

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

TRACKING NO.: 2020-183

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

Prepared By:	Patricia Chen	Division:	Corporate Real Estate Management
Date Prepared:	July 8, 2020	Phone No.:	416-338-3583

Purpose	To obtain authority to enter into an easement transfer agreement (the "Agreement") with 1326776 ONTARIO INC. (the "Owner") to acquire a temporary easement over part of the lands and premises municipally known as 2295 Dundas Street West, Toronto for the purpose of constructing a new municipal facility on the adjacent lands municipally known as 2299 Dundas Street West, Toronto (the "City Property").
Property	Part of the property municipally known as 2295 Dundas Street West, Toronto, legally described as Part of Lot 3-5 Plan 664 City West as in CA575913; City of Toronto, being all of PIN: 21350-0292 (LT) (the "Property"), as shown on the Location Map in Appendix "A" and the draft reference plan in Appendix "B".
Actions	1. Authority be granted to enter into the Agreement with the Owner, substantially on the major terms and conditions set out in Appendix "C", and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>The net expenditure for the City will be as follows:</p> <ol style="list-style-type: none"> 1. Temporary Easement: \$400,000 (plus applicable taxes) 2. Temporary Easement Extension (if exercised by the City): \$120,000 (plus applicable taxes) 3. Land Transfer Taxes: \$6,875.00 (maximum, if Temporary Easement Extension is exercised by the City) <p>Funding for these costs totaling \$526,875.00 (plus applicable taxes) or \$536,027.00 (net of HST recoveries, where applicable) is available in the 2020-2029 Council Approved Capital Budget and Plan for Shelter, Support and Housing Administration (SSHA) under capital project account CHS-040-03.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>The City plans to construct a new municipal facility at 2299 Dundas Street West as part the George Street Revitalization ("GSR") project to establish one of the replacement shelters for the Seaton House. The City cannot carry out the work required by the Ontario Building Code at the City Property without access over the Property.</p> <p>The City requires a temporary easement over the roof of the Property to repair the south wall of the City Property. The proposed work includes localized brick repair where the brick is deteriorated, application of a new protective coating system on the entire south wall, installation of two (2) new light wells in the south wall as required by the Ontario Building Code, and any other ancillary work as may be required to facilitate renovations to the new municipal facility located on the City Property.</p> <p>The Agreement is considered fair, reasonable and reflective of market value, and it is recommended for acceptance substantially on the major terms and conditions set out in Appendix "C".</p>
Terms	See Appendix "C".

Property Details	Ward:	4 – Parkdale-High Park
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	585 m ² ± (6,297 ft ² ±)
	Other Information:	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2. Expropriations:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
3. Issuance of RFPs/REOs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000.	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million.
	<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.	<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.
	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.
	Delegated to more senior positions.	<input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input checked="" type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences
		<input type="checkbox"/> (b) Releases/Discharges
		<input type="checkbox"/> (c) Surrenders/Abandonments
		<input type="checkbox"/> (d) Enforcements/Terminations
		<input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates
		<input type="checkbox"/> (f) Objections/Waivers/Cautions
		<input type="checkbox"/> (g) Notices of Lease and Sublease
		<input type="checkbox"/> (h) Consent to regulatory applications by City, as owner
		<input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
		<input type="checkbox"/> (j) Documentation relating to Land Titles applications
		<input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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 (Manager, Transaction Services is only Manager 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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Gord Perks		Councillor:
Contact Name:			Contact Name:
Contacted by:	Phone	<input checked="" type="checkbox"/> E-Mail	Memo
			Other
Comments:	No objections – July 14, 2020		Comments:
Consultation with Divisions and/or Agencies			
Division:	Shelter, Support, and Housing Administration		Division:
Contact Name:	Loretta Ramadhin		Contact Name:
Comments:			Comments:
			Financial Planning
			Contact Name:
			Filisha Jenkins
			Comments:
			No objections – July 17, 2020
Legal Services Division Contact			
Contact Name:	Emily Ng		

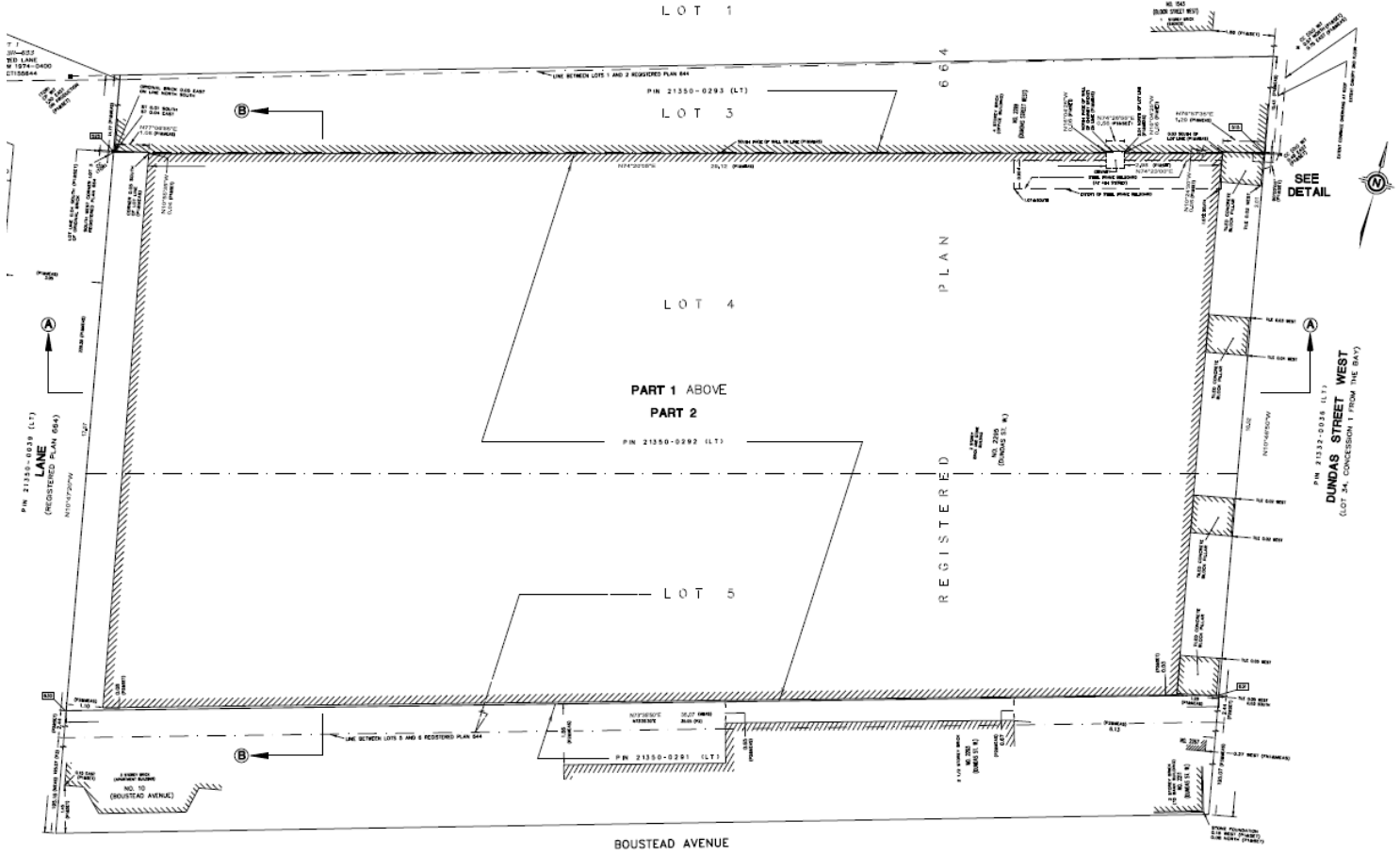
DAF Tracking No.: 2020-183	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	July 20 th , 2020	Signed By: Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 24 th , 2020	Signed By: Alison Folosea

Appendix "A" – Location Maps



Appendix "B" – Temporary Easement Area

LOT 1



BOUSTEAD AVENUE

Appendix "C" –Terms

Transferor – 1326776 ONTARIO INC.

Property Rights Transferred – Temporary Easement

Temporary Easement Term – Ten (10) months commencing on 30 days written notice from the City to the Transferor

Option to extend Temporary Easement Term – Maximum period of six (6) additional months

Temporary Easement Purchase Price – \$400,000 (plus an option to extend at a rate of \$12,000 per month for a maximum of six months, totaling \$520,000)

Temporary Easement Purpose – For the construction of a new municipal facility over the City Property, including without limitation, the installation of construction hoarding, the installation of construction staging, and the storage of all supplies and equipment upon the Temporary Easement land, for the benefit of the City Property

Closing date – August 5th, 2020