

DELEGATED APPROVAL FORM
DIRECTOR, REAL ESTATE SERVICES
MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-129

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

Prepared By:	Shernaz Writer	Division:	Corporate Real Estate Management										
Date Prepared:	May 22, 2024	Phone No.:	(416) 392-7614										
Purpose	To obtain authority to enter into a sublease agreement (the “ Agreement ”) with JuMa sset Management Inc. (the “Sublandlord”) with respect to the property municipally known as 45 Sheppard Ave. East, Unit No. 919, Toronto for the purpose of Toronto Employment and Social Services (TESS) – Family Support Unit (FSU) use of general administration workspace for their frequent work with the courts at 47 Sheppard Ave. E.												
Property	The premises known as Office 19, located on the ninth floor of the property municipally known as 45 Sheppard Avenue East, Toronto (the "Premises") legally described as Part of Block A Plan 2090, Designated as part 1 on Plan 64R15615 subject to easements as shown on the Location Map and interior photo in Appendix "B".												
Actions	1. Authority be granted to enter into the Agreement with sublandlord for the Premises, 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.												
Financial Impact	<p>The total cost to the City for the initial term of one (1) year is approximately \$15,600.00 plus HST.</p> <p>Funding is available in the 2024 Approved Operating Budget for Toronto Employment & Social Services and will be accommodated for in future budgets (under cost center C01242 - GL 4525 for 2024 Operating Budget).</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>												
Comments	<p>TESS – Family Support Unit requires a satellite office in proximity to the North York Court. The satellite office provides workspace for TESS employees to perform work related to court hearings for TESS clients. The satellite office space also provide a private and confidential space to consult with TESS clients, and to complete administrative duties for court proceedings in a timely manner.</p> <p>The request for satellite office is a client-servicing field office and community infrastructure excluded from the ModernTO office portfolio.</p> <p>The proposed base rent and major terms and conditions of the Agreement are considered to be fair, reasonable, and reflective of market rents.</p>												
Terms	Major terms and conditions can be found on page Appendix "A" of this form.												
Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>18 – Willowdale</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>1908-09-1-150-00700</td> </tr> <tr> <td>Approximate Size:</td> <td></td> </tr> <tr> <td>Approximate Area:</td> <td>180 sq. ft.</td> </tr> <tr> <td>Other Information:</td> <td>New Lease</td> </tr> </table>			Ward:	18 – Willowdale	Assessment Roll No.:	1908-09-1-150-00700	Approximate Size:		Approximate Area:	180 sq. ft.	Other Information:	New Lease
Ward:	18 – Willowdale												
Assessment Roll No.:	1908-09-1-150-00700												
Approximate Size:													
Approximate Area:	180 sq. ft.												
Other Information:	New Lease												

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:	Lily Cheng	Councillor:	
Contact Name:	Sara Hildebrand	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <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:	Informed	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Employment & Social Services	Division:	Financial Planning
Contact Name:	Jeff Parkovnick	Contact Name:	Ciro Tarantino
Comments:	Concurred	Comments:	Concurred

Legal Services Division Contact

Contact Name:	Jay Gronc
---------------	-----------

DAF Tracking No.: 2024- 129	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	Signed by Niall Robertson on July 11, 2024
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	Signed by Jennifer Kowalski on July 11, 2024
<input checked="" type="checkbox"/> Approved by:	
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	

Appendix "A"

Major Terms and Conditions

Sublandlord:	JuMa Asset Management Inc.
Owner/Landlord:	LEV NYC INC.
Tenant:	City of Toronto
Subleased Premises:	180 square foot exterior office (Office # 19 is a private office within Suite 900 premises) within the premises known municipally as 45 Sheppard Avenue East
Rent:	Fifteen thousand six hundred dollars (\$15,600) per annum, plus HST, payable in monthly installments of one thousand three hundred dollars (\$1300.00), plus HST per month.
Additional rent:	NIL
Term:	One (1) year, commencing July 1, 2024 and expiring June 30, 2025.
Options to Renew:	Provided that the Tenant is not in default beyond any applicable curing period under the Agreement, the Tenant shall have one (1) option to extend the Agreement for a period of one (1) year, upon delivering a written notice to the sublandlord, not less than three (3) months in advance of the expiry of the Term. The extended term shall be on the same terms and conditions as the original Term, except Rent shall be at fair market value and there will be no further right of extension.
Use:	Toronto Employment and Social Services (TESS) – Family Support Unit (FSU) use of the workspace for their frequent work with the courts at 47 Sheppard Ave. E.
Insurance:	Sublandlord and the Tenant are both to take out and maintain Commercial General Liability Insurance of not less than \$2,000,000.00 per occurrence
Early Termination:	The Sublandlord and the Tenant have the option to terminate the Agreement with 3 months' written notice.
Municipal Capital Facility:	The Landlord/Owner acknowledges that the Tenant has the right to request the City Council to exempt the Premises from taxation for municipal and school purposes under section 252 of the City of Toronto Act, 2006 and O. Reg. 598/06 and has agreed to pass the full benefit of such exemption to the Tenant during the period of the exemption.
Other inclusions:	<ul style="list-style-type: none"> • Complimentary use of any of the four meeting rooms on the 9th floor, booked on an availability basis. • Furnished with at least two desks and chairs. • Shared kitchen with a fridge, microwave, water cooler and microwave. • Utilities and nightly cleaning.

Appendix "B"

Location Map

