

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

TRACKING NO.: 2020-271

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 15, 2020	Phone No.:	(416) 392-8160

<b>Purpose</b>	To obtain authority to enter into a licence agreement (the " <b>Licence</b> ") with The Governing Council of the University of Toronto (the " <b>Licensor</b> ") to permit geotechnical investigations in connection with the construction of a new second exit and installing new elevators at Museum Subway Station (the " <b>Station</b> ").
<b>Property</b>	Part of the property municipally known as Queen's Park, Toronto, Ontario and legally described as part of Pt Parklt 11-12 Con 1 FTB TWP of York Pt 31 to 33, RD239; S/T EP122703; City of Toronto; being part of PIN: 21415-0105 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, which is shown on the map attached hereto as Appendix "A" (the " <b>Properties</b> ").
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Authority be granted for the City to enter into the Licence for the Works, as defined below, substantially on the terms and conditions set out below together with such other or amended terms and conditions as may be satisfactory to the Director, Real Estate Services and in a form acceptable to the City Solicitor.</li> <li>2. The Director, Transaction Services shall administer and manage the Licence, including the provision of any consents, approvals, waivers, notices and notice of termination provided that the Director, Transaction Services may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.</li> </ol>
<b>Financial Impact</b>	<p>There is no financial impact associated with the Licence.</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>
<b>Comments</b>	<p>The Toronto Transit Commission (the "<b>TTC</b>") is constructing a new second exit and installing new elevators at the Station to improve the safe operation of the Station and to meet its legal requirements relating to accessibility and barrier free access (the "<b>Project</b>"). The Project is in the vicinity of the Properties.</p> <p>In order to facilitate the construction of the Project and protect the Properties, TTC is required to carry out geotechnical investigations consisting of borehole drilling, soil sampling, monitoring well installing and sampling, pressure meter testing and test pit digging (collectively, the "<b>Works</b>"). The Works are estimated to take four (4) weeks.</p>
<b>Terms</b>	<p><b>Term</b> – One calendar month, commencing upon five (5) days prior written notice, such Term to expire no later than December 31, 2020.</p> <p><b>TTC as City Agent</b> – The City permits the TTC as an agent of the City to undertake and fulfill any obligation, covenant or requirement of the City arising in respect of the Licence.</p> <p><b>Restoration</b> – The City shall restore the Properties as close as it reasonably practicable, considering the use, to its original condition immediately prior to the commencement date, at the City's sole cost and expense.</p> <p><b>Insurance</b> – City shall obtain and maintain comprehensive general liability insurance with limits of not less than \$5,000,000 per occurrence.</p> <p><b>Indemnity</b> – The City shall indemnify and save the Licensor harmless from and against costs, expenses, claims, and demands brought against the Licensor in respect of loss, damage or injury to persons or property, arising directly out of the carrying out of the Works upon the Properties by the City and its representatives during the Term, except to the extent caused and/or contributed to by the negligence or wilful misconduct of the Licensor.</p>

<b>Property Details</b>	<b>Ward:</b>	11 – University-Rosedale
	<b>Assessment Roll No.:</b>	Part of 1904-06-8-350-00400 and Part of 1904-06-8-100-00100
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	350 m <sup>2</sup> ± (3,767 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:
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:	<b>Delegated to more senior positions.</b>	<input type="checkbox"/> Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	<b>Delegated to more senior positions.</b>	<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:	<b>Delegated to more senior positions.</b>	<b>Delegated to more senior positions.</b>
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:	<b>Delegated to more senior positions.</b>	<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"/> (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"/> (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 six (6) months, including licences for environmental assessments and/or testing, etc.
10. Leases/Licences (City as Tenant/Licensee):	<b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b> <input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	<b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b> <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. <b>Delegated to more senior positions.</b>	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <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:	<b>Delegated to more senior positions.</b>	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	<b>Delegated to more senior positions.</b>	<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:	Mike Layton	Councillor:	
Contact Name:	Mike Layton	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 objections (October 1, 2020)	Comments:	

**Consultation with Divisions and/or Agencies**

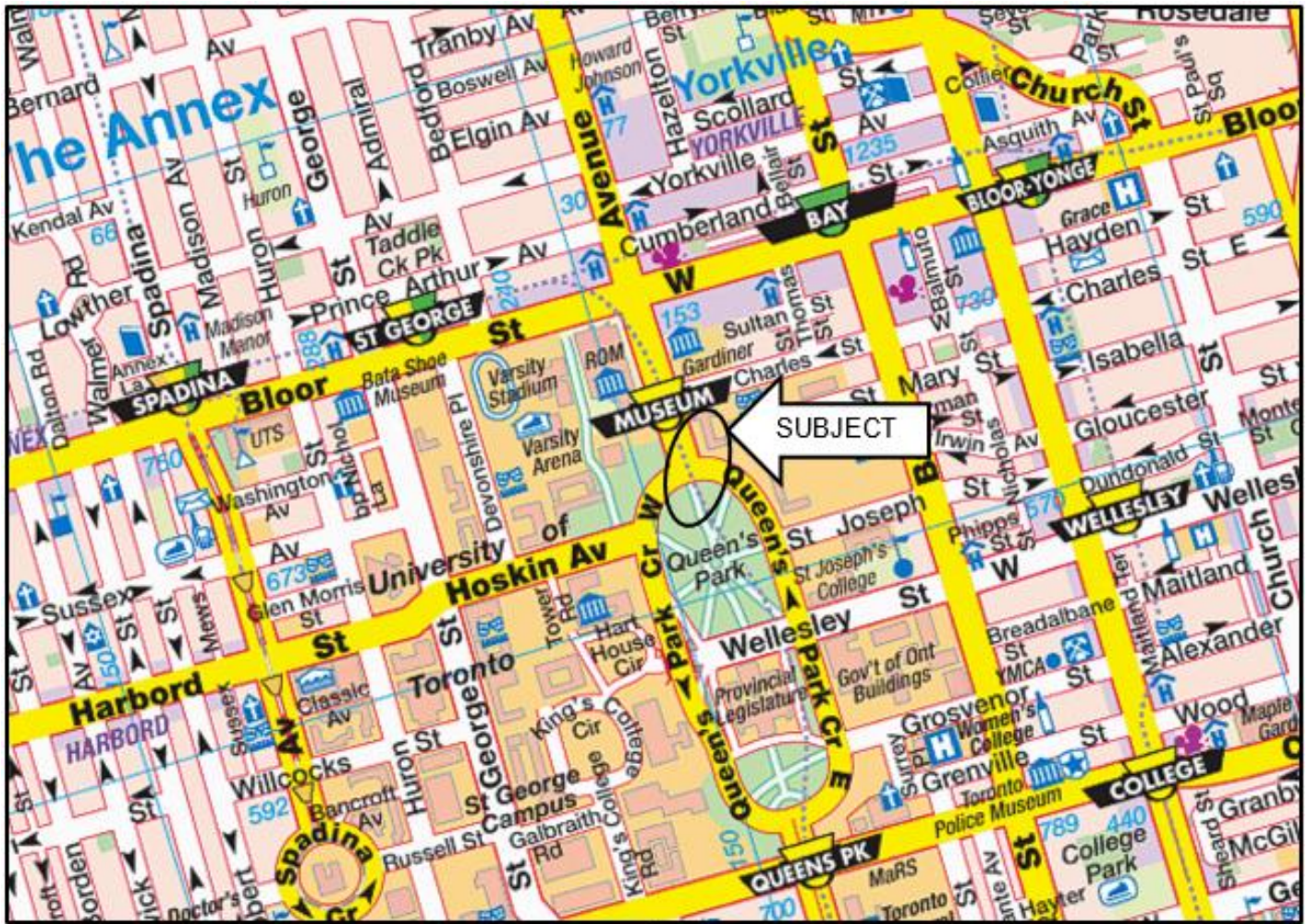
Division:	Toronto Transit Commission	Division:	<b>Financial Planning</b>
Contact Name:	Duane Lovelace	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (October 15, 2020)	Comments:	No issues (October 15, 2020)

**Legal Services Division Contact**

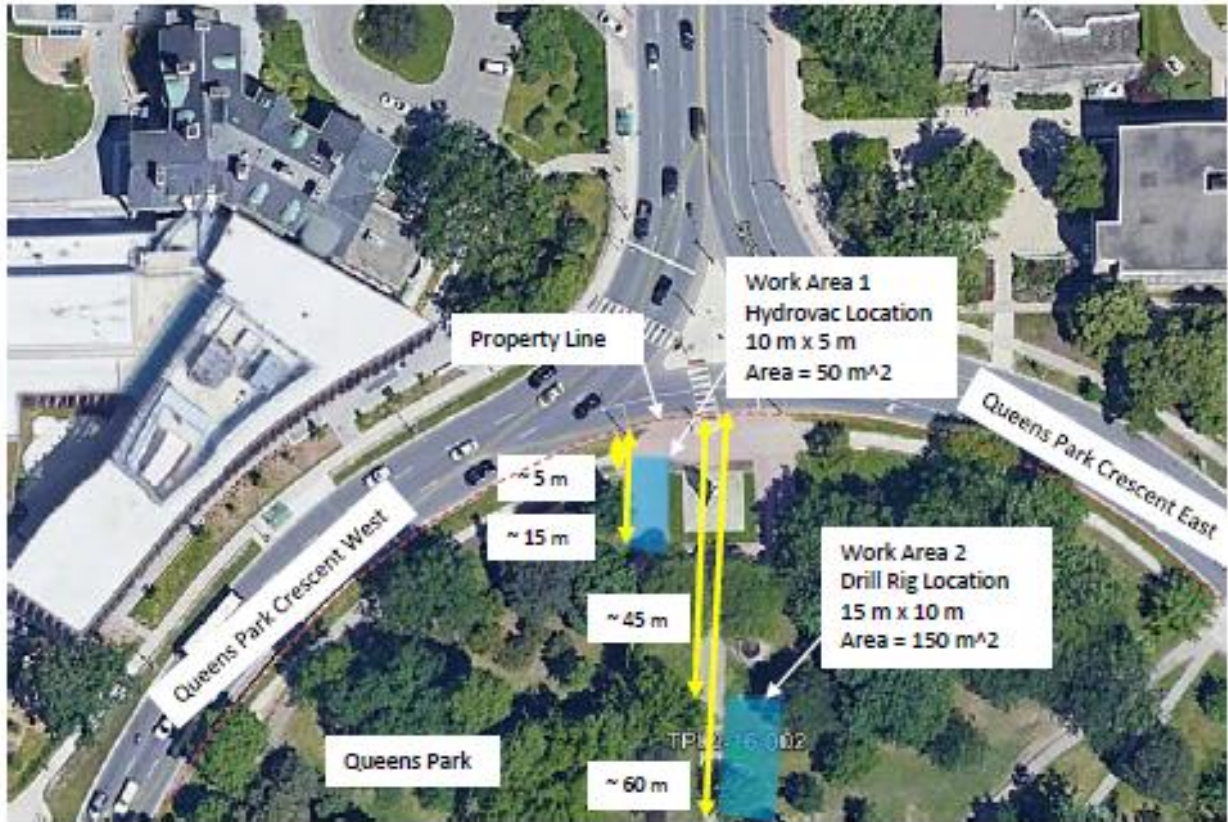
Contact Name:	Dale Mellor (October 2, 2020)
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DAF Tracking No.: 2020-271	Date	Signature
Concurred with by: Manager, Real Estate Services Alex Schuler	October 26, 2020	Signed by Alex Schuler
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	October 26, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

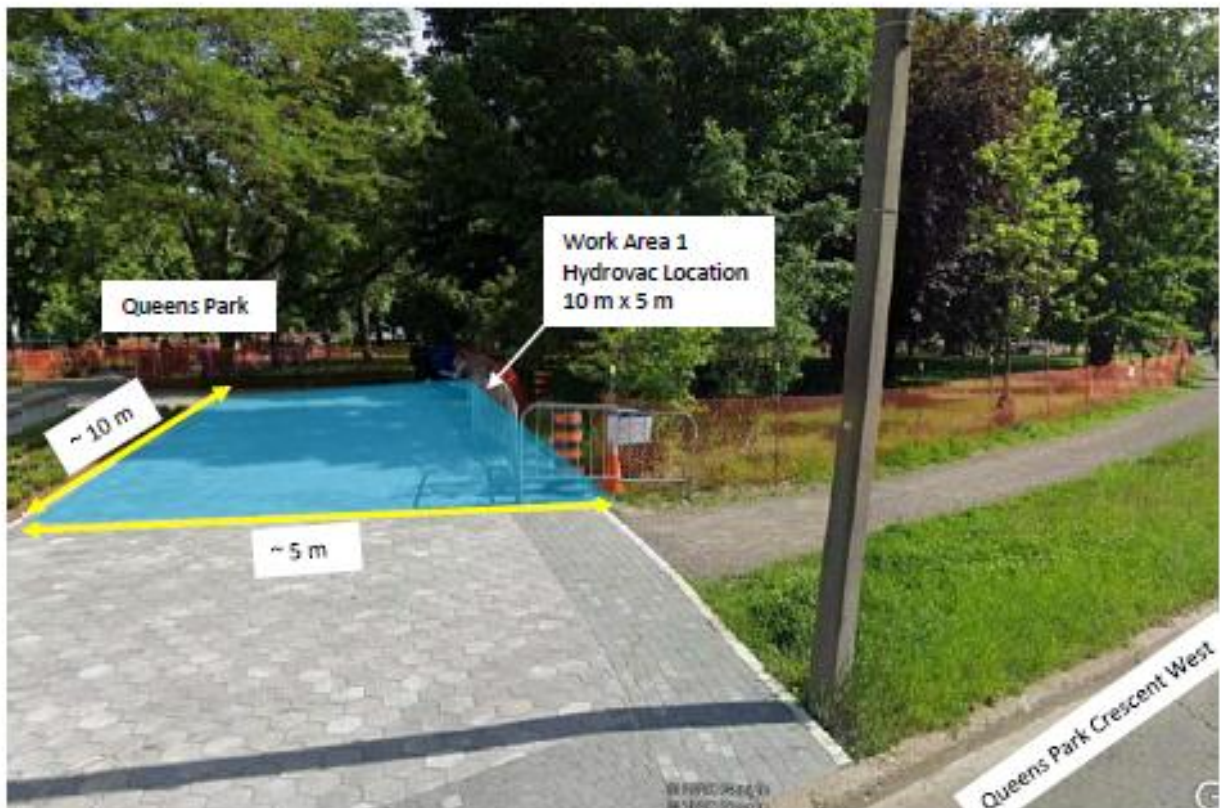
### Appendix "A": Location Map and Aerials Showing Work Areas



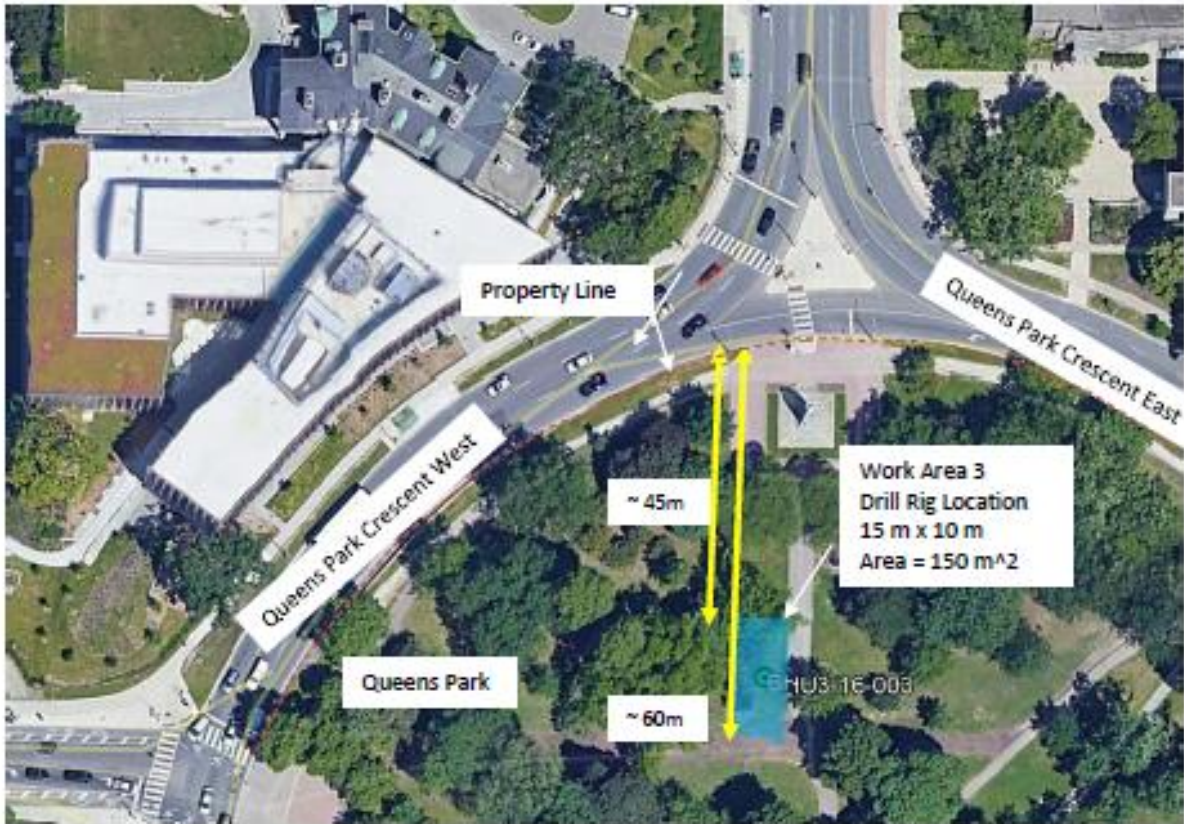




Borehole Location, Work Area and Street View







Borehole Location, Work Area and Street View

