

**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2024-015

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

Prepared By:	Shernaz Writer	Division:	Corporate Real Estate Management
Date Prepared:	November 16, 2023	Phone No.:	437) 229-3111

<b>Purpose</b>	To obtain authority to enter into a lease renewal agreement (the "Agreement") with The Toronto Catholic District School Board (the "Landlord"), at St. Marcellus Catholic School (the "School") for the purpose of operating community programs for Parks, Forestry and Recreation		
<b>Property</b>	A portion of the property municipally known as 15 Denfield Street, Toronto, legally described as PT LT 17, Con 1 Fronting The Humber, Part 9,10 & 11, 64R13027, City Of Toronto being Part of PIN 07405-0053 (LT), approximately 14,240.00 sq. ft as shown in Appendix A.		
<b>Actions</b>	Authority be granted to enter into the Agreement with the Landlord, substantially on the major terms and conditions s below, and on such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to th Solicitor.		
<b>Financial Impact</b>	<p>The basic rent is \$ 1.00 annually. The City pays approx. \$ 70,000 annually as invoiced by the landlord based on the Parks, Forestry &amp; Recreation's proportionate share of the operating costs as per original agreement 7 (7.01 – 7.05). Additional rent is budgeted in Parks, Forestry &amp; Recreation account code: P12031.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>The original Ground Lease was approved by the Former City of Etobicoke Council by adoption of Resolution No. 218 in session No. 9 on April 29, 1991 for a term of 15 years with options to renew the term for 2 additional 15 year terms respectively.</p> <p>The proposed rent and other major terms and conditions of the Agreement are considered to be fair and reasonable</p>		
<b>Terms</b>	<b>Term:</b>	Fifteen (15) years, August 31, 2022 – August 30, 2037. No further renewal as per Section 3.05 of the Lease	
	<b>Minimum Rent:</b>	\$ 1.00 per annum (nominal)	
	<b>Additional Rent:</b>	All costs, expenses related to the Premises, utilities including gas, hydro, water, janitorial, security services, insurance. Tenant's proportionate share of all costs for the operation and maintenance of the building, including the Community Centre and the parking lot, all repairs, replacements and maintenance of the premises and building including plumbing, electrical, mechanical, structural, HVAC, and all costs of landscaping and clearing of ice and snow	
	<b>Termination Right:</b>	Termination right in favour of the Landlord should the Landlord decide to close and cease operation of St. Marcellus Catholic School with 12 months clear prior written notice and provided the Landlord pays to the Tenant the Tenant's then undepreciated capital costs of the Community Centre.	
	All other terms and conditions to remain the same.		

<b>Property Details</b>	<b>Ward:</b>	Ward 2 – Etobicoke Centre
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	
	<b>Other Information:</b>	

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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 &amp; Parks &amp; 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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Stephen Holyday				Councillor:				
Contact Name:	Sheila Henderson				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	No objections				Comments:				

**Consultation with Divisions and/or Agencies**

Division:	Parks, Forestry & Recreation		Division:	<b>Financial Planning</b>	
Contact Name:	Thomas Kakamousias		Contact Name:	Ciro Tarantino	
Comments:	Concurred		Comments:	Concurred	

**Legal Services Division Contact**

Contact Name:	<b>Tammy Turner</b>
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DAF Tracking No.: 2024-015	Date	Signature
Recommended by: Manager, Real Estate Services Jennifer Kowalski	January 8, 2024	Signed by Jennifer Kowalski
Recommended by: Director, Real Estate Services Alison Folosea	January 10, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: <b>Executive Director, Corporate Real Estate Management</b>	January 10, 2024	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: <b>Patrick Matozzo</b>		

**APPENDIX "A"****Major Terms:**

<b>Tenant:</b>	City of Toronto
<b>Landlord:</b>	Toronto Catholic District School Board
<b>Rentable Area of Premises:</b>	14,240.00 sq. ft (approximately)
<b>Use:</b>	Community Programs – recreational, social and related uses
<b>Term:</b>	Fifteen (15) years, August 31, 2022 – August 30, 2037. No further renewal as per Section 3.05 of the Lease
<b>Minimum Rent:</b>	\$ 1.00 per annum (nominal)
<b>Additional Rent:</b>	All costs, expenses related to the Premises, utilities including gas, hydro, water, janitorial, security services, insurance. Tenant's proportionate share of all costs for the operation and maintenance of the building, including the Community Centre and the parking lot, all repairs, replacements and maintenance of the premises and building including plumbing, electrical, mechanical, structural, HVAC, and all costs of landscaping and clearing of ice and snow
<b>Termination Right:</b>	Termination right in favour of the Landlord should the Landlord decide to close and cease operation of St. Marcellus Catholic School with 12 months clear prior written notice and provided the Landlord pays to the Tenant the Tenant's then undepreciated capital costs of the Community Centre.

All other terms and conditions to remain the same.

APPENDIX "B"

Floor Map with color coding of leased premises

