

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

TRACKING NO.: 2020- 281

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 29,2020	Phone No.:	416-392-1857

Purpose	To obtain authority to enter into a Permission to Enter/Licence agreement (the "Licence") between the City of Toronto (the "City") and Build Toronto Inc. ("Build Toronto") to permit their consultants, Terrapex Environmental Ltd. or such other consultants ("Representatives") as may be approved by the City in writing, to drill boreholes and conduct monitoring well installations for environmental, geotechnical and hydrogeological investigation, more particularly described in Schedule "A" attached hereto (collectively, the "Work").
Property	The property municipally known as 405 Sherbourne Street, Toronto, Ontario; legally described as PT PARK LOT 4, CON 1 FB; PT WINCHESTER ST, PLAN D58; PARTS 1 & , RP 63R2430
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 October 15, 2020 and ending January 14, 2021 to conduct the Work. The Director of Real Estate Services, or his designate (collectively, the "Director"), shall administer and manage the Licence including the provision of any consents, approvals, waivers, notices and notices of termination, provided that the Director 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 are no financial implications resulting from this approval. Build Toronto will be responsible for all costs related to the use of the Licensed Area and for the costs of preparation of any test results or reports, resulting in no cost to the City. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	The Property is being redeveloped for affordable housing pursuant to the Housing Now initiative being led by CreateTO. 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 CreateTO will contract. In this case CreateTO, through Build Toronto, has retained Terrapex Environmental Ltd. to perform the Work. Build Toronto requires access to the Property to permit its Representatives to undertake the Work.
Terms	<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:</p> <ol style="list-style-type: none"> Term: (3) months, commencing on October 15, 2020 and continuing to and including January 14, 2021 (the "Term") Purpose: Completion of a subsurface utility engineering survey of the Licensed Area, including the Work Any access during the Term 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 Licensed Area 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 Licensed Area providing coverage including but not limited to General Commercial Liability coverage 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 Licensed Area and 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 Licensed Area, at its expense, and to the satisfaction of the Director, acting reasonably.

Property Details	Ward:	Ward 13 – Toronto Centre
	Assessment Roll No.:	1904-07-4-270-00500
	Approximate Size:	Irregular
	Approximate Area:	3010 m2 ± (32398 ft2 ±)
	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/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><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 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.</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 \$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:	Kristyn Wong-Tam (no, objections October 9,2020)					Councillor:								
Contact Name:	Lisa Brody Hoffman, Edward LaRusic													
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Contacted by:	Phone		E-mail		Memo		Other
Comments:							Comments:							

Consultation with Divisions and/or Agencies

Division:	CreateTO	Division:	Financial Planning
Contact Name:	Tracey Smith	Contact Name:	Patricia Libardo
Comments:	Concurrence (October 8, 2020)	Comments:	Concurrence (October 9, 2020)

Legal Services Division Contact

Contact Name:	Aiden Alexio, Concurrence (October 7, 2020)
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DAF Tracking No.: 2020-281	Date	Signature
Concurred with by: Manager, Real Estate Services Peter Cheng	Oct. 9, 2020	Signed by Peter Cheng
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Melanie Hale-Carter	Oct. 9, 2020	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

SCHEDULE "A"

SCOPE OF WORKS

Scope of works

The scope of the works includes borehole drilling and monitoring well installations for environmental, geotechnical and hydrogeological investigation.

Pontil Drilling will be hired to conduct borehole drilling and monitoring well installations using a CME 75 Truck mounted drill rig, the size and dimensions of which are illustrated below.

Equipment

Equipment used during this project will include:

- Handheld transmitter and receiver (approximately 2-5 lbs each and the size of a small suitcase)
- Confined space rescue equipment will be also available, if required (tripod, winch, and gas detector)
- Each technician will bring a regular sized work van on the site with them

Commencement Date

The drilling will commence on October 15, 2020 and is to be completed on October 23, 2020, following the below noted schedule:

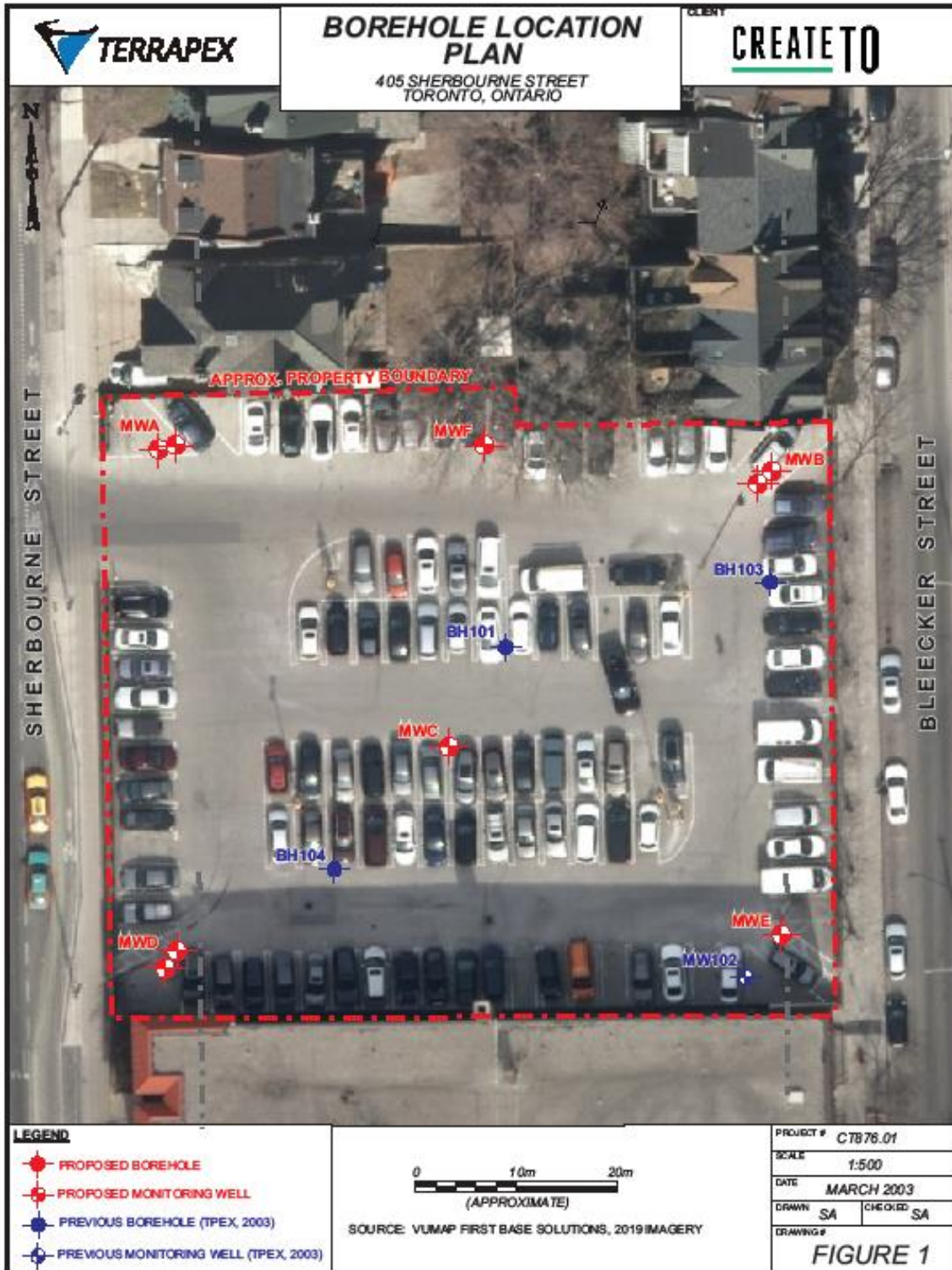
Location	BH Depth	Anticipated drilling dates
MWA(D)	26 m	October 15-16
MWA(S)	4 m	October 16
MWB(D)	9.5 m	October 21
MWB(S)	4 m	October 21
MWC	26 m	October 19-20
MWD(D)	9.5 m	October 22
MWD(S)	4 m	October 22
MWE	26 m	October 15-16
MWF	4 m	October 23

Subsequent bi-weekly monitoring will be conducted regarding newly installed wells for 6 events.

The anticipated monitoring dates are:

- October 28, 2020
- November 11, 2020
- November 25, 2020
- December 9, 2020
- December 23, 2020
- January 6, 2021

Proposed Location of Boreholes



CME 75 Truck Mounted Drill Rig Size and Dimensions

PONTIL DRILLING

CME 75 Truck Mounted Auger Drill

Engine

- Cummins QSB 6.7L [409 cubic inch] 133 horsepower [99 kilowatt] 6 cylinder turbocharged and charge air cooled diesel engine. U.S. EPA Tier 3 emissions certified diesel engine.

Rotary drive

- Clutch, heavy duty
 - 13 inch [33 cm]
- Transmission
 - 5 speed forward, 1 speed reverse
- Standard Rotary Box
 - 10,230 foot pounds [13,870 Nm] max
 - 740 rpm max
- High Torque Rotary Box (optional)
 - 12,950 foot pounds [17,557 Nm] max
 - 580 rpm max
- High Speed Rotary Box (optional)
 - 8,180 foot pounds [11,090 Nm] max
 - 930 rpm max

Hydraulic feed system

- Retract force
 - 30,000 pounds [13,608 kg]
- Pulldown force
 - 20,000 pounds [9,072 kg]
- Retract rate (max)
 - 30 feet [9 m] per minute
- Rapid Retract rate (max)
 - 78 feet [24 m] per minute
- Feed Rate (max)
 - 48 feet [14 m] per minute
- Stroke
 - 72 inch [183 cm]

Leveling system

Hydraulic jacks, inverted design with chrome-plated piston rods enclosed at all times.

- Stroke
 - 36 inch [91.4 cm]

PONTIL DRILLING

