

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-238

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	September 18, 2024	Phone No.:	(416) 397-7481
Purpose	To obtain authority to enter into a lease amending agreement with Crosslinx Transit Solutions Constructors, a general partnership of EllisDon Civil Ltd., Dragados Canada, Inc., SNC-Lavalin Constructors (Pacific) Inc. and Aecon Infrastructure Management Inc. (the "Tenant") with respect to the property municipally known as 2444 Eglinton Avenue East, Toronto (the "Lease Amending Agreement").		
Property	Part of the property municipally known as 2444 Eglinton Avenue East, Toronto, legally described as Pt Lt 15 Plan 1702 as in SC215571; Pts 2 & 4 Expropriation Plan 9510; SC370468; SC467520; SC458512, SC202197; SC259190 "Description in SC202197 & SC259190 may not be acceptable in future" Scarborough, City of Toronto, being part of PIN 06347-0371 (LT), as shown on the location map in Appendix "A" and shown on the site plan in Appendix "B" as Part 1 for vehicular parking and Part 2 for office use (the "Leased Premises").		
Actions	1. Authority be granted to enter into the Lease Amending Agreement with the Tenant, substantially on the terms and conditions set out herein, and such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
Financial Impact	There is no financial impact.		
Comments	<p>In June 2021, the City entered into a lease agreement (the "Lease Agreement") with the Tenant, authorized by DAF No. 2021-165, granting use of the Leased Premises for a term of one (1) year with two (2) options to extend for a further period of six (6) months each. The term expired on June 22, 2022 and the Tenant exercised its two options to extend for six months each until June 22, 2023. By way of a series of delegated approvals, the most recent been DAF 2024-202, the term was extended until October 31, 2024.</p> <p>2444 Eglinton Avenue East is a Phase 2 Housing Now affordable housing site. Geotechnical is required on the site to support the pre-development work and advance on towards construction. The Tenant has consented to temporarily remove the area required for environmental borehole drilling from the Leased Agreement for a period of eleven (11) days.</p>		
Terms	<p>The Lease Amending Agreement will include the following major terms and conditions:</p> <ol style="list-style-type: none"> The areas shown in red and labelled as Part 3 and 4 in the site plan shown in Appendix "B" attached, comprising approximately nine (9) sq. m. each, will be removed from the Lease Agreement from September 19, 2024 to September 29, 2024. The City, its employees, agents and licensees shall have access rights over the Leased Premises to access Parts 3 and 4 upon providing the Tenant with twenty-four (24) hours' prior written notice. The Tenant shall not be responsible for any damage to Parts 3 and 4 unless such damage is caused by their negligence or misconduct. 		
Property Details	Ward:	21 – Scarborough Centre	
	Assessment Roll No.:		
	Approximate Size:	3 m x 3 m ± (10 ft x 10 ft ±) x 2 boreholes	
	Approximate Area:	18 m ² ± (195 ft ² ±)	
	Other Information:	N/A	

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 checked="" 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 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:	Michael Thompson	Councillor:	
Contact Name:	Keisha Francis	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	CreateTO	Division:	Financial Planning
Contact Name:	Jason Chen, Vice President, Development	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	N/A

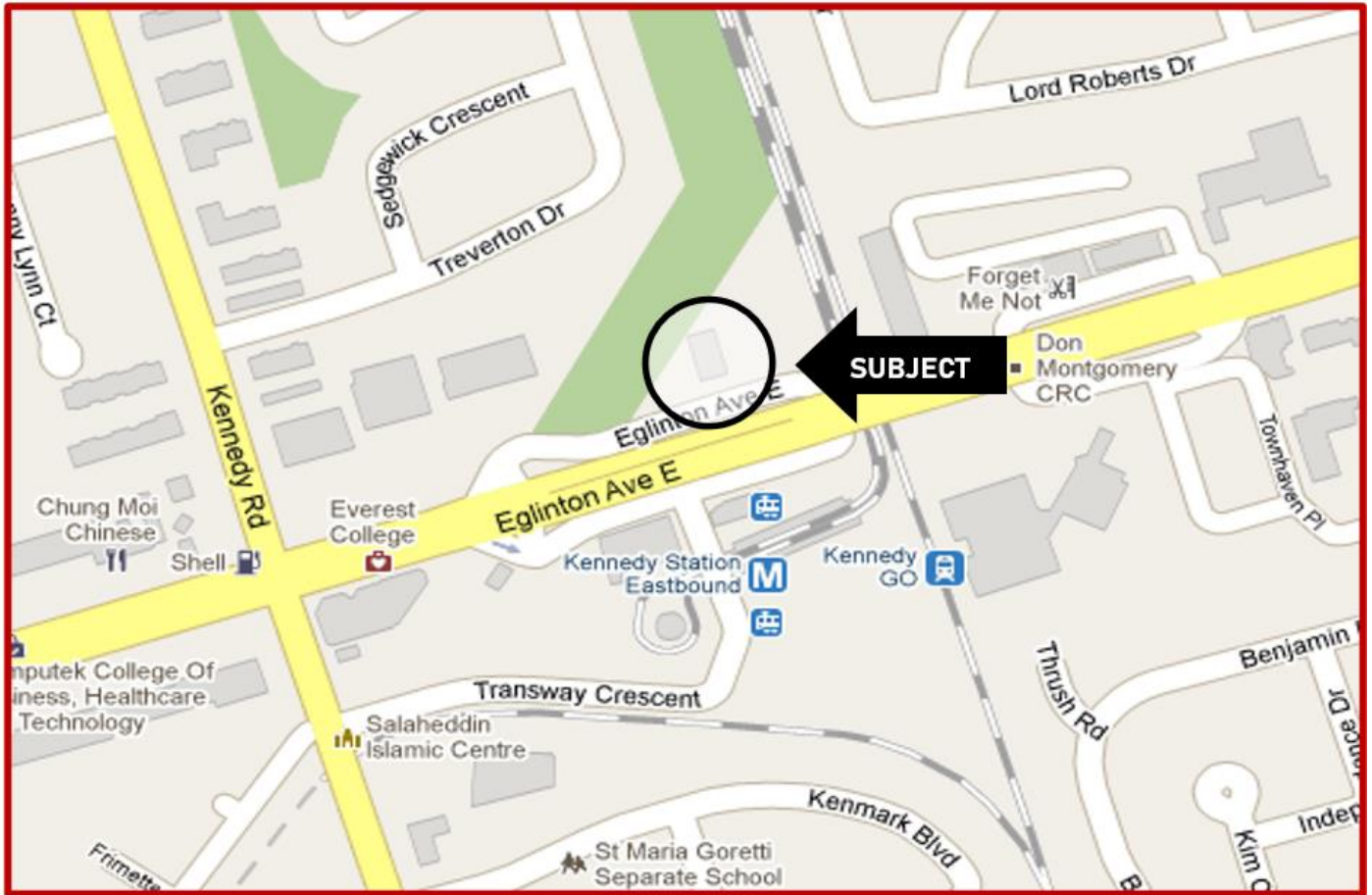
Legal Services Division Contact

Contact Name: Gloria Lee

DAF Tracking No.: 2024-236		Date	Signature
Concurred with by:	Manager, Real Estate Services Niall Robertson	Sept. 18, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by:	Manager, Real Estate Services Vinette Prescott-Brown	Sept. 18, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:			
<input type="checkbox"/> Approved by:	Director, Real Estate Services Alison Folosea		X

Appendix "A"

Location Map



Appendix "B" Site Plan

