

**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2024-150

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

Prepared By:	Akhilesh Tekchand	Division:	Corporate Real Estate Management
Date Prepared:	June 28, 2024	Phone No.:	416-648-7061

Purpose	To obtain authority to amend the commencement date of the Long-Term Land Lease dated February 15 <sup>th</sup> , 2022, amended by a Lease Amending Agreement dated July 1 <sup>st</sup> , 2023 (collectively the "Lease") between the City of Toronto (the "Landlord") and Tamil Community Centre (the "Tenant") with respect to part of the south parcel comprising approx. 180,000 square feet of the property municipally known as 311 Staines Road, Toronto (the "Leased Lands") as authorized by City Council on October 27 <sup>th</sup> , 28 <sup>th</sup> and 30 <sup>th</sup> , 2020 and December 15 <sup>th</sup> , 16 <sup>th</sup> and 17 <sup>th</sup> , 2021, in order to design, build, finance and operate a new not-for-profit Community Recreation Facility on the Leased Lands; and to obtain authority for the City to enter into a Short-Term License Agreement with the Tenant for the purposes of hosting a Community Engagement Event on the Leased Lands												
Property	The property municipally known as 311 Staines Road, Toronto, legally described as Part of Lot 12, Concession 4, designated as Parts 9, 10 And 11 On Plan 66R16352, S/E Parts 2, 3 and 4 on Plan 66R19837. S/T An Easement over Part 9, Plan 66R16352 As Set Out In TB120352; S/T a Temporary Easement over Part 10, Plan 66R16352 as set out In Tb120352; T/W A R.O.W. over Parts 12 & 13, Plan 66R16352 for the purpose as described in SC56545; T/WA R.O.W. over parts 7, 8, 14 & 15, Plan 66R16352 for the purpose as described in SC177603. City Of Toronto, formerly City of Scarborough, being part of PIN 06053-3731 LT (the "Property"), as shown on the Location Map in Appendix "B".												
Actions	<div><div>1.</div><div>Authority be granted to amend the Lease with the Tenant, substantially on the major terms and conditions set out below in the "Terms" section, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.</div></div> <div><div>2.</div><div>Authority be granted to enter into a Short-Term Licence Agreement with the Tenant 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 satisfactory to the City Solicitor.</div></div>												
Financial Impact	There is no financial impact to the City. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.												
Comments	<div>Item GL16.8 - October 27, 2020 and Item GL27.11 – December 15 &amp; 16, 2021 authorized the Lease. By authority of DAF 2023-192 the Commencement Date of July 1<sup>st</sup>, 2023 was amended to December 1<sup>st</sup>, 2023. The Tenant requires additional time to explore further opportunities to secure additional funding to support the project, and is requesting that the Commencement Date be further amended to the earlier of the dates set out below in the "Terms" section.</div> <div>The Tenant intends to host a community engagement event on Leased Lands in order to re-engage the community by way of an in-person event, build excitement around the project and upcoming fundraising initiatives, on or about July 14<sup>th</sup>, 2024. A Licence Agreement is required as the permitted use in the Lease is for construction and use of the Community Centre, whereas the Tenant requires use of the Leased Lands for a Community Engagement Event, including food served by Food Trucks.</div>												
Terms	<div>The Tenant is requesting that the Lease commencement date be amended to the earlier of: (i) The date of application for any planning approvals for the Property; (ii) The date of application for any building permit for the Property; and (iii) July 15<sup>th</sup>, 2024</div> <div>See Appendix "A" for terms of License Agreement.</div> <div>City Staff consider the request for an amended Lease commencement date by a non-profit organization to be reasonable, and recommend that it be approved.</div>												
Property Details	<table><tr><td>Ward:</td><td>25 – Scarborough - Rouge Park</td></tr><tr><td>Assessment Roll No.:</td><td>1901 126 330 01001</td></tr><tr><td>Approximate Size:</td><td></td></tr><tr><td>Approximate Area:</td><td>16,722 m<sup>2</sup> (1,80,000 ft<sup>2</sup>)</td></tr><tr><td>Other Information:</td><td></td></tr></table>			Ward:	25 – Scarborough - Rouge Park	Assessment Roll No.:	1901 126 330 01001	Approximate Size:		Approximate Area:	16,722 m <sup>2</sup> (1,80,000 ft <sup>2</sup> )	Other Information:	
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Other Information:													

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></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><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input checked="" 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></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><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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; 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**B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Councillor Jennifer McKelvie	Councillor:	
Contact Name:	Charrissa Klander	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 concerns	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Financial Planning	Division:	
Contact Name:	Ciro Tarantino	Contact Name:	
Comments:	Concurred	Comments:	

**Legal Services Division Contact**

Contact Name:	Soo Kim Lee (concurred)
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DAF Tracking No.: 2024-150	Date	Signature
Recommended by: Manager, Real Estate Services Jennifer Kowalski	July 9, 2024	Signed by Jennifer Kowalski
Recommended by: Director, Real Estate Services Alison Folosea	July 10, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management <input checked="" type="checkbox"/> Approved by: Patrick Matozzo	July 10, 2024	Signed by Patrick Matozzo
<input type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore		

**Appendix "A"****Short-Term License: Major Terms and Conditions**

Licensed Area:	The entire Leased Lands
Licence Fee:	Two (\$2.00)
Term:	One (1) day, on or about July 14, 2024
Option to Renew:	Not applicable
Use:	Licensee / Tenant to conduct a Community Engagement Event open to the public, including provision / sale of BBQ food, Food Trucks serving food, music, poetry, handing out swag (distribute promotional items /merchandise)
Insurance:	Insurance as required by the Lease; OR insurance as required by City Risk Management
Security:	Four (4) qualified persons to provide security, at Licensee's sole expense
Parking Area:	Part of the Licensed Area may be used for parking.

## Appendix "B"

## Location Map



## Reference Plan 66R-16352

