

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

TRACKING NO.: 2020-246

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	October 22, 2020	Phone No.:	(416) 392-8160
Purpose	To obtain authority for the City to enter into a temporary access agreement (the "Licence") over a portion of the property located at 39 Old Mill Road (the "Property") shown in Appendix "A", owned by 534078 Ontario Limited, Judicrest Holdings Inc., Weintraub Holdings Inc., Samper Developments Limited, Jassder Developments Limited and 2484558 Ontario Limited (collectively, the "Licensor"). The subject property interest is required for test pitting and geotechnical investigations (the "Works") which are pre-construction works towards the future construction of TTC elevators at Old Mill Station.		
Property	Part of the property municipally known as 39 Old Mill Road, with access through the area shown hatched red and marked "Loading Zone & Parking Location" located on the adjacent property known as 2662 Bloor Street West, to the part of the property shown cross hatched in blue as TP01 on Plan 1 in Appendix "B", and hatched in red as W45-8-101 PQ/MW on Plan 2 in Appendix "C", collectively known as (the "Licenced Areas").		
Actions	<ol style="list-style-type: none"> 1. Authority be granted for the City to enter into the Licence with the Licensor to license the Property for a term of thirty-one (31) days commencing on a date to be determined by the giving of five (5) days' notice from the City to the Licensor, substantially on the major terms and conditions set out herein, and including such other or amended terms and conditions as may be deemed appropriate by the Executive Director, Corporate Real Estate Management or Director, Transactions Services and in a form acceptable to the City Solicitor. 		
Financial Impact	<p>The total cost to the City is \$1,350.00 (plus HST) for the Licence.</p> <p>Funding is available in the 2020-2029 Council Approved Capital Budget and Plan for the Toronto Transit Commission (TTC) under capital project account CTT110-1 – Other Buildings and Structures Projects.</p> <p>The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.</p>		
Comments	<p>TTC has plans to construct and install elevators at Old Mill Station as part of the Easier Access Phase III Project, providing accessibility to and from the subway platforms to street level. Pre-construction investigations are required in order to determine appropriate future property requirements at this location.</p> <p>At the end of the term, TTC will remediate the Licenced Areas as close as is practicable, to its original condition at their sole cost and expense.</p>		
Terms	<p>Term: Thirty-one (31) days, commencing on a date to be specified by the City giving a five (5) day prior written notice to the Licensor, such Term to expire no later than December 31, 2020.</p> <p>Fee: \$1,350.00 (HST)</p> <p>Insurance: The City shall maintain or have maintained at its sole expense, commercial general liability insurance or wrap up insurance which shall include coverage for bodily injury (including death), personal injury and property damage, contractual liability, owned, non-owned and leased automobile liability, employers liability, completed operations, sudden and accidental pollution liability, cross liability and severability of interest clause arising out of or in connection with the City, its Representatives or anyone permitted by the City to use the Licenced Areas. The insurance shall be written on an occurrence basis with limits of not less than five million dollars (\$5,000,000.00) per occurrence, and an aggregate limit of not less than five million dollars (\$5,000,000.00) within any policy year with respect to completed operations.</p> <p>Access: The City and its Representatives and those authorized by or under the City shall at all times act reasonably and with due consideration for the Licensor, shall have access only between the hours of 8:30am and 7:00pm from Monday to Friday, and between the hours of 8:30am and 6:00pm from Saturday and Sunday during the Term of this Agreement to complete the Works.</p> <p>Access to the underground parking facility of the Property will be maintained at all times.</p>		
Property Details	Ward:	3 – Etobicoke-Lakeshore	
	Assessment Roll No.:	Part of 1919-01-1-400-05260	
	Approximate Size:	See attached	
	Approximate Area:	See attached	
	Other Information:	Pre-construction investigations	

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/Licensors):	<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 checked="" 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 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
 Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property
Consultation with Councillor(s)

Councillor:	Mark Grimes	Councillor:	
Contact Name:	Kim Edgar	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 concerns (Sept 15, 2020)	Comments:	

Consultation with Divisions and/or Agencies

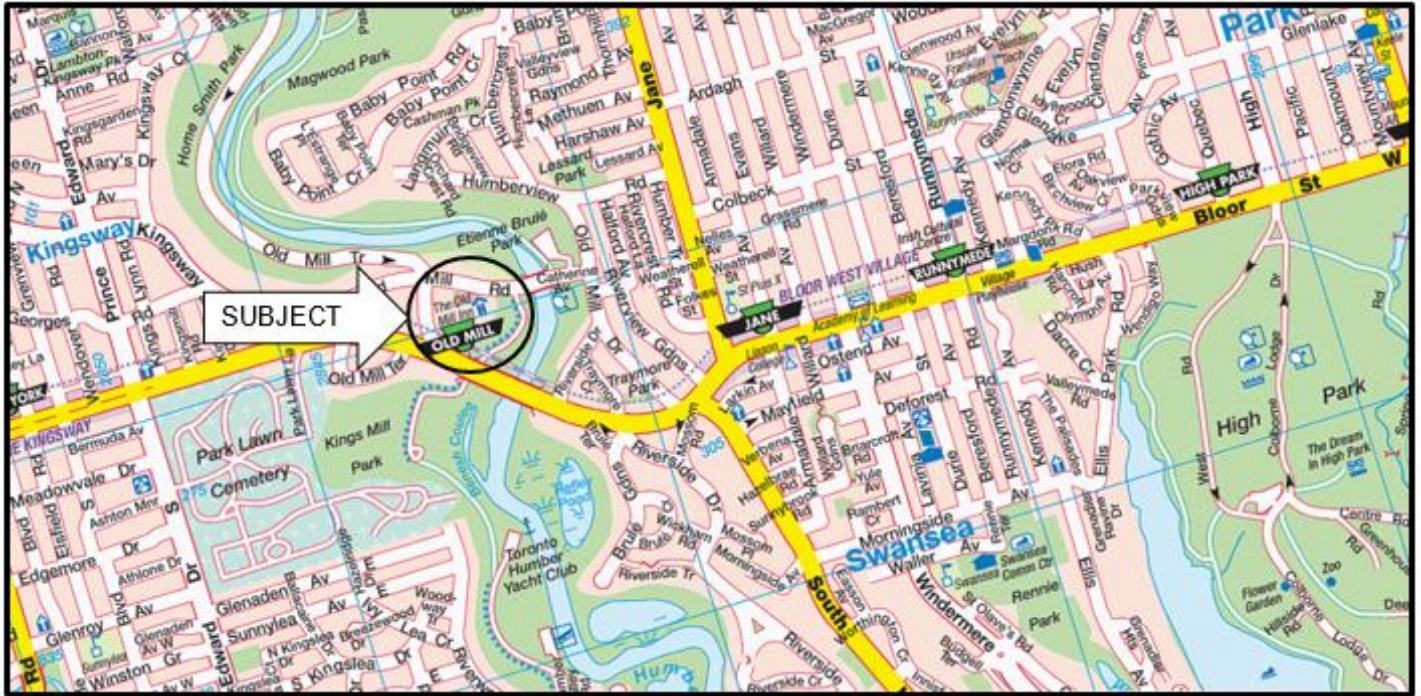
Division:	TTC	Division:	Financial Planning
Contact Name:	Daniel Spalvieri	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (Sept 21, 2020)	Comments:	Incorporated into DAF (Sept 23, 2020)

Legal Services Division Contact

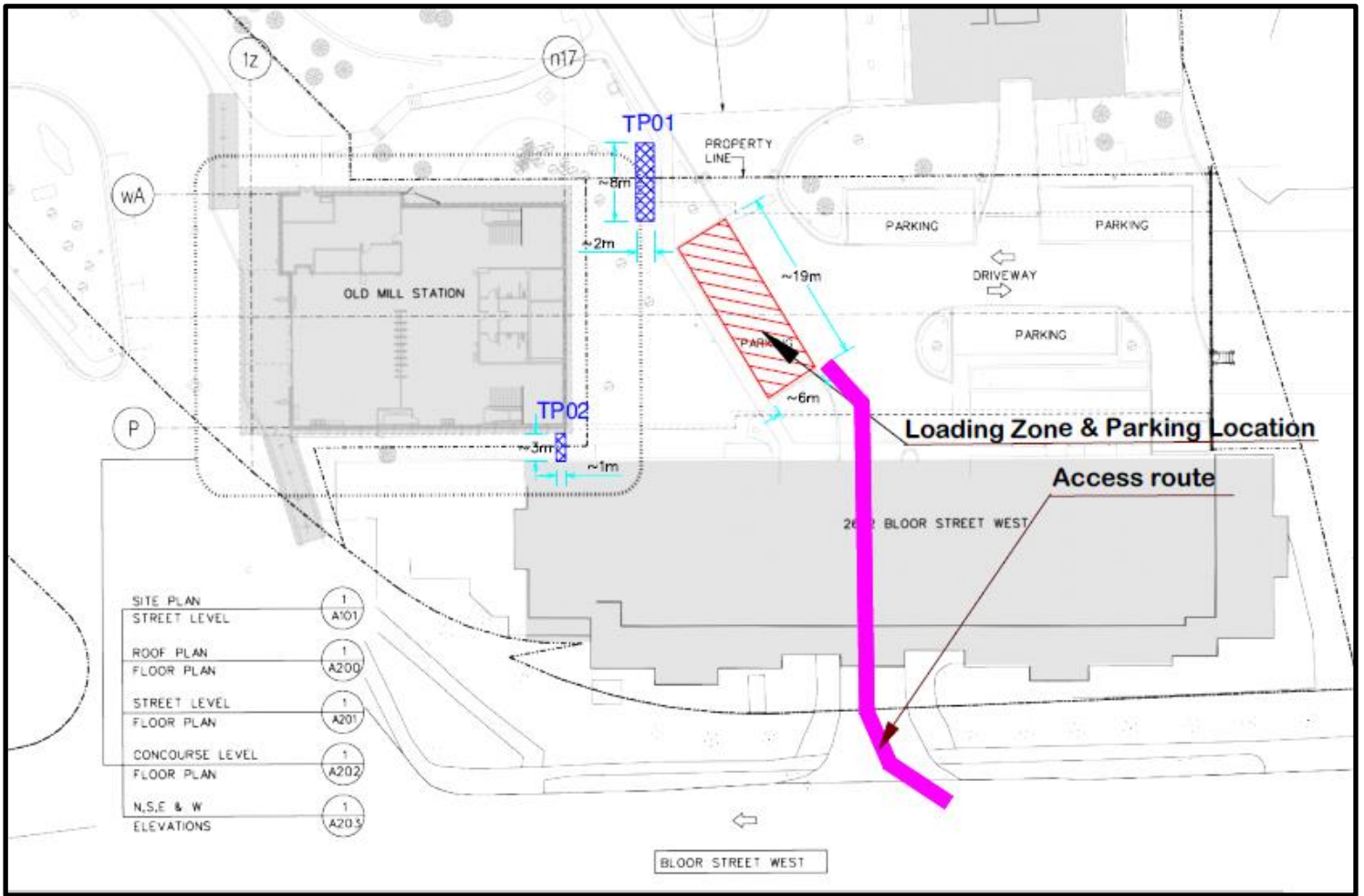
Contact Name:	Dale Mellor (Sept 21, 2020)
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DAF Tracking No.: 2020-246	Date	Signature
Concurred with by: Manager, Real Estate Services Melanie Hale-Carter	Oct. 22, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Oct. 22, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A": Location Map



Appendix "B": Plan 1



Appendix "C": Plan 2

