

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

TRACKING NO.: 2024-293

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	November 19, 2024	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a licence agreement with Woodbine Entertainment Group (the "Licensor") with respect to part of the property municipally known as 555 Rexdale Boulevard, Toronto for the purpose of operating bus service and para-transit service and to install and maintain Toronto Transit Commission stop poles (the "Licence Agreement").
Property	The property municipally known as 555 Rexdale Boulevard, Toronto, as shown on the Location Map in Appendix "B" (the "Property").
Actions	1. Authority be granted to enter into the Licence Agreement with the Licensor, 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	There is no material financial implication resulting from the approval of this DAF. The cost to the Toronto Transit Commission (TTC) to enter into the license agreement is for nominal consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	The Property will be used by the Toronto Transit Commission to provide bus and Wheel-Trans service to the businesses on site. Parts of the Property are under a lease with Ontario Gaming GTA Limited Partnership (the "Tenant"). The proposed license fee and other major terms and conditions of the Licence agreement are considered to be fair, reasonable and reflective of market rates.
Terms	See Appendix "A"

Property Details	Ward:	1 – Etobicoke North
	Assessment Roll No.:	191904448000203, 191904448000203, and 191904448000217
	Approximate Size:	
	Approximate Area:	
	Other Information:	

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/REOIs:</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 checked="" 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/REOIs.</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:	Vincent Crisanti	Councillor:	
Contact Name:	Vincent Crisanti	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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Transit Commission	Division:	Financial Planning
Contact Name:	Jack Reisman	Contact Name:	Ciro Tarantino
Comments:	No concerns	Comments:	No concerns

Legal Services Division Contact

Contact Name:	Amna Shakil
---------------	-------------

DAF Tracking No.: 2024-293	Date	Signature
Concurred with by: Acting Manager, Real Estate Services Leila Valenzuela	Nov. 22, 2024	Signed by Leila Valenzuela
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	Nov. 22, 2024	Signed by Niall Robertson
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"

Major Terms and Conditions

Leased Premises/Licensed Area: Part of 555 Rexdale Boulevard, Toronto

Rent/Licence Fee: Nominal. \$10.00 License Fee, payable on the first day of the term.

Term: 10 years commencing January 5, 2025 and expiring January 4, 2034

Options to Renew: None.

Use: For the purpose of loading and unloading passengers for the operation of a bus service and a para-transit service known as Wheel-Trans either directly or through a contract operator; and to enter upon and for the non-exclusive access to the Licensed Area, together with all necessary and convenient vehicles, supplies, machinery, gear and equipment, and to facilitate the installation and maintenance of the TTC stop poles.

Insurance:

- (1) The City at all times during the Term, shall maintain, or cause to be maintained, at its sole cost and expense Comprehensive General Liability insurance, including motor vehicle liability insurance and contractual liability insurance, on an occurrence basis, against claims for personal or bodily injury, death, or property damage suffered by others arising in connection with the activities of the Licensee and the Licensee's Representatives, and which amount shall not be less than Five Million Dollars (\$5,000,000.00) per occurrence. The Comprehensive General Liability policy shall name the Licensor as an additional insured and include provisions for cross-liability and severability of interest.
- (2) The Licensor agrees that the City may elect and shall have the right to self-insure and, if so, will be deemed to have satisfied its obligations.
- (3) The Licensor shall, at its own cost and expense, obtain and maintain, or cause to be obtained and maintained, in force for the Term, a policy of insurance from a reputable insurance provider, in respect of the Licensor's Property (including the Licensed Area), against fire and such other perils as are normally insured against in the circumstances by prudent owners of similar buildings and lands, issued by an insurance company licensed to carry on business in Ontario.
- (4) The Tenant shall, at its own cost and expense, obtain and maintain, or cause to be obtained and maintained, in force for the Term, a policy of insurance from a reputable insurance provider, in respect of that portion of the Licensed Area occupied by the Tenant, against fire and such other perils as are normally insured against in the circumstances by prudent owners of similar buildings and lands, issued by an insurance company licensed to carry on business in Ontario.

Appendix "B"

Location Map

