

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

**TRACKING NO.: 2020-210**

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property			
Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Management
Date Prepared:	July 31, 2020	Phone No.:	416-392-1857
<b>Purpose</b>	To obtain authority to enter into a Permission to Enter/Licence Agreement (the "Licence") with Build Toronto Inc. ("Build Toronto") and/or their consultants, EXP Services Inc., or such other consultant ("Representatives") as may be approved by the City in writing, to conduct a site visit for Phase One ESA for at 250, 254, 266-270 Adelaide Street, Toronto.		
<b>Property</b>	250, 254, 266-270 Adelaide Street, Toronto, being LT B PL DS Toronto, LT 6 S/S Nelson ST PL D 133 Toronto, PT LT A PL DS Toronto, PT LT 6 N/S Adelaide ST PL D 133 Toronto as in ES67870 & ES67871: and		
<b>Actions</b>	<ol style="list-style-type: none"> <li>The City enter into a Licence with Build Toronto to permit Build Toronto and/or their Representatives entry onto the Property for a period of not more than three months commencing August 1, 2020 and ending October 31, 2020, or such later dates as the City may determine to be reasonable, provided that the total length of the term shall not exceed three months, to conduct soil sampling for environmental and hydrogeological purposes.</li> <li>The Manager of Real Estate Services, or his designate, shall administer and manage the Licence including the provision of any consents, approvals, waivers, notices and notices of termination, provided that the Director of Real Estate Services may, at any time, refer consideration of such matters to City Council for its determination and direction; and,</li> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>		
<b>Financial Impact</b>	There are no financial implications resulting from this approval. Build Toronto is not required to pay a licence fee; however the City will be compensated for this access by receiving the results of testing for its use. Build Toronto will be responsible, at its sole expense, for all costs related to the use of the Property by Build Toronto and its Representatives, and for the costs of preparation of any test results or reports.		
<b>Comments</b>	The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information. Build Toronto requires access to the Property to conduct a site visit for Phase One ESA for at 250, 254, 266-270 Adelaide Street, Toronto and to collect water levels from all available wells, one sample for sewer use bylaw parameters and to conduct a site visit for Phase One ESA at 229 Richmond Street West, Toronto		
<b>Terms</b>	<p>The Licence will include the following terms and conditions, as appropriate and such other terms and conditions as may be approved by the Director of Real Estate Services (the "Director"):</p> <ol style="list-style-type: none"> <li>Any access during the term of the Licence shall be mutually arranged upon at least 48 hours' notice, and the investigations shall be undertaken in such time and manner to minimize disruptions to the adjacent City operations;</li> <li>Build Toronto will be responsible, at its sole expense, for all costs related to the use of the Property by Build Toronto and its Representatives, and for the costs of preparation of any test results or reports;</li> <li>Build Toronto shall at all times indemnify and save harmless the City, from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, made or brought against, suffered by or imposed on the City or its property in respect of any loss, damage or injury (including fatal injury) to any person or property;</li> <li>Prior to the start of any work, a certificate of insurance evidencing that it or its Representatives have obtained a policy of insurance for the conduct of the proposed investigations on the Property providing coverage including but not limited to environmental liability in an amount of not less than \$10,000,000.00 per occurrence shall be provided to the City. The policy of insurance shall name the City as an insured, provide cross-liability coverage and waiver of subrogation and contain a clause providing the insurance shall not be changed or cancelled during the term of this Licence;</li> <li>Build Toronto shall provide the City with copies of any test results and reports regarding the Property. The test results and reports shall be addressed to the City and shall be accompanied by authorization from Build Toronto and the qualified professional preparing the test results and reports permitting the City to use them for any purpose. The City shall be entitled to utilize any test results and reports in any manner it sees fit; and</li> </ol> <p>Build Toronto shall restore the Property, at its expense, and to the satisfaction of the Director, acting reasonably.</p>		
<b>Property Details</b>	<b>Ward:</b>	Ward 10 – Spadina-Fort York	
	<b>Assessment Roll No.:</b>	1904-06-2-500-01800	
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	2,573.3 m <sup>2</sup> ± ( 27,698.7 ft <sup>2</sup> ±)	
	<b>Other Information:</b>		

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</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 \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</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 checked="" 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"/> 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><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 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 (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 type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Councillor Joe Cressy		Councillor:
Contact Name:	Brent Gillard		Contact Name:
Contacted by:	Phone	<input checked="" type="checkbox"/> E-Mail	Memo
Comments:	no objections July 30, 2020		
Consultation with Divisions and/or Agencies			
Division:	Toronto Fire Services		Division:
Contact Name:	Collin Giffin, Division Commander.		Contact Name:
Comments:	concurs July 30, 2020		
Legal Services Division Contact			
Contact Name:	Bronwyn Atkinson (concurs July 30, 2020)		

DAF Tracking No.: 2020-210	Date	Signature
Concurred with by: <b>Manager, Real Estate Services Alex Schuler</b>	Aug. 4, 2020	Signed by Alexander Schuler
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Melanie Hale-Carter</b>	<b>Aug. 4, 2020</b>	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>		X

LT B PL DS Toronto, LT 6 S/S Nelson ST PL D 133 Toronto, PT LT A PL DS Toronto, PT LT 6 N/S Adelaide ST PL D 133 Toronto as in ES67870 & ES67871: City of Toronto



229 Richmond Street West, Toronto, being LT 6-7 PL D78 Toronto; PT LT F PL D5 Toronto; PT LT 5, 8 PL D78 Toronto; PT Lane PL D78 Toronto closed by Plan D149, as in CA150187, City of Toronto

