

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

TRACKING NO.: 2020-284

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

Prepared By:	Katrina Chaves	Division:	Corporate Real Estate Management
Date Prepared:	October 15, 2020	Phone No.:	416-392-7214

Purpose	To obtain authority to enter into a licence agreement with Richwood Developments Limited (the "Licensor"), with respect to the property municipally known as 170 The Donway West for the purpose of unobstructed access and vehicles, supplies, machinery gear and equipment storage in connection with the City's work to replace a watermain within the City's easement lands on the Property (the "Agreement").
Property	Part of the lands municipally known as 170 The Donway West (the "Property"), see Appendix "A", and as shown hatched in yellow on the attached sketch in Appendix "B" (the "Licensed Area").
Actions	1. Authority be granted to enter into the Agreement with the Licensor on the major terms and conditions outlined in Appendix "C" attached hereto and on such other or amended terms as may be satisfactory to the Manager, Real Estate Services and in a form acceptable to the City Solicitor.
Financial Impact	The licence is for nominal consideration. There is no financial impact resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.
Comments	The City requires access to the Property to remove and replace the existing watermain located within the City's easement lands on the Property, as part of the Council-approved 2020 Capital Works Program to renew the City's aging infrastructure, improve water distribution and reduce the risk of watermain breaks. In order to facilitate the proposed watermain replacement work, the City's contractor will also require access to a portion of parking lot spaces on the Property for temporary storage of vehicles, supplies, machinery, gear and equipment.
Terms	Refer to Appendix "C" for Major Terms & Conditions.

Property Details	Ward:	16 – Don Valley East
	Assessment Roll No.:	
	Approximate Size:	10 m x 4 m ± (32.80 ft x 13.12 ft ±)
	Approximate Area:	40.00 m ² ± (430.56 ft ² ±)
	Other Information:	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</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/Licensors):</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><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</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"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</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:	Denzil Minnan-Wong	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No objections – July 13, 2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Shams Khan	Contact Name:	Patricia Libardo
Comments:	Approved – October 11, 2020	Comments:	Approved – October 15, 2020

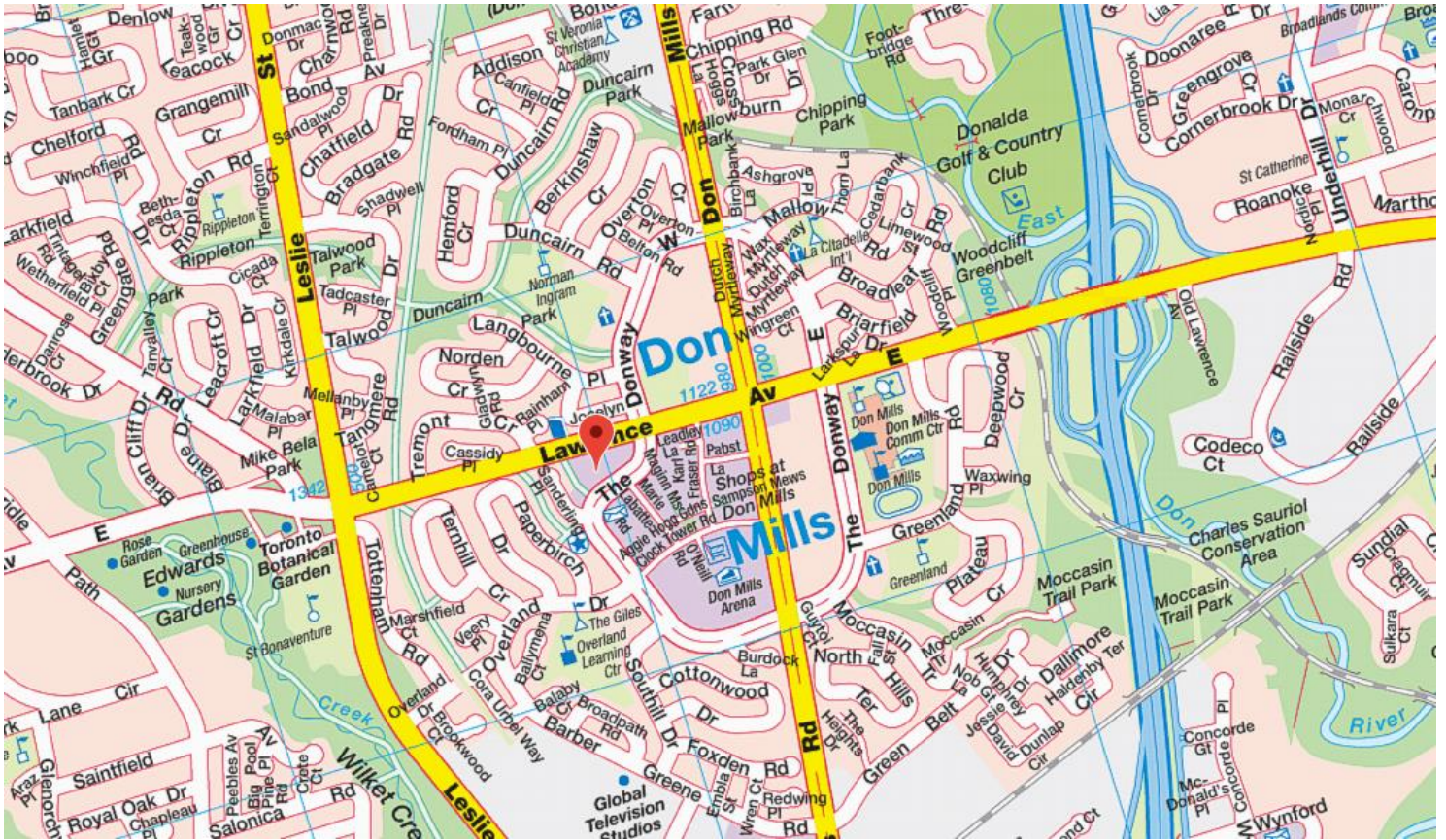
Legal Services Division Contact

Contact Name:	Gloria Lee
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DAF Tracking No.: 2020-284	Date	Signature
Concurred with by: Manager, Real Estate Services Alex Schuler	Oct 16, 2020	Signed By: Alex Schuler
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Oct 16, 2020	Signed By: Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

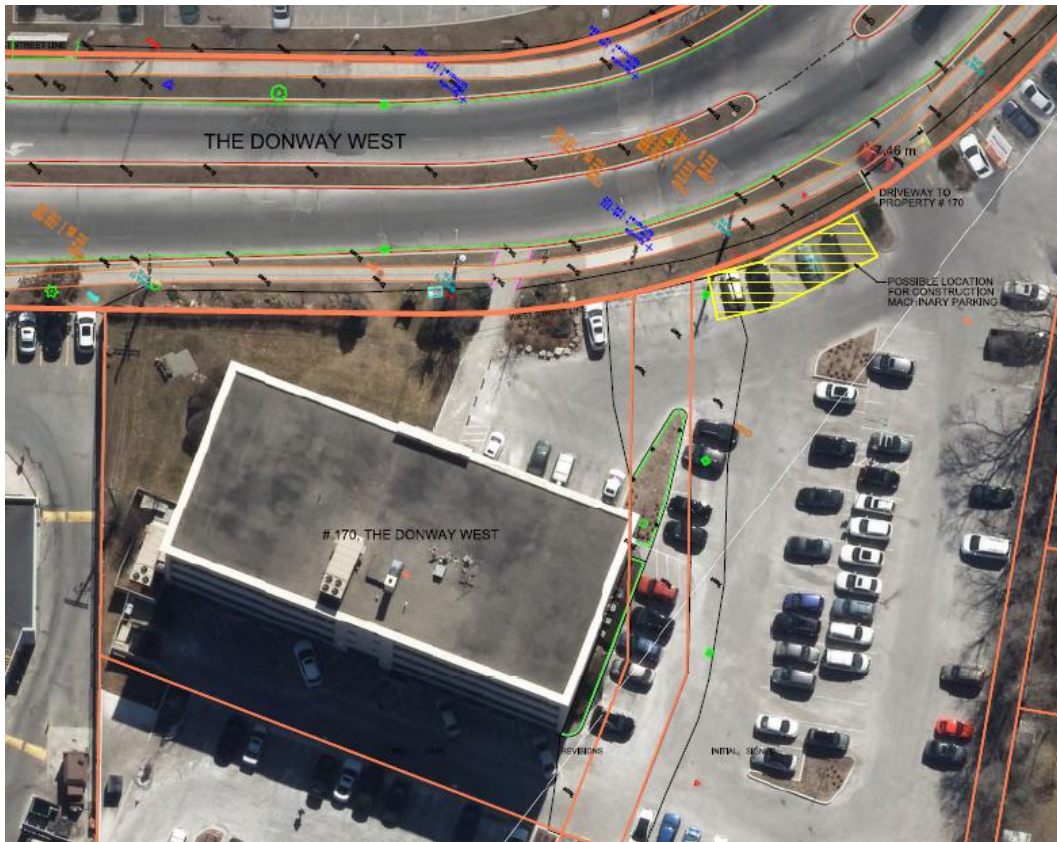
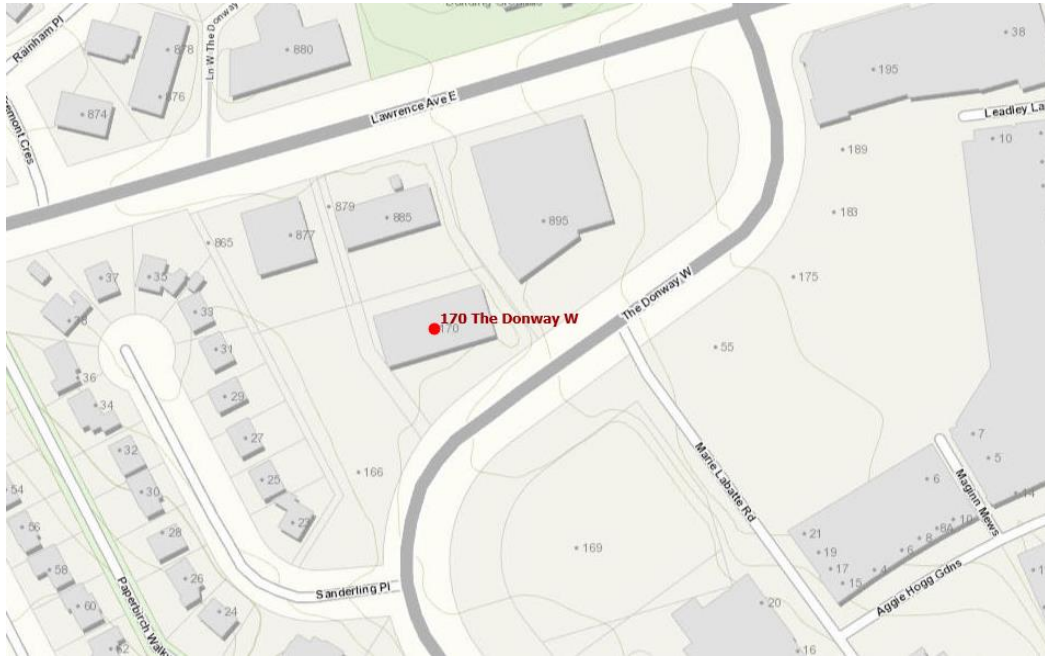
Appendix "A"

Site Location Map



Appendix "B"

The Property and Licensed Area



Yellow hatched area shows approximate size (430.56 square feet) of the Licensed Area

Appendix "C"**Major Terms and Conditions**

Licensor:	Richwood Developments Limited
Licensee:	City of Toronto (the "City")
Licensed Area:	Part of the lands municipally known as 170 The Donway West (the "Property"), see Appendix "A", and as shown hatched in yellow on the attached sketch in Appendix "B" (the "Licensed Area").
Term:	Commencing on the date that is the earliest of seven (7) days following delivery of written notice to the Licensor from the City; and October 1, 2020 and expiring at 11:59 p.m. on the day the replacement of the watermain is completed, as completion is determined in the sole discretion of the City, provided that in any event the Term shall expire not later than 11:59 p.m. on December 18, 2020.
Licence Fee:	Nominal
Use:	Temporary access and storage of vehicles, supplies, machinery, gear and equipment in connection with the replacement of the City's watermain on the Property.
Access:	The City will use reasonable commercial efforts to provide reasonable access for pedestrians and delivery vehicles over the easement lands to and from the building on the Property.
Restoration:	Upon expiry or termination of the Agreement, the City shall remove all equipment and debris it brought upon the Licensed Area, and shall restore the Licensed Area as close as is practicable to its original condition immediately prior to the Commencement Date, at the City's sole cost and expense.
Termination:	The City shall have the right to terminate the Licence, in its sole discretion, upon giving ten (10) days written notice thereof to the Licensor.