

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

TRACKING NO.: 2020- 237

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:	September 8, 2020	Phone No.:	416-392-1857

Purpose	To obtain authority to enter into a Permission to Enter/Licence Agreement (the "Licence") with Build Toronto Inc. ("Build Toronto") to permit their consultants, Golder Associates Inc. or such other consultant ("Representatives") as may be approved by the City in writing, to conduct environmental investigation, testing and monitoring, including drilling boreholes and monitoring well development and sampling and geotechnical investigations (the "Work").
Property	The property municipally known as 1631 Queen Street East, Toronto; as shown as all of parts 1 and 2 (including Eastern Avenue) on the Draft Reference Plan attached as Schedule "A".
Actions	<ol style="list-style-type: none"> The City enter into the Licence to permit Build Toronto and/or their Representatives entry onto the Property for a period commencing September 16, 2020 and ending December 16, 2020 to conduct the Work. The Director 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, The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
Financial Impact	There is no financial implications resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	The Property is being redeveloped for affordable housing pursuant to the Housing Now initiative being led by CreateTO.
Terms	<p>Build Toronto has entered into a Service Agreement with CreateTO whereby Build Toronto engaged CreateTO to provide such services as may be required in order to permit Build Toronto to operate its Business. In some circumstances, such as entering into Service Agreements CreateTO will contract through Build Toronto, but in others Create will contract. In this case CreateTO, through Build Toronto, has retained Golder Associates Inc. (the "Representatives") to perform the Work. Build Toronto requires access to the Property to permit its Representatives to undertake the Work.</p> <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"> 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 licensed area and adjoining property; 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; 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; Prior to the start of the 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 \$5,000,000.00 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; 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 Build Toronto shall restore the Property, at its expense, and to the satisfaction of the Director, acting reasonably.

Property Details	Ward:	Ward 19 – Beaches-East York
	Assessment Roll No.:	1904-09-1-030-00200
	Approximate Size:	Irregular
	Approximate Area:	2833 m2 ± (30493 ft2 ±)
	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/REOIs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOIs.
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 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.	<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 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.
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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:		Brad Bradford (No objections September 11, 2020)				Councillor:			
Contact Name:		Rishab Mehan							
Contacted by:		Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other	
Comments:						Comments:			
Consultation with Divisions and/or Agencies									
Division:		CreateTO				Division:		Financial Planning	
Contact Name:		Tracey Smith				Contact Name:		Ciro Tarantino	
Comments:		Concurrence (September 24, 2020)				Comments:		Concurrence (September 10 2020)	
Legal Services Division Contact									
Contact Name:		Aiden Alexio (Sept. 10, 2020)							

DAF Tracking No.: 2020-237	Date	Signature
Concurred with by: Manager, Real Estate Services Peter Cheng	Sept. 29, 2020	Signed by Peter Cheng
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Melanie Hale-Carter	Sept. 29, 2020	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

SCHEDULE "A"

1631 QUEEN STREET EAST LICENSED AREA

ALL OF PARTS 1 AND 2 (INCLUDING EASTERN AVENUE) ON THE DRAFT REFERENCE PLAN DATED JULY 9, 2020 AND PREPARED BY THE CITY, BEARING JOB NUMBER 2020-05013

