

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-070

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:	18 April 2024	Phone No.:	416 338 4862
Purpose	To obtain authority to enter into a renewal agreement for the licence of land (the " Agreement ") with 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 21 Alness Street for the purposes of additional staff parking. The licence to be renewed was initially entered into by the parties on September 1, 2011 and later renewed on September 1, 2016.		
Property	Described as Part of the East Half of Lot 21, Concession 3, West of Yonge Street, in the Township of North York comprising an area of approximately 0.664 acres (see Location map in Appendix " B ")		
Actions	Authority be granted to enter into the Agreement with the Licensor for the use of the Property for a term of five (5) years, commencing on September 1, 2021, 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 for the Agreement over the five-year step-up plan is estimated to be \$257,976.00 (plus HST), or \$262,516.37 (net of HST recovery), payable in advance on the first day of every month during the renewed term.</p> <p>Funding is included in the 2024 Operating Budget for Parks Forest and Recreation Division (under cost center P00859) The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>The parking lot is directly adjacent to the Parks branch– North York District yard at 21 Alness and is used primarily for City staff parking of personal and operational work vehicles (pick-up trucks).</p> <p>CreateTO was consulted about his licence renewal and has no objection. They continue working to optimize Finch yard usage and demand and will work with the impacted divisions to limit the future needs of this licence.</p> <p>The proposed licence fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
Terms	See Appendix "A"		
Property Details	Ward:	Ward 6 - York Centre	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	0.664 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 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 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"/> (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:	James Pasternak	Councillor:	
Contact Name:	Phyllis Arturi	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 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: Chris Cieslik

DAF Tracking No.: 2024-070	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	April 18, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	April 18, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions

Licensed Premises:	Part of the East Half of Lot 21, Concession 3, West of Yonge Street, in the Township of North York comprising an area of approximately 0.664 acres adjacent to 21 Alness St.				
Use:	Vehicle parking for City of Toronto employees				
Licence Fee Rates:	Date	Monthly	Annual	Fee + HST	Total cost rent net of HST recovery
	Sep 1st 2021	\$2,789	\$33,468	\$37,818.84	\$34,057.04
	Sep 1st 2022	\$3,544	\$42,528	\$48,056.64	\$43,276.49
	Sep 1st 2023	\$4,300	\$51,600	\$58,308.00	\$52,508.16
	Sep 1st 2024	\$5,055	\$60,660	\$68,545.80	\$61,727.62
	Sep 1st 2025	\$5,810	\$69,720	\$78,783.60	\$70,947.07
	Total		\$257,976	\$291,512.88	\$262,516.37
Licence Fee Terms:	Payable in advance on the first day of each and every month during the renewed Term, as follows: \$2,789.00 plus HST for the period of September 1, 2021 to August 31, 2022 \$3,544.00 plus HST for the period of September 1, 2022 to August 31, 2023 \$4,300.00 plus HST for the period of September 1, 2023 to August 31, 2024 \$5,055.00 plus HST for the period of September 1, 2024 to August 31, 2025 \$5,810.00 plus HST for the period of September 1, 2025 to August 31, 2026				
Term:	Five (5) years, commencing on September 1, 2021 and concluding on August 31, 2026				
Options to Renew:	N/A				

Appendix "B"

Location Map

Site Map, Aerial Map

