

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-093

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:	01 May 2024	Phone No.:	416 338 4862
Purpose	To obtain authority to enter into a renewal agreement for the licence of land (the "Renewal Agreement") between the City of Toronto (the "City" or the "Licensee") and His Majesty the King in Right of Ontario as represented by The Minister of Infrastructure (the "Licensor"), for the continued use of lands adjacent to 730 Military Trail for additional parking.		
Property	The property municipally known as Part of Lot 11, Concession 2, former City of Scarborough shown in the sketch attached on page 6 hereof and in the location set out on page 5 hereof (the "Property")		
Actions	Authority be granted for the City to enter into the Renewal Agreement with the Licensor for the use of the Property for a term of five (5) years, commencing on May 1, 2024, on the terms and conditions outlined below and on such other or amended terms as may be satisfactory to the Director of Real Estate Services and in a form acceptable to the City Solicitor.		
Financial Impact	<p>The total cost to the City as Licensee over the five (5) year term is estimated to be \$31,571.04 net of HST recoveries as well as 75% of any annual realty taxes payable by the Licensor. Funding is available in the 2024 Approved Operating Budget for Parks, Forestry & Recreation under cost center P00859. Ongoing funding requirements will be accommodated in future annual budget submissions.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>On August 25, 26 and 27, 2010, City Council authorized the recommendations set out in Report GM 33.10, including entering into a Below Market Rate lease with the Tam Heather Curling and Tennis Club (the "Club") for the use of the facility located on 730 Military Trail. A provision in that agreement required the City to undertake to negotiate and enter into an agreement with the Licensor to allow for the Club's use of the parking facility on the Property.</p> <p>There has been one previous renewal agreement which was on substantially similar terms as the Renewal Agreement. All terms of the Original Licence Agreement are renewed by the Renewal Agreement except where specifically amended.</p> <p>The proposed licence fee and other major terms and conditions of the Renewal Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
Terms	See Appendix "A"		
Property Details	Ward:	24 - Scarborough Guildwood	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	0.46 Acres	
	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/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 & 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 checked="" 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/REOs.</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 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:	Paul Ainslie	Councillor:	
Contact Name:	Antonette DiNovo	Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> 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:	No Objection	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks Forest and Recreation	Division:	Financial Planning
Contact Name:	Alex Deighan	Contact Name:	Ciro Tarantino
Comments:	No Objection	Comments:	No Objection

Legal Services Division Contact

Contact Name:	Anders Knudsen
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DAF Tracking No.: 2024-093

	Date	Signature
Concurred with by: Manager, Real Estate Services Jennifer Kowalski	May 6, 2024	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	May 6, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input type="checkbox"/>		X

Appendix "A"

Major Terms and Conditions

Licensed Premises:	Part of Lot 11, Concession 2, former City of Scarborough, comprising an area of approximately 0.46 acres adjacent to 730 Military Trail.
Use:	Additional parking for Tam Heather Curling and Tennis Club
Licence Fee Rates:	The Licensee shall pay to the Licensor a Six Thousand Two Hundred Five dollar Licence Fee (\$6,205.00), plus all applicable taxes, payable in advance on the first day of May every year during the renewed Term
Additional Fees:	The Licensee shall pay 75% of the annual realty taxes applicable to the Property
Term:	Five (5) years, commencing on May 1, 2024, and concluding on April 30, 2029
Options to Renew:	N/A

Appendix "B"

Location Map

Site Map, Aerial Map

