

**DELEGATED APPROVAL FORM
CHIEF CORPORATE OFFICER
DIRECTOR OF REAL ESTATE SERVICES**

TRACKING NO.: 2016-037

<input checked="" type="checkbox"/> Approved pursuant to the Delegated Authority contained in Executive Committee Item EX43.7 entitled "Delegation of Authority in Certain Real Estate Matters" adopted by City Council on May 11 and 12, 2010. City Council confirmatory By-law No. 532-2010, enacted on May 12, 2010.			
<input type="checkbox"/> Approved pursuant to the Delegated Authority contained in Executive Committee Item EX33.44 entitled "Union Station Revitalization Implementation and Head Lessee Selection" adopted by City Council on August 5 and 6, 2009. City Council confirmatory By-law No. 749-2009, enacted on August 6, 2009.			
Prepared By:	Leila Valenzuela	Division:	Real Estate Services
Date Prepared:	February 17, 2016	Phone No.:	416-392-7174
Purpose	To seek authority to extend a temporary easement agreement with the owner of 354 Strathmore Boulevard for the purposes of constructing and maintaining a walkway between 352 and 354 Strathmore Boulevard for access and passage by the owners and occupants of 352 Strathmore Boulevard (the "Access"), to facilitate the TTC Coxwell Station Easier Access Project (the "Project").		
Property	Part of 354 Strathmore Boulevard, designated as Parts 1 & 2 on Plan 66R-26759 and shown on Appendix "A" (the "Easement Lands").		
Actions	<ol style="list-style-type: none"> To authorize the extension of the temporary easement agreement with Antonio Boscia and Paolo Boscia (the "Owner") for the purposes of the Access on terms substantially set out below; The Chief Corporate Officer, or designate, shall administer and manage the easement agreement including the provision of any consents, approvals, waivers, notices and notices of termination provided that the Chief Corporate Officer, or designate, may at any time refer consideration of such matter to City Council for its determination and direction; and The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto. 		
Financial Impact	The costs associated with the extension easement agreement are \$360.00 plus HST, if applicable; plus related legal, registration expenses and construction costs. Funds are available in the Council Approved 2015 Capital Budget and 2016-2024 Capital Plan within the Easier Access Phase II & III Project. The Deputy City Manager and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.		
Comments	<p>The Project includes the installation of two new elevators to serve the Coxwell Subway Station, one of which will affect the house located at 352 Strathmore Boulevard. Although access to the home of 352 Strathmore Boulevard can be maintained throughout most of the construction period, during short periods while the porch is being removed and then later reconstructed, access to the front door will be restricted.</p> <p>On April 26, 2013, DAF tracking number 2013-007 authorized the City to enter into a temporary easement for the purposes of constructing and maintaining a walkway between 352 and 354 Strathmore Boulevard for access and passage by the owners and occupants of 352 Strathmore Boulevard and for the TTC for access and work respecting the walkway. The original easement commenced on February 15, 2014 with a termination date of February 14, 2016.</p> <p>Construction of the Project is on-going and the Access continues to be required for another one year period. The Owner is agreeable to the City's request for an extension of the original easement over its lands for a new one year easement agreement on the same terms and conditions, save and except any City right to further extend the term past February 14, 2017. Staff consider the terms reasonable and recommend the approval of the transaction.</p>		
Terms	<p>Term: One (1) year commencing on February 15, 2016</p> <p>Termination Right: The City may terminate the agreement upon notice in writing to the Owner, at which point the parties shall be released from all obligations under the agreement</p> <p>Purpose: Installation, maintenance (including clearing of reasonable accumulation of snow or ice) and repair of concrete slab and for ingress and egress by the owner and occupants of 352 Strathmore Boulevard to the rear of their property and for the TTC for access and work respecting the walkway.</p> <p>Compensation: \$30 per month to be paid as follows: \$180 as prepaid fee for the first 6 months and \$30 per month thereafter.</p> <p>Legal Fees: The City to pay reasonable legal costs of up to \$500.00 incurred by the Owner in connection with this agreement.</p> <p>Indemnity: The City to indemnify the Owner for all costs, damages, expenses, actions, claims and losses that are suffered, sustained or incurred by Owner arising out of or resulting from the rights permitted by the City under the easement agreement.</p>		
Property Details	Ward:	31 – Beaches East York	
	Approximate Size:	0.52 m x 17.25 m (1.7 ft x(56.6 ft)	
	Approximate Area:	9.0 m ² ± (96.8 ft ² ±)	

A.	Director of Real Estate Services has approval authority for:	Chief Corporate Officer has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</p> <p>3. Issuance of RFPs/REOs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to ABCDs:</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 \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p>Delegated to a more senior position.</p> <p>Delegated to a more senior position.</p> <p>Delegated to a more senior position.</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>Delegated to a more senior position.</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 three (3) months, including licences for environmental assessments and/or testing, etc.</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 road, easements to pre-existing utilities for nominal consideration.</p> <p><input checked="" 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 may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$500,000).</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/Estoppels/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 \$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"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to ABCDs.</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 six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p>Delegated to a less senior position.</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 may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$1 Million).</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/Estoppels/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. Chief Corporate Officer and Director of Real Estate Services each has signing authority on behalf of the City for:

- 1. Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- 2. Expropriation Applications and Notices following Council approval of expropriation.
- 3. Documents required to implement the delegated approval exercised by him.

Chief Corporate Officer also has approval authority for:

- Leases/licences/permits at Union Station during the Revitalization Period, if the rent/fee is at market value.

Consultation with Councillor(s)											
Councillor:	Janet Davis					Councillor:					
Contact Name:	Councillor Davis & Jay Thiessen					Contact Name:					
Contacted by:	Phone	x	E-Mail	Memo	Other	Contacted by:	Phone	x	E-mail	Memo	Other
Comments:	Consents to the transaction (Feb 9/16)					Comments:					
Consultation with ABCDs											
Division:	TTC					Division:	Financial Planning				
Contact Name:	Sabrina Hamidullah					Contact Name:	Walter Daniel				
Comments:	Comments have been incorporated (Feb 12/16)					Comments:	Comments have been incorporated (Feb 17/16)				
Legal Division Contact											
Contact Name:	Jason Aurini (comments have been incorporated – Feb. 9/16)										

DAF Tracking No.: 2016- 037	Date	Signature
Recommended by: Tim Park, Manager	Feb. 17, 2016	Signed by Tim Park
<input type="checkbox"/> Recommended by: Director of Real Estate Services <input checked="" type="checkbox"/> Approved by: Joe Casali	Feb. 18, 2016	Signed by Joe Casali
<input type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli		X

General Conditions (“GC”)

- (a) The local Councillor (or local Councillors if the subject property is located on a ward boundary or if the transaction involves an exchange of properties in more than one ward), will be consulted prior to the exercise of delegated Approving Authority by staff for all Acquisitions, Disposals, Land Exchanges and Leases.
- (b) Where approving power has been delegated to staff, the Chief Corporate Officer, in consultation with the applicable Deputy City Manager or the City Manager, may determine that such matter is of such special interest that same should be returned to the relevant Committee and Council for consideration and determination.
- (c) Exercise of delegated authority is subject to all applicable Council policies, statutes or other applicable law.
- (d) Authority to approve financial commitments/expenditures is subject to all amounts being available in an approved budget [or funding is available from alternative sources].
- (e) Property interests are to be based on appraised value, and no interest shall be granted at less than market value unless otherwise specifically authorized.
- (f) Authority to approve transactions at less than market value is subject to statutory anti-bonusing provisions.
- (g) Total compensation means the aggregate of all types of payments, including land value, estimated clean-up costs, potential arbitration awards, loss claims, etc, but exclusive of any applicable taxes and registration costs.
- (h) Authority to acquire property is conditional upon provision being made to bring the property into compliance with applicable MOE or other requirements such that it will be fit for its intended municipal purpose.
- (i) Authority to initiate the permanent road closure process in **A.4** is conditional upon confirmation by the GM of Transportation Services that it is feasible to permanently close the highway.
- (j) Disposal authorities in **A.7** are subject to the property having been declared surplus, and the disposal policy complied with.
- (k) Land exchanges, except for those in **A.8**, may be authorized based on the delegated Approving Authority for Disposals in **A.7**.
- (l) Approving Authority with respect to land located in the Designated Waterfront Area is conditional upon the approval of the Director, Waterfront Secretariat.
- (m) Authority to approve an exchange of land in **A.8** is conditional upon confirmation by the Chief Planner and Executive Director, and the GM of Parks, Forestry & Recreation, that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.
- (n) Approving Authority in **A.9** Leases (City as Landlord) but not Licences (City as Licensor) is limited to periods (including options/renewals) of less than twenty-one (21) years.
- (o) Total compensation in leasing matters where the City is landlord (**A.9**) includes the value of tenant improvements if factored into tenant’s rental payments.
- (p) Total compensation in leasing matters where the City is the tenant (**A.10**) includes the value of any tenant improvements to be paid by the City.
- (q) Where options/renewals are included in leases, if the renewal rent is to be determined at a date later than the original approval date, total compensation is to be calculated as though all options are exercised, estimating the renewal rent based on the highest rent payable in the first term of the lease.
- (r) Total compensation in leasing matters where the City is landlord (**A.9**) or tenant (**A.10**) is to be calculated from the date of approval pursuant to this delegation (ie. first allowing for the expiry of any prior approvals, whether by Council or a delegated authority).
- (s) Approving Authority in leasing matters includes authority to approve renewals/extensions within the parameters of the delegated Approving Authority.
- (t) Approving Authority includes authority for amendments within the parameters of the delegated Approving Authority, the cumulative total of which may not exceed the delegated financial limit.
- (u) Where proposed additional amounts in **A.13** exceed 10 per cent of the original decision, even if otherwise in compliance with all other conditions, then approving authority is transferred upwards to the next more senior level of approving authority having the relevant overall financial limit.
- (v) Approving Authority includes authority for all documents necessary to implement the authority, on terms and conditions satisfactory to the Approving Authority, in consultation with the relevant operating Division(s).
- (w) Staff positions referred to in this delegation include successors from time to time.
- (x) Documents are to be in a form satisfactory to the City Solicitor (including indemnity and insurance provisions).
- (y) Delegated signing authorities in **B** are conditional upon the documents having received the City Solicitor’s prior “Approval as to Form”.
- (z) This delegation does not affect sales, acquisitions and leases over which the Affordable Housing Committee has responsibility.
- (aa) Authority to use land acquired by the City for parking purposes by the Toronto Parking Authority is conditional upon Council enacting a by-law designating such use.
- (bb) All residential leasing documents shall adhere to the *Residential Tenancies Act* and any successor legislation.
- (cc) Despite GC(n), Approving Authority in residential leasing matters is not limited to periods of less than twenty-one (21) years.

APPENDIX A LOCATION AND SITE MAP



Point	Coordinates	Notes
1	10 100 000.00	Corner of Lot 1
2	10 100 000.00	Corner of Lot 2
3	10 100 000.00	Corner of Lot 3
4	10 100 000.00	Corner of Lot 4
5	10 100 000.00	Corner of Lot 5
6	10 100 000.00	Corner of Lot 6

PE 10004 3

PLAN 602 E

REGISTERED PLAN 602 E

REGISTERED PLAN 602 E

REGISTERED PLAN 602 E

PLAN	LOT	AREA
602	PART 1	1047-1076 L.T.
602	PART 2	1047-1076 L.T.
602	PART 3	1047-1076 L.T.

**PLAN OF SURVEY OF
PART OF LOT 2
REGISTERED PLAN 602 E
CITY OF TORONTO**



METRIC: CENTIMETER, MILLIMETER, METER, KILOMETER

NOTES:

1. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
2. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
3. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
4. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
5. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
6. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
7. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
8. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
9. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.
10. THE PLAN IS TO BE CONSIDERED AS A PLAN OF SURVEY.

- LEGEND:**
- 1. PART 1
 - 2. PART 2
 - 3. PART 3
 - 4. PART 4
 - 5. PART 5
 - 6. PART 6
 - 7. PART 7
 - 8. PART 8
 - 9. PART 9
 - 10. PART 10

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor of the Province of Ontario, do hereby certify that the foregoing is a true and correct copy of the original plan as shown to me by the owner thereof.

[Signature]
Surveyor

TORONTO LAND AND PROPERTY SURVEY

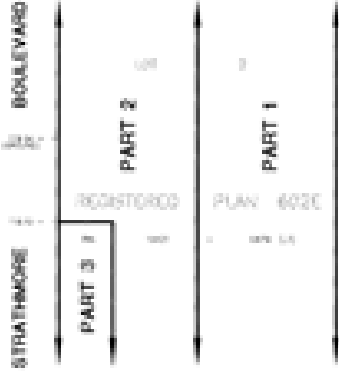
100 KING STREET WEST
TORONTO, ONTARIO M5X 1C5
416-392-9200

PROJECT INFORMATION:

No. 504
STRAITHMORE BOULEVARD

JOB NUMBER:

2014-004
PLAN NUMBER



REGISTERED PLAN 602 E

SECTION 14' x 14'

REGISTERED PLAN 602 E

SECTION 14' x 14'

