

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-173

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	July 4 <sup>th</sup> 2024	Phone No.:	416-392-1167
<b>Purpose</b>	To obtain authority to enter into a lease agreement (the " <b>Agreement</b> ") with Rogers Media Inc (the " <b>Tenant</b> ") for certain premises in the City Hall Press Gallery solely for the purpose of office use and broadcasting.		
<b>Property</b>	Part of the property municipally known as 100 Queen Street West, Toronto and commonly referred to as City Hall, as shown cross-hatched in red and labelled "680 News" on the sketch attached hereto as Appendix "B", comprising approximately 136 sq. ft. (the " <b>Premises</b> ").		
<b>Actions</b>	1. Authority be granted to enter into the Agreement with the Tenant, substantially on the terms and conditions set in Appendix A, and including such other amended terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
<b>Financial Impact</b>	<p>The Tenant shall pay additional rent which consists of the Tenant's proportionate share of operating costs plus realty taxes, as outlined in Appendix "A". The lease arrangement will be cost neutral for the City, having no budgetary impact.</p> <p>The total revenue for the 10-year term is \$71,011.51 (including HST), of which \$37,694.80 is related to the 5-year extension from January 2024 to December 2028. All 2024 revenue will be directed to cost center FA1406. Future year revenue will be referred to the City's annual budget process and will be included as part of the 2025 and future year budget submissions for consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>At its meeting on October 27, 28, and 30, 2020, City Council adopted Item 2020.GL 16.11, authorizing a new lease with the Tenant for a term of five (5) years with an option to extend for an additional term of five (5) years. The Tenant has occupied the Premises since January 1, 2019 and has communicated to the City its desire to exercise its option to extend for a further five (5) year term. The Tenant continues to occupy the Premises at the date of execution.</p> <p>The proposed rent and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of the terms set out in Item 2020.GL 16.11 which was authorized by City Council on October 27, 28, and 30.</p>		
<b>Terms</b>	See Appendix "A"		
<b>Property Details</b>	<b>Ward:</b>	10– Spadina-Fort York	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	(136 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:	Ausma Malik	Councillor:	
Contact Name:	Ausma Malik	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:	<b>Corporate Real Estate Management</b>	Division:	<b>Financial Planning</b>
Contact Name:	Alison Folosea	Contact Name:	Ciro Tarantino
Comments:	No Objection	Comments:	Has provided comment

**Legal Services Division Contact**

Contact Name: Gloria Lee

DAF Tracking No.: 2024-173	Signature
Concurred with by: Manager, Real Estate Services	
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Niall Robertson</b> <input type="checkbox"/> Approved by:	Signed by Niall Robertson on July 11, 2024
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	Signed by Alison Folosea on July 11, 2024

**Major Terms and Conditions****Leased Premises:**

Part of the City Hall Press Gallery located at 100 Queen Street West, Toronto, Ontario, comprising approximately 136 sq. ft. as shown cross-hatched in red and labelled "680 News" in the sketch attached hereto as Appendix "B".

**Basic Rent:** \$2.00 plus HST for the term

**Additional Rent:**

<b><u>Year</u></b>	<b><u>Proportionate Share of Operating Costs</u></b>	<b><u>Realty Taxes</u></b>	<b><u>Total yearly (HST Inclusive)</u></b>	<b><u>Monthly Payments</u></b>
<b>Initial Term</b>				
<b>2019</b>	\$3,950.84	\$2,387.56	\$6,338.40	\$528.20
<b>2020</b>	\$4,049.61	\$2,447.25	\$6,496.86	\$541.41
<b>2021</b>	\$4,150.85	\$2,508.43	\$6,659.28	\$554.94
<b>2022</b>	\$4,254.62	\$2,571.14	\$6,825.76	\$568.81
<b>2023</b>	\$4,360.99	\$2,635.42	\$6,996.41	\$583.03
<b>Sub-total</b>	<b>\$20,766.91</b>	<b>\$12,549.80</b>	<b>\$33,316.71</b>	
<b>Extension</b>				
<b>2024</b>	\$4,470.01	\$2,701.31	\$7,171.32	\$597.61
<b>2025</b>	\$4,581.76	\$2,768.84	\$7,350.60	\$612.55
<b>2026</b>	\$4,696.31	\$2,838.06	\$7,534.37	\$627.86
<b>2027</b>	\$4,813.71	\$2,909.01	\$7,722.72	\$643.56
<b>2028</b>	\$4,934.06	\$2,981.74	\$7,915.79	\$659.65
<b>Sub-total</b>	<b>\$23,495.85</b>	<b>\$14,198.96</b>	<b>\$37,694.80</b>	
<b>Total</b>	<b>\$44,262.76</b>	<b>\$26,748.76</b>	<b>\$71,011.51</b>	

The Tenant's proportionate share of the shared office space within the Press Gallery is 4.6% or approximately 40 sq. ft. and the Tenant's proportionate share of the common areas within City Hall is 0.241% or approximately 64 sq. ft.

**Term:**

The original term was for a period of five (5) years, commencing on January 1, 2019 and expiring on December 31, 2023 with an option to extend for a further five (5) year term. The Tenant has communicated to the City that it intends to exercise the option to extend, extending the term for an additional five (5) years to commence on January 1, 2024 and expire on December 31, 2028.

**Insurance:**

- (a) "All Risks" insurance in an amount not less than the full replacement cost;
- (b) General liability and property damage insurance with coverage for any one occurrence or claim of not less than two million dollars (\$2,000,000.00) or such higher limits as the City may reasonably require; and
- (c) such other form of insurance as the City may require from time to time.

**Early Termination:**

Both parties have the right to terminate the lease upon providing the other party 60 days' prior writing notice.

