



**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2025-073

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management										
Date Prepared:	February 28, 2025	Phone No.:	(416) 338-3207										
<b>Purpose</b>	To obtain authority to enter into a lease agreement with Makeway Charitable Society c.o.b. East Scarborough Storefront (the "Tenant") with respect to the property municipally known as 4040 Lawrence Avenue East, Toronto for the purpose of providing non-profit social and community services under the Community Space Tenancy ("CST") Policy (the "Lease Agreement").												
<b>Property</b>	The property municipally known as 4040 Lawrence Avenue East, Toronto, legally described as Part of Lot 13 Concession 1 as in SC298453 Except Parts 1 & 3 on Plan 64R2294, City of Toronto, being all of PIN 062470331, (the "Property"), as shown on the Location Map in Appendix "B". The leased premises is comprised of the building and lands shown as Part 1 on the Sketch attached as Appendix "C" (the "Leased Premises").												
<b>Actions</b>	1. Authority be granted to enter into the Lease Agreement with the Tenant, 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.												
<b>Financial Impact</b>	<p>The Lease Agreement is for nominal consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Comments</b>	<p>By adoption of Item No. GM 33.9 on August 25, 2010, City Council granted authority to enter into a below-market rent lease with Tides Canada Initiatives Society ("Tides"). Tides changed its name and is now the Tenant.</p> <p><b>City Council Decision</b> - City Council on November 7, 8 and 9, 2017, adopted the following Item No, EX28.8:</p> <ol style="list-style-type: none"> <li>City Council adopt the Community Space Tenancy Policy as set out in Appendix A to the report (October 6, 2017) from the Deputy City Manager, Internal Corporate Services and the Executive Director, Social Development, Finance and Administration, to come into effect on January 1, 2018.  <a href="https://secure.toronto.ca/council/agenda-item.do?item=2017.EX28.8">https://secure.toronto.ca/council/agenda-item.do?item=2017.EX28.8</a></li> </ol> <p><b>City Council Decision</b> - City Council on June 29, 2020, adopted the following Item No, GL12.7:</p> <ol style="list-style-type: none"> <li>City Council amend the Community Space Tenancy Policy to delegate authority to the Deputy City Manager, Corporate Services, in consultation with the Executive Director, Social Development, Finance and Administration and/or the Division Head responsible for the tenants' programs to approve initial Community Space Tenancy leases with respect to each of the existing Below Market Rent Policy tenants identified in Appendix 1 to the report (February 21, 2020)  <a href="https://secure.toronto.ca/council/agenda-item.do?item=2020.GL12.7">https://secure.toronto.ca/council/agenda-item.do?item=2020.GL12.7</a></li> </ol> <p>The proposed rent and other major terms and conditions of the Lease Agreement are considered to be fair, reasonable and in compliance with the CST Policy.</p>												
<b>Terms</b>	Please see Appendix "A"												
<b>Property Details</b>	<table border="1"> <tr> <td><b>Ward:</b></td><td>24 – Scarborough-Guildwood</td></tr> <tr> <td><b>Assessment Roll No.:</b></td><td>190109201001600</td></tr> <tr> <td><b>Approximate Size:</b></td><td>134.93 ft x 150.21 ft x 24.84 ft x 300.21 ft x 159.91 ft x 149.94 ft</td></tr> <tr> <td><b>Approximate Area:</b></td><td>3,296 m2 (35,478 ft²)</td></tr> <tr> <td><b>Other Information:</b></td><td>N/A</td></tr> </table>			<b>Ward:</b>	24 – Scarborough-Guildwood	<b>Assessment Roll No.:</b>	190109201001600	<b>Approximate Size:</b>	134.93 ft x 150.21 ft x 24.84 ft x 300.21 ft x 159.91 ft x 149.94 ft	<b>Approximate Area:</b>	3,296 m2 (35,478 ft²)	<b>Other Information:</b>	N/A
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<b>Other Information:</b>	N/A												

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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 &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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input checked="" type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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; 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**B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Paul Ainslie	Councillor:	
Contact Name:	Antonette DiNovo	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:	No Objections	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	SDFA	Division:	Financial Planning
Contact Name:	Daniel Bondi	Contact Name:	Ciro Tarantino
Comments:	Concurred	Comments:	Comments Incorporated

**Legal Services Division Contact**

Contact Name:	Bronwyn Atkinson
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DAF Tracking No.: 2025-073	Date	Signature
Recommended by: Manager, Real Estate Services Josie Lee	Mar 3, 2025	Signed by Josie Lee
Recommended by: Director, Real Estate Services Alison Folosea	Mar 3, 2025	Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management Patrick Matozzo	Mar 7, 2025	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore	Mar 13, 2025	Signed by David Jollimore

## Appendix “A”

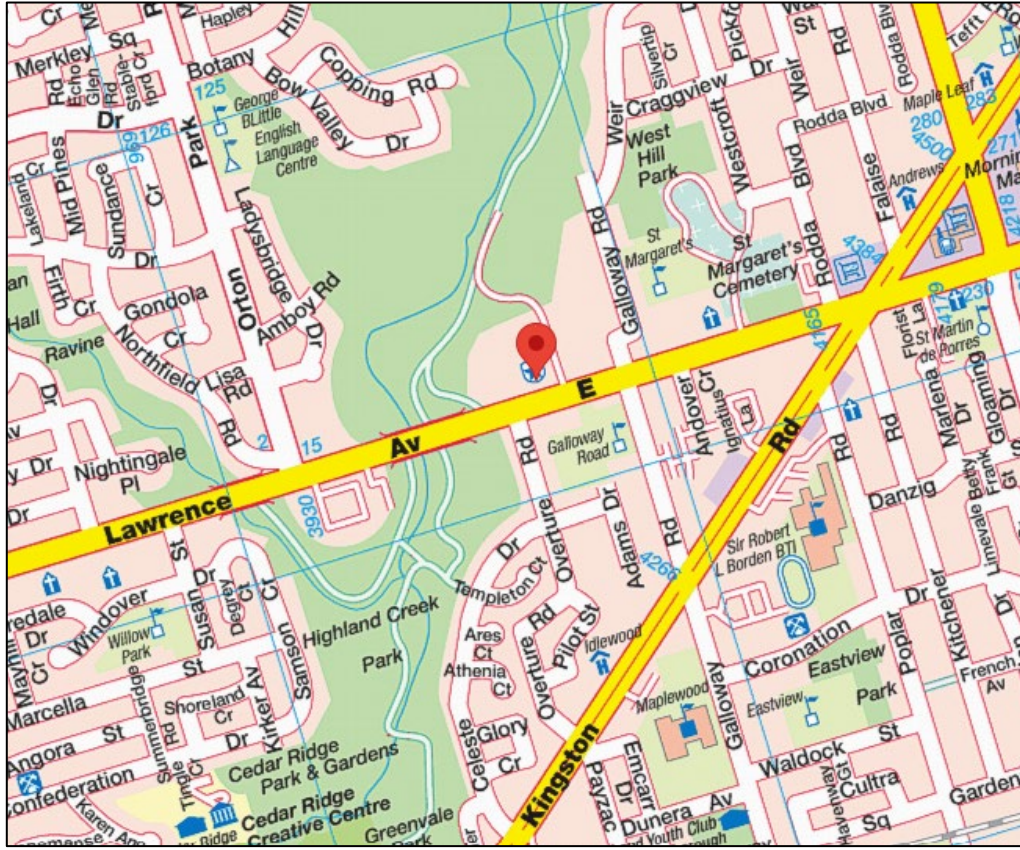
### Terms and Conditions

<b>Leased Premises</b>	The building and lands as shown as Part 1 on Schedule “B”, comprising approximately 35,478 ft <sup>2</sup> of land area, and 7,707 ft <sup>2</sup> of building gross floor area.
<b>Basic Rent</b>	\$2 plus HST per annum, totaling \$10 plus HST for the Term payable up front upon lease execution.
<b>Additional Rent</b>	Any applicable realty taxes, all operating costs and all charges, costs, accounts and other sums payable in respect of utilities, services and general maintenance to the Leased Premises.
<b>Term</b>	Five years from April 1, 2025 – March 31, 2030
<b>Use</b>	Provision of community programs and services such as settlements, youth support, legal advice, recreation, employment etc. as more particularly set out in the Service Agreement between the City and the Tenant relating to the Tenant's use of the Leased Premises
<b>Community Space Tenancy Policy</b>	The tenant acknowledges that the City has entered into this Agreement on the express condition that the Tenant will at all times during the Term be eligible under and comply with the Policy
<b>Indemnity</b>	The Tenant shall indemnify and save harmless the City from and against and all manner of actions, claim, charges, costs, damages, demands, expenses, losses and other proceedings whatsoever in connection with any work done for the Tenant at or on the Leased Premises.
<b>Insurance</b>	Commercial General Liability Insurance protecting the Landlord and the Tenant against liability for bodily and personal injury and for damage to or destruction of property by reason of any occurrence or accident in, on or about the Leased Premises, including legal liability, with liability coverage in an amount of not less than <b>FIVE MILLION DOLLARS (\$5,000,000.00)</b> per occurrence, or such higher limits as the Landlord from time-to-time request. The City is to be added as an additional insured.
<b>Early Termination</b>	The City has the right to terminate the lease upon 60 days prior written notice



## Appendix "B"

Location Map – 4040 Lawrence Avenue East



No. 4040  
 PART 1 =  
 3,296 sq.m. ±  
 PART 2 =  
 1,158 sq.m. ±

91.4m ±  
 19.3m ±  
 39.2m ±  
 29.4m ±  
 39.0m ±  
 52.4m ±  
 29.9m ±  
 48.7m ±

PARKING  
 PARKING  
 PARKING

CITY

# LAWRENCE AVENUE EAST

PROPERTY INFORMATION SHEET  
 CITY OWNED LAND  
 No. 4040 LAWRENCE AVENUE EAST (PART 1) AND FORMER  
 WEST HILL WATER TOWER PROPERTY (PART 2)

WARD 43 - SCARBOROUGH EAST  
 DATE: DEC. 13, 2006

NOTE:  
 THIS SKETCH HAS  
 BEEN COMPILED FROM  
 OFFICE RECORDS.

NOT TO SCALE

TECHNICAL SERVICES DIVISION  
 SURVEY & MAPPING SERVICES

SKETCH No. PS-2006-089