

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-089

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

Prepared By:	Jatinder Rahul	Division:	Corporate Real Estate Management
Date Prepared:	April 8, 2024	Phone No.:	416-392-7290
<b>Purpose</b>	To obtain authority to enter into a licence agreement with 15 David Salomon Inc. (the "Licensee") with respect to the property municipally known as 40 Grenoble Drive, Toronto (the "Licenced Area") for the purpose of encroaching through the air space of a portion of the Licenced Area with a crane swing (the "Licence Agreement").		
<b>Property</b>	The property municipally known as 40 Grenoble Drive, Toronto, legally described as Block 5, 66M-2597, City of Toronto, being all of PIN 10371-0096, (the "Property"), as shown on the Location Map in Appendix "A".		
<b>Actions</b>	1. Authority be granted to enter into the Licence Agreement with the Licensee, substantially on the major terms and conditions set out below, 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 City will receive revenue of \$60,030 (plus HST and applicable taxes) over the eighteen (18) month term. Should the Licensee exercise its option to extend the term by up to twelve (12) months, the City will receive additional revenue of \$3,335 per month for up to a total of \$40,020 (plus HST and applicable taxes).</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>The revenue generated from this licence agreement will be allocated to CC P12642, Functional Area Code 1820100000 under Parks Operating budget.</p>		
<b>Comments</b>	<p>15 David Salomon Inc., the Licensee, would like to use the Licenced Area, being a portion of parkland area recently conveyed to the City, for the purpose crane swing arm encroachment. The Licensed Area is 760.3 m<sup>2</sup>.</p> <p>The proposed licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
<b>Terms</b>	<p>Licensed Area: 760.3 m<sup>2</sup> (8183.8 ft<sup>2</sup>)</p> <p>Term: Eighteen (18) month term, with option to extend by up to twelve (12) months.</p> <p>Licence Fee: \$60,030 for the eighteen (18) month term, and \$3,335 per month for up to 12 months for a total of \$40,020 during the extension period.</p> <p>Use: encroaching through the air space of a portion of the Licenced Area with a crane swing</p> <p>Insurance: comprehensive general liability insurance against all claims for bodily injury (including death) and for property damage in an amount of not less than \$20,000,000 per occurrence for bodily injury (including death) and property damage. Such insurance shall name the City as an additional insured.</p> <p>Early Termination: The Licensee may terminate the Licence Agreement anytime prior to the expiry of the Term or the Extended Term by delivering written notice to the Director, Real Estate Services, at least sixty (60) days before the intended early termination date of the Licence Agreement.</p>		
<b>Property Details</b>	<b>Ward:</b>	Don Valley East	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	760.3 m <sup>2</sup> ± (8183.8 ft <sup>2</sup> ±)	
	<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/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 \$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/REOs.</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>

**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:	Jon Burnside					Councillor:					
Contact Name:	Jim Murphy					Contact Name:					
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Contacted by:	Phone		E-mail	
Comments:	Concurs					Comments:					

**Consultation with Divisions and/or Agencies**

Division:	PF&R					Division:	<b>Financial Planning</b>				
Contact Name:	Thomas Kakamousias					Contact Name:	Ciro Tarantino				
Comments:	concurs					Comments:	Concurs				

**Legal Services Division Contact**

Contact Name: Finuzza Mongiovi

DAF Tracking No.: 2024-089

Date

Signature

☒ Recommended by: **Manager, Real Estate Services**  
Jennifer Kowalski

April 9, 2024

Signed by Jennifer Kowalski

☐ Approved by:

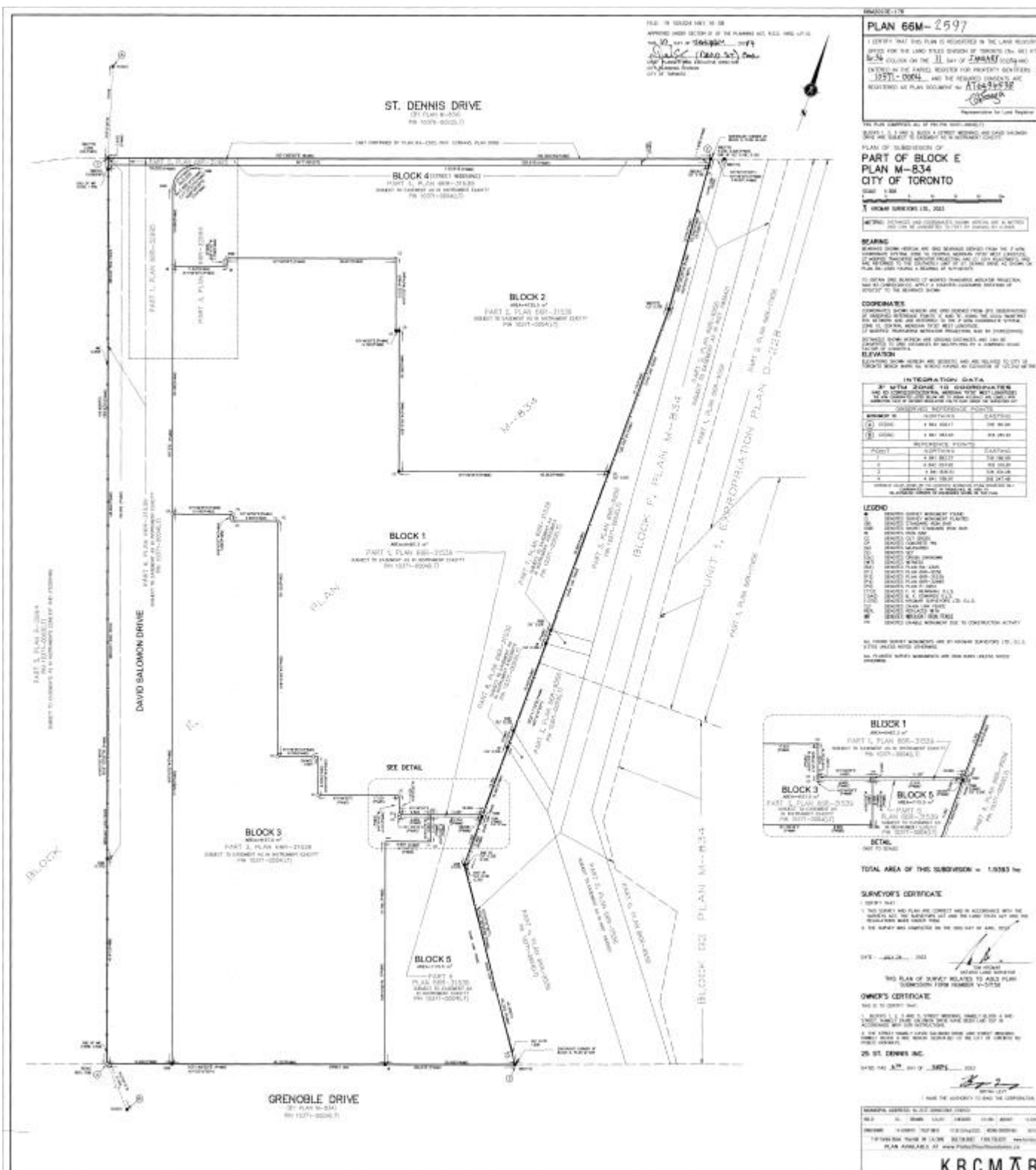
☒ Approved by: **Director, Real Estate Services**  
Alison Folosea

April 10, 2024

Signed by Alison Folosea

## Appendix "A"

**Location Map – Block 5 on plan 66M-2597**



**Crane Swing area highlighted in green**

