

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-179

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

Prepared By:	Joanna Mysak	Division:	Corporate Real Estate Management										
Date Prepared:	July 16, 2024	Phone No.:	416-338-0405										
Purpose	To obtain authority to enter into a licence amending agreement (the "Licence Agreement") to amend the crane swing licence made as of May 29, 2024 with 1 Delisle Ave. L.P. (the "Licensee") with respect to part of the property municipally known as 30 St. Clair Avenue West, Toronto by extending the Term thereof and resulting fee as set out in the "Terms" section below.												
Property	Part of the lands municipally known as 30 St. Clair Avenue West, Toronto, such part being legally described as Part of Lots 15 & 18, Plan 365, designated as PART 1, Plan 66R-33229; City of Toronto, being part of PIN 21190-0001(LT) (the "Property"). The general location of the Property is shown on the Location Map attached as Appendix "A". The Property consists of a stratified parcel having a lower horizontal boundary approximately at grade and is located above an underground parking garage structure owned by 30 St. Clair West Inc. The area of the Property being licensed for crane swing purposes is shown hatched in red on the diagram attached as Appendix "B".												
Actions	1. Authority be granted to enter into the Licence Agreement substantially on the major terms and conditions set out below 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 revenue for the extended term is \$38,446.53. The City will receive total revenues of \$169,036.53 (plus HST and applicable taxes) over the thirty-one (31) months and two (2) day term of the Crane Swing Licence, payable monthly.</p> <p>Revenue to be remitted to the City for each fiscal year (plus HST and applicable taxes) is as follows:</p> <ul style="list-style-type: none"> a) \$38,446.53 in 2024 b) \$65,295.00 in 2025 c) \$65,295.00 in 2026 <p>Revenue will be directed to the 2024 Operating Budget submission for Parks Forestry and Recreation (PFR) under cost center P12642, and will be included in future year operating budget submissions, for Council consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>												
Comments	<p>DAF 2024-113 authorized the original crane swing licence (May 29, 2024) for a two year term. The Licensee requested that the term be amended to expire December 31, 2026, which will result in an increased licence fee being payable.</p> <p>The proposed licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>												
Terms	<ol style="list-style-type: none"> 1. Section 1 of the Crane Swing Agreement is amended by replacing "24 months" with "31 months and 2 days". 2. Section 4 of the Crane Swing Agreement is amended by replacing "\$130,590.00" with "\$169,036.53". 												
Property Details	<table border="1"> <tr> <td>Ward:</td><td>12 - Toronto-St. Paul's</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td></td></tr> <tr> <td>Approximate Area:</td><td>652 square metres</td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>	Ward:	12 - Toronto-St. Paul's	Assessment Roll No.:		Approximate Size:		Approximate Area:	652 square metres	Other Information:			
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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 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>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:	Councillor Josh Matlow	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone x E-Mail Memo Other	Contacted by:	Phone E-mail Memo Other
Comments:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	PFR	Division:	Financial Planning
Contact Name:	Alex Deighan	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name:	Mark Zwegers
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DAF Tracking No.: 2024-179**Date****Signature**

☒ Recommended by: **Manager, Real Estate Services**
Jennifer Kowalski

August 7, 2024

Signed by Jennifer Kowalski

☐ Approved by:

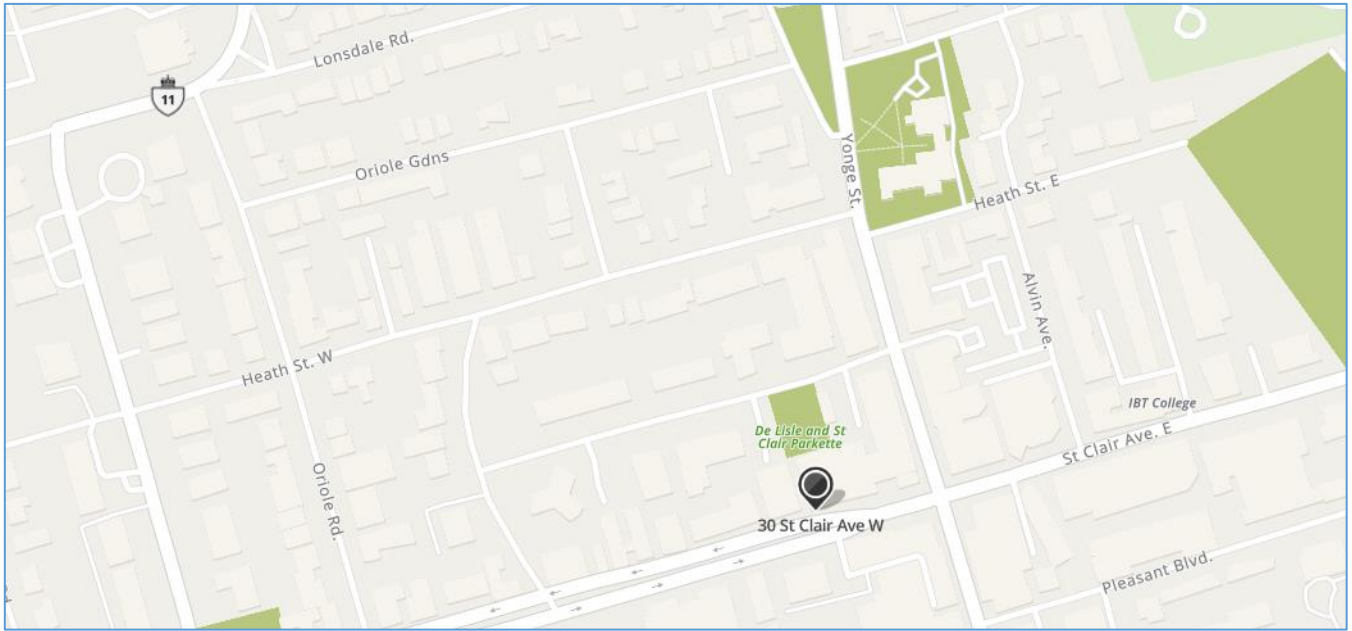
☒ Approved by: **Director, Real Estate Services**
Alison Folosea

August 7, 2024

Signed by Alison Folosea

Appendix "A"

Location Map



Appendix "B"

Crane Swing Area

