

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-325

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

Prepared By:	Rocchina Zambri	Division:	Corporate Real Estate Management
Date Prepared:	December 18, 2024	Phone No.:	416-338-2995
<b>Purpose</b>	To obtain authority to enter into a licence extension agreement with Morguard Corporation (the "Licensor") with respect to the property municipally known as 45 Overlea Blvd., Toronto, for the purpose of the continued operation of a Toronto Transit Commission Wheel-Trans access hub (the "Licence Extension Agreement").		
<b>Property</b>	Part of the property located on the south-west corner of Overlea Boulevard and Thorncliffe Park Drive with a municipal address of 45 Overlea Boulevard and legally described as Parcel A-1, Section M778; Block A on Plan M778 East York Except Parts 1 to 5 on 66R-14766; subject to Part 1 on 66R-14477 as in C261589; VT Part of Block A on Plan M736, over Pads 4, 5, 6,10,11,12,13,14 & 15 on 66R-14766 as in C440793; Toronto; subject to an easement over Parts 12, 14, 15 and 16 on Plan 66R-25956 in favour of Part of Block N on Plan M736 East York Part 2, R375 as in AT3008412; subject to an easement in gross over Parts 12, 13 and 15 on 66R-25956 as in AT3545544; City of Toronto being all of PIN: 10372-0134 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, as shown in Appendix "A".		
<b>Actions</b>	1. Authority be granted to enter into the Licence Extension Agreement with the Licensor for the use of the Property, 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.		
<b>Financial Impact</b>	<p>The total cost to the City for the 5 year extension term is \$15,000.00 per year or \$15,264.00 (net of HST recoveries)</p> <p>Funding is available in the 2024 Council Approved Operating Budget for TTC Operating Budget account 430 0200.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>The City entered into a licence agreement with Revenue Properties Company Limited in 2019 for use of the Property, authorized by DAF No. 2019-272, for a term of five (5) years and four (4) months commencing October 1, 2019 and expiring January 31, 2025. Revenue Properties Company Limited amalgamated with the Licensor by way of Certificate of Amalgamation dated January 1, 2024 and continued as the owner. The City and the Licensor have agreed to extend the term for a period of five (5) years commencing on February 1, 2025 and expiring on January 31, 2030. All the major terms and conditions remain the same as the original licence, except for the licence fee.</p> <p>The proposed Licence Extension Agreement fee and other major terms and conditions are considered to be fair, reasonable and reflective of market value.</p>		
<b>Terms</b>	<p><b>Term:</b> 5 years.</p> <p><b>Licence Fee:</b> \$15,000 plus HST per year.</p> <p><b>Termination:</b> Both the Licensor and the City have the option to terminate the licence by providing a six (6) months' written notice.</p>		
<b>Property Details</b>	<b>Ward:</b>	15 – Don Valley West	
	<b>Assessment Roll No.:</b>	n/a	
	<b>Approximate Size:</b>	Irregular	
	<b>Approximate Area:</b>	283.44 m <sup>2</sup>	
	<b>Other Information:</b>	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 &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 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 checked="" 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:	Rachel Chernos Lin				Councillor:				
Contact Name:	Rachel Chernos Lin				Contact Name:				
Contacted by:	Phone	<input checked="" 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:	<b>Financial Planning</b>			
Contact Name:	Daneil Spalvieri				Contact Name:	Ciro Tarantino			
Comments:	Concur				Comments:	Concur			

**Legal Services Division Contact**

Contact Name:	Amna Shakil			
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DAF Tracking No.: 2024-325		Date	Signature
<input checked="" type="checkbox"/> Recommended by:	Manager, Real Estate Services Vinette Prescott-Brown	Dec. 19, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:			
<input checked="" type="checkbox"/> Approved by:	Director, Real Estate Services Alison Folosea	Dec. 20, 2024	Signed by Alison Folosea

## Appendix "A"

### Location Map & Sketch

