



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

TRACKING NO.: 2023 - 259

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property			
Prepared By:	Lianne Chen	Division:	Corporate Real Estate Management
Date Prepared:	September 25, 2023	Phone No.:	416-392-7665
<b>Purpose</b>	To obtain authority to enter into a lease amending and extension agreement between the City of Toronto as landlord (the " <b>Landlord</b> ") and Twilight Acre Farm's Limited (the " <b>Tenant</b> ") with respect to the City-owned properties located in Middlesex Centre Township, Ontario, for the purpose of agriculture use (the " <b>Lease Agreement</b> ") near to the green lane landfill ("Green Lane Landfill") site.		
<b>Property</b>	The leased premises is located at 6965 Bells Road, Middlesex Centre Township/Delaware, Ontario (100 acres), that is legally described and outlined in red in Appendix "A" attached hereto (the " <b>Leased Premises</b> ").		
<b>Actions</b>	Authority be granted to enter into the Lease Agreement with the Tenant, substantially on the major terms and conditions set out in Appendix " <b>B</b> ", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.		
<b>Financial Impact</b>	<p>The tenant shall pay \$29,000.00 per annum for first lease year, \$30,000.00 per annum for second lease year, and \$31,000.00 per annum for third lease year, payable in two instalments per year, the first instalment to be paid on April 1<sup>st</sup> of each year, in the amount of 25% of the annual Basic Rent, and the second instalment to be paid on November 30<sup>th</sup> of each year, in the amount of 75% of the annual Basic Rent. The total revenue is estimated to be \$90,000.00 for the period of thirty-six (36) months commencing January 1, 2024 and ending December 31, 2026 (the "<b>Extension Term</b>"). Revenues to the City will be directed to the 2024 Council Approved Operating Budget for Corporate Real Estate Management (<b>CREM</b>), under cost centre FA2490 and will be included in future operating budget submissions for Council consideration.</p> <p>2024: \$29,000.00 (plus HST)            2025: \$30,000.00 (plus HST)            2026: \$31,000.00 (plus HST)  <b>Total: \$90,000.00 (plus HST)</b></p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
<b>Comments</b>	<p>By a lease agreement dated February 10, 2023 (the "<b>Original Lease</b>"), the Landlord leased to the Tenant the Leased Premises for a term of three (3) years, commencing January 1, 2021 to December 31, 2023 (see Delegated Approval Form 2023-007). Authority is now being sought to extend the Lease for the Extension Term, and to amend the terms of the Lease.</p> <p>Compass Commercial Realty LP manages the City-owned properties surrounding the Green Lane Landfill site on behalf of City of Toronto.</p> <p>A credit check on the Tenant was conducted and was deemed to be satisfactory.</p> <p>The proposed rent and other major terms and conditions of the Lease Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
<b>Terms</b>	See Appendix " <b>B</b> ".		
<b>Property Details</b>	<b>Ward:</b>	00 – Outside City	
	<b>Assessment Roll No.:</b>	39 39 019 040 047 00	
	<b>Approximate Size:</b>	N/A	
	<b>Approximate Area:</b>	100 acres	
	<b>Other Information:</b>	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 &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 \$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 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><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 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>

Pre-Condition to Approval			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	N/A - 00 – Outside City		Councillor:
Contact Name:			Contact Name:
Contacted by:	Phone	E-Mail	Memo
			Other
Comments:			Comments:
Consultation with Divisions and/or Agencies			
Division:	Solid Waste Management Services		Division:
Contact Name:	Sara Little		Contact Name:
Comments:	No issues		Comments:
Legal Services Division Contact			
Contact Name:	Shahab Siddiqui (Comments incorporated)		

DAF Tracking No.: 2023 – 259	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <b>Jennifer Kowalski</b>	Nov. 27, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> <b>Graham Leah</b>	Nov. 27, 2023	Signed by Graham Leah

**Appendix B**  
**Legal Descriptions and Sketches**

Address	Legal Description	Acreage
1. 6965 Bells Rd	<p data-bbox="393 336 1295 403">W 1/2 LT 24 CON 2 S/T DL10510 MIDDLESEX CENTRE TWP/DELAWARE (PIN: 09719-0027)</p> 	100

**Appendix "B"****Major Terms and Conditions**

<b>Basic Rent:</b>	Lease Year 1	\$29,000.00 net of HST (\$290.00)
	Lease Year 2	\$30,000.00 net of HST (\$300.00)
	Lease Year 3	\$31,000.00 net of HST (\$310.00)
<b>Term:</b>	Three (3) years (January 1, 2024 – December 31, 2026).	