point-five percent (2.5%) plus HST, payable in advance on or before September 1st in each year of the Extended Term.

Date and Year	Rent	Rent + HST
Sep 1 st 2023	\$21,875.00	\$24,718.75
Sep 1 st 2024	\$22,421.88	\$25,336.72
Sep 1 st 2025	\$22,982.93	\$25,990.71
Sep 1 st 2026	\$23,557.50	\$26,619.98
Sep 1 st 2027	\$24,146.44	\$27,285.48
Sep 1 st 2028	\$24,750.10	\$27,967.61
Sep 1 st 2029	\$25,368.85	\$28,666.41
Sep 1s 2030	\$26,002.97	\$29,383.36
Sep 1 st 2031	\$26,653.05	\$30,117.95
Sep 1 st 2032	\$27,319.47	\$30,871.00
TOTAL	\$245,078.19	\$276,957.97

Revenues will be directed to Parks, Forest and Recreation's Operating Budget.
 The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

Comments The original lease was authorized under Report No. 2(4) of the Economic Development and Parks Committee adopted by City Council on 6, 7 and 8 days of March 2001, for a term of ten (10) years, commencing on September 1, 2013, and expiring on August 31, 2023. The Tenant has requested for an extension of the existing lease.

The proposed rent and other major terms and conditions of the Agreement are considered to be fair, reasonable, and reflective of market rates.

Terms See Appendix "A"

Property Details	Ward:	Ward 10 - Spadina-Fort York
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	1,800 square feet
	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/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/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/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 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:	Ausma Malik	Councillor:	
Contact Name:	Tom Davidson	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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:	Concurred	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks Forest and Recreation	Division:	Financial Planning
Contact Name:	Alex Deighan	Contact Name:	Ciro Tarantino
Comments:	Concurred	Comments:	Concurred

Legal Services Division Contact

Contact Name:	Michelle Xu
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DAF Tracking No.: 2024- 001	Date	Signature
		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	January 9, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	January 10, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions

Leased Area:	A portion of the breakwater wall, including lands, a fenced enclosure, and a dock wall, located within the lands municipally known as 105 Queens Quay East, Toronto, attached to the Sugar Beach Park located at 11 Dockside Drive, Toronto
Basic Rent:	\$21,875.00 plus HST per annum, the Basic Rent will increase at the beginning of each year of the Extended Term by two-point-five percent (2.5%) plus HST
Extended Term:	10 years commencing on September 1, 2023, and ending on August 31, 2032
Option to Extend:	No Further Right of Extension
Use/Purpose:	For the purpose of tying and/or mooring Tenant's vessels associated with the Tenant's sugar business.

Appendix "B" Site Map, Aerial Map

