

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

TRACKING NO.: 2024-006

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:	17 <sup>th</sup> Jan 2024	Phone No.:	416 338 4816

**Purpose** To obtain authority to enter into a Licence of Land Renewal Agreement, (the "**Agreement**"), with His Majesty the King in Right of Ontario as represented by the Minister of Infrastructure, (the "**Licensors**"), to renew the existing parking licence between the parties dated January 4, 2012, for a further period of 5 years, effective as of January 1, 2022, and expiring on December 31, 2026 (the "**Renewed Term**").

**Property** A portion of the lands having an area of approximately 0.49 acres, located immediately north of the lands municipally known as 2920 Lawrence Avenue E, described as Part 1 of Plan 64R-10470, Part of Lot 24, Concession 1 (former City of Scarborough); City of Toronto, being part of PIN 06294-0011 (LT) (the "**Property**"), as shown on the Location Map and the Licensed Area Sketch attached as Appendix "**B**" (the "**Licensed Area**").

**Actions** Authority be granted to enter into the Agreement with the Licensors, 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 acceptable to the City Solicitor.

**Financial Impact** The total cost to the City for the Renewed Term over the five years is estimated to be \$180,072 (plus HST), or \$183,241.27 (net of HST recovery), payable in advance on the first day of every month during the Renewed Term, as follows:

Date	Monthly	Annual	Fee + HST	Total cost rent net of HST recovery
Jan 1st 2022	\$1715	\$20,580	\$23,255.40	\$20,942.21
Jan 1st 2023	\$2358	\$28,296	\$31,974.48	\$28,794.01
Jan 1st 2024	\$3001	\$36,012	\$40,693.56	\$36,645.81
Jan 1st 2025	\$3644	\$43,728	\$49,412.64	\$44,497.61
Jan 1st 2026	\$4288	\$51,456	\$58,145.28	\$52,361.63
<b>Total</b>		\$180,072	\$203,481.36	\$183,241.27

Funding is included in the 2024 Staff Prepared Operating Budget for Senior Services and Long Term Care Division (under cost center D3A061- 1610000000)

The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

**Comments** The original licence agreement between the parties was executed by all parties on January 17, 2013, for the use of the Licensed Area as a parking lot for a term (as extended by the Licence of Land Renewal Agreement executed by all parties on May 9, 2017) expiring on December 31, 2021. The parties now want to renew the term for a further period of 5 years.

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

**Terms** See Appendix "A"

<b>Property Details</b>	<b>Ward:</b>	21 – Scarborough Center
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	0.49 acres
	<b>Other Information:</b>	

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"/> I 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"/> I 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 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 checked="" 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"/> I Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> I 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:	Michael Thompson	Councillor:	
Contact Name:	Amalia Stefanopoulos	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:	No Objections	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Long Term Care	Division:	<b>Financial Planning</b>
Contact Name:	Daniela Sabatini	Contact Name:	Ciro Tarantino
Comments:	No Objection	Comments:	No Objection

**Legal Services Division Contact**

Contact Name:	Michelle Xu
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DAF Tracking No.: 2024- 006	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Niall Robertson</b>	January 18, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	January 22, 2024	Signed by Alison Folosea

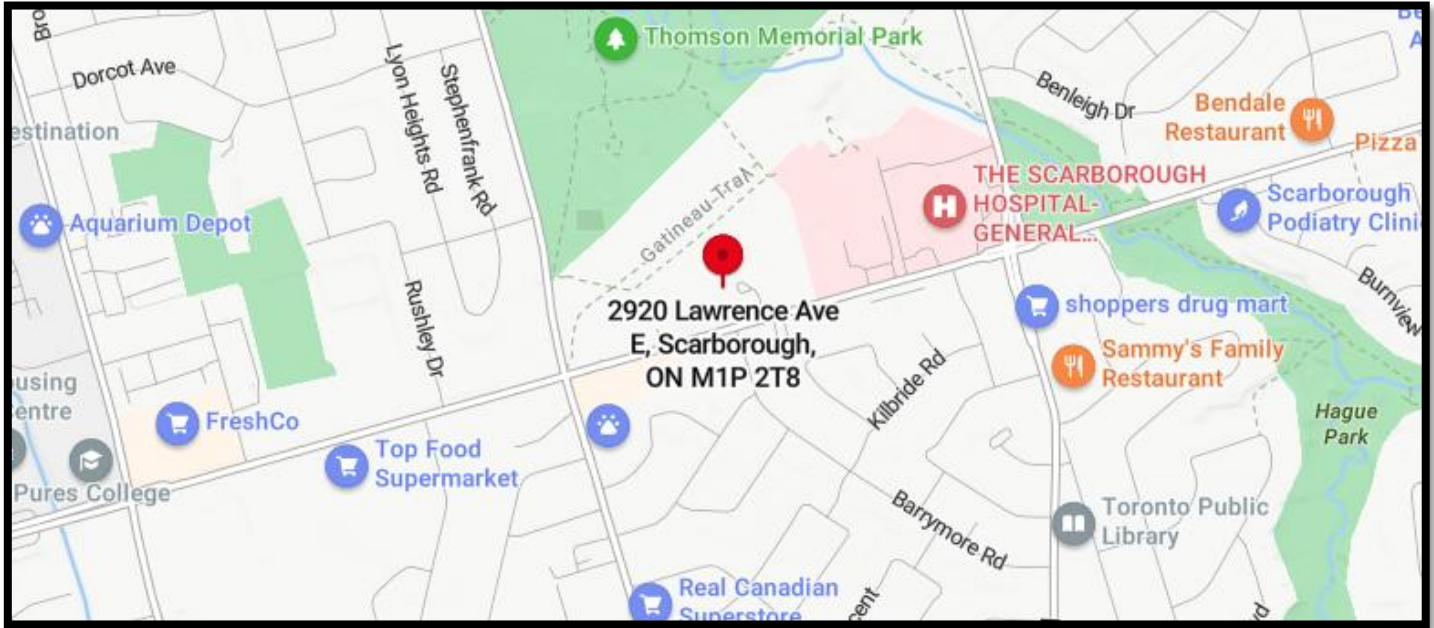
## Appendix "A"

### Major Terms and Conditions

<b>Licensed Area:</b>	Approximately 0.49 acres of lands abutting 2920 Lawrence Avenue East, Toronto (Bendale Acres Long-Term Care Facility) to the north.
<b>Licence Fee:</b>	<p>Payable in advance on the first day of each and every month during the Renewed Term, as follows:</p> <p>\$1,715.00 plus HST monthly for the period of January 1, 2022 to December 31, 2022</p> <p>\$2,358.00 plus HST monthly for the period of January 1, 2023 to December 31, 2023</p> <p>\$3,001.00 plus HST monthly for the period of January 1, 2024 to December 31, 2024</p> <p>\$3,644.00 plus HST monthly for the period of January 1, 2025 to December 31, 2025</p> <p>\$4,288.00 plus HST monthly for the period of January 1, 2026 to December 31, 2026</p>
<b>Renewed Term:</b>	Five (5) years, commencing on January 1, 2022, and expiring on December 31, 2026.

Appendix "B"

Site Map, Aerial Map



LICENSED AREA SKETCH (OUTLINED IN RED)

