

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

TRACKING NO.: 2020-189

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

Prepared By:	Mike Saffran	Division:	Corporate Real Estate Management
Date Prepared:	July 29, 2020	Phone No.:	(416) 392-7205

Purpose	To obtain authority to enter into a licence amending agreement (the "Licence Amending Agreement") with 1616933 Ontario Limited (the "Licensor") with respect to a licence agreement dated January 14, 2020 (the "Licence Agreement") as authorized by DAF 2019-080 for use of portions of 85-87 and 89-91 Sunrise Avenue.												
Property	The property municipally known as 85-87 and 89-91 Sunrise Avenue, Toronto, Ontario shown as the hatched area (the "Licensed Area") on the attached Appendix "A".												
Actions	1. Authority be granted to enter into the Licence Amending Agreement with the Licensor, substantially on the 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.												
Financial Impact	There is no financial impact as the fees are set out in the Licence Agreement dated January 14, 2020 remain unchanged. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.												
Comments	Engineering and Construction Services ("ECS") in consultation with Toronto Water ("TW") has identified 85 – 87 and 89 - 91 Sunrise Avenue as a priority area for upgrading its infrastructure. DAF 2019-080, executed on April 30, 2019, authorized the Offer to Licence dated April 30, 2019 with the Licensor to commence on February 1, 2021 for a period of 16 months. Both parties then entered into the Licence Agreement. In April 2020, this project was identified by ECS for acceleration as directed by the Mayor to benefit from decreased traffic during COVID-19 restrictions. ECS has requested a new start date of September 8, 2020 to commence work on the Licensed Area.												
Terms	The amended terms and conditions are as follows: <table border="1" data-bbox="306 1213 1563 1581"> <tr> <td>Owner/Licensor:</td> <td>1616933 Ontario Limited</td> </tr> <tr> <td>Licensee:</td> <td>City of Toronto</td> </tr> <tr> <td>Licensed Area:</td> <td>Portions of 85-87 and 89-91 Sunrise Avenue shown on Schedule "A"</td> </tr> <tr> <td>Licence Commencement Date:</td> <td>September 8, 2020</td> </tr> <tr> <td>Licence Term:</td> <td>For a period of 16 months</td> </tr> <tr> <td>Permitted Use:</td> <td>Temporary access to the licensed area for construction vehicles, equipment for sewer rehabilitation works and construction staging</td> </tr> </table>	Owner/Licensor:	1616933 Ontario Limited	Licensee:	City of Toronto	Licensed Area:	Portions of 85-87 and 89-91 Sunrise Avenue shown on Schedule "A"	Licence Commencement Date:	September 8, 2020	Licence Term:	For a period of 16 months	Permitted Use:	Temporary access to the licensed area for construction vehicles, equipment for sewer rehabilitation works and construction staging
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Property Details	Ward:	19 – Beaches East York
	Assessment Roll No.:	1908 121 010010 00, 85-87 Sunrise Ave; 1908 121 010 00800, 89-91 Sunrise Ave
	Approximate Size:	Irregular shaped
	Approximate Area:	920 m ² ± (9,903.1 ft ² ±)
	Other Information:	Portions of private land at 85 - 87, 89 - 91 Sunrise Avenue

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 & 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 \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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>Delegated to more senior positions.</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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input checked="" 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>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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 & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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
 Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property
Consultation with Councillor(s)

Councillor:	Brad Bradford	Councillor:	
Contact Name:	Rishab Mehan	Contact Name:	
Contacted by:	<input checked="" 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 – July 28, 2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Mariana Balaban	Contact Name:	Filisha Jenkins
Comments:	Concurs with submission of DAF – July 28, 2020	Comments:	Concurs with FIS – July 27, 2020

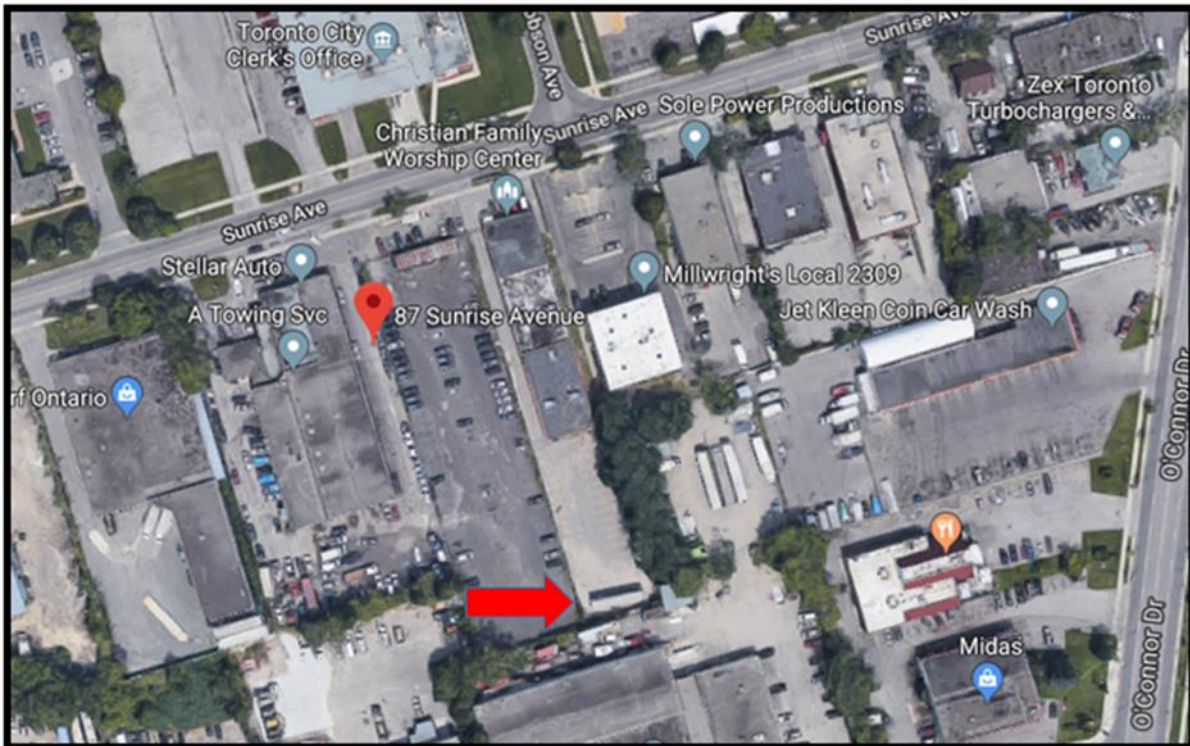
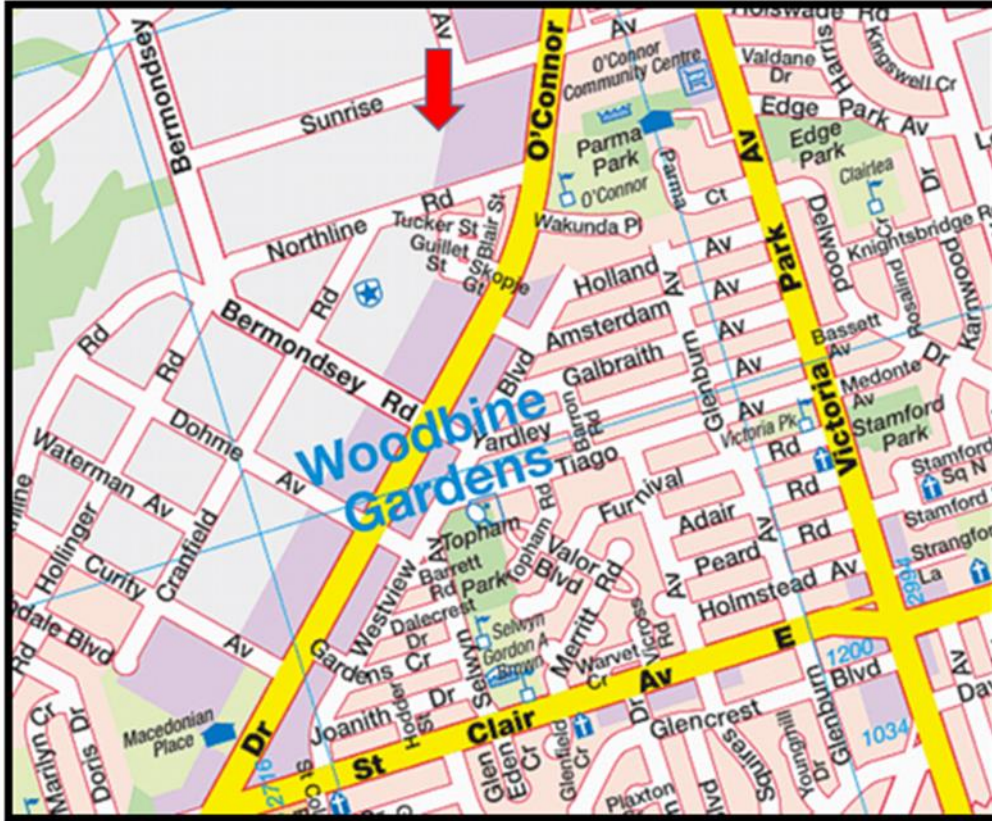
Legal Services Division Contact

Contact Name:	Gloria Lee – July 22 2020
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DAF Tracking No.: 2020 – 189	Date	Signature
Concurred with by: Manager, Real Estate Services Melanie Hale Carter	Aug. 11, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Recommended by: Manager, Transaction Services Daran Somas	Aug. 11, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Transaction Services Alison Folosea		X

Appendix "A"

Site Map and Aerial Map



Aerial Map of Licenced Area (see yellow hatched area)

