

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

TRACKING NO.: 2020-300

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:	November 2, 2020	Phone No.:	(416) 392-8160

Purpose	To obtain authority to enter into Permission to Enter Agreements (the " Licences ") with the owners of multiple privately-owned properties (the " Licensors ") to permit preconstruction condition surveys and vibration monitoring (the "Work") in connection with TTC's Easier Access Phase III project at Rosedale Subway Station.
Property	The lands listed and shown on the map attached hereto as Appendix "A" (the " Properties ").
Actions	<ol style="list-style-type: none"> 1. Authority be granted for the City of Toronto (the "City") to enter into the Licences for the Work, 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. 2. The Director, Real Estate Service shall administer and manage the Licences, including the provision of any consents, approvals, waivers, notices and notice of termination provided that the Director, Real Estate Services may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction. 3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
Financial Impact	<p>There is no financial impact associated with the proposed Licences. The Licences will be at nominal consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact implications as identified in the Financial Impact section.</p>
Comments	<p>The Toronto Transit Commission (the "TTC") is installing new elevators at Rosedale Subway Station to improve the safe operation of the Station and to meet its legal requirements relating to accessibility and barrier free access (the "Project"). 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 to carry out the following work on the Properties (the "Work"):</p> <ol style="list-style-type: none"> 1. Vibration monitoring: Monitors are affixed within the relevant structure(s) on each of the Properties to detect potential movement during the construction of the Project. Readings from the monitors are collected remotely. Monitors are removed when the Project is complete. 2. Condition surveys: A survey of the interior on each of the Properties is carried out before and after construction of the Project. Each survey takes a few hours to complete and involves taking notes, photographs and/or video. No structural testing is required nor will structural testing be performed.
Terms	Continued on page 4

Property Details	Ward:	11 – University-Rosedale
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	
	Other Information:	4 Privately owned Properties

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:	Mike Layton	Councillor:	
Contact Name:	Mike Layton	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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 October 26, 2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	Duane Lovelace	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (Oct 30, 2020)	Comments:	Incorporated into DAF (Nov 2, 2020)

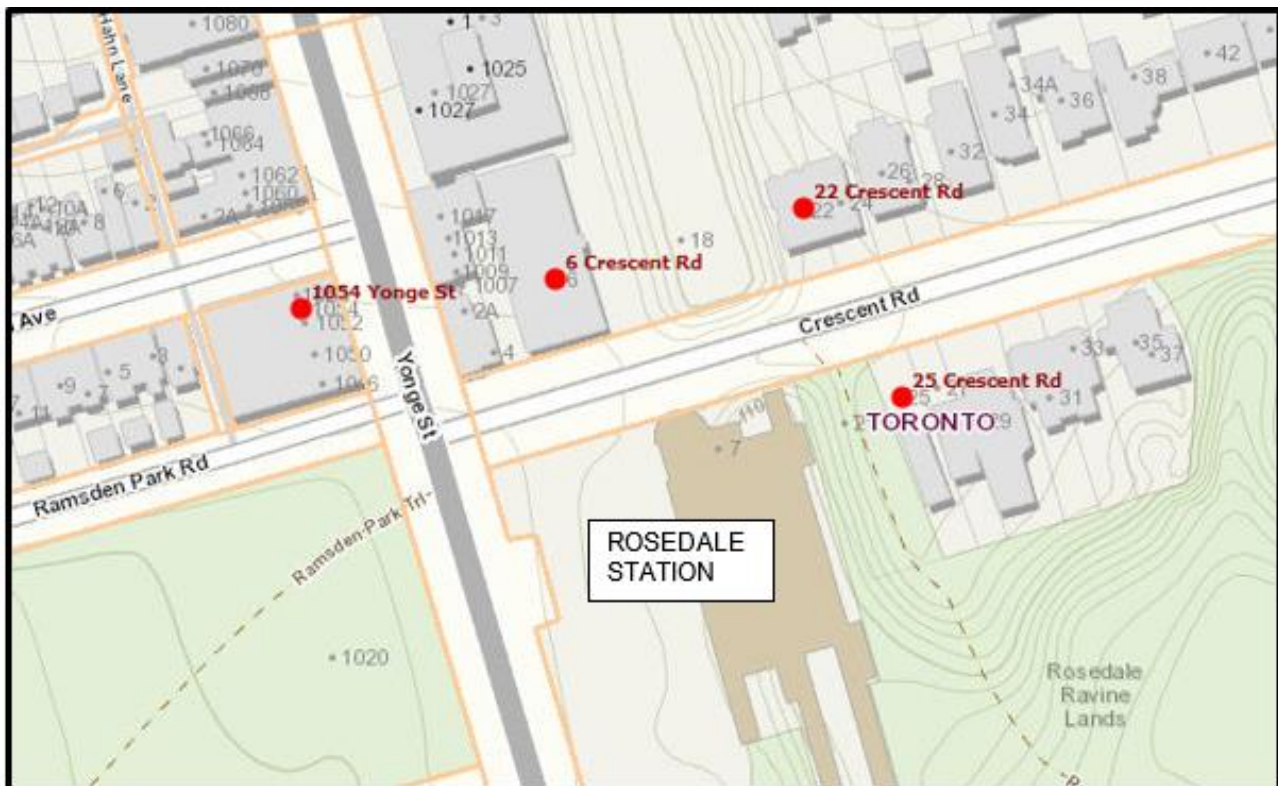
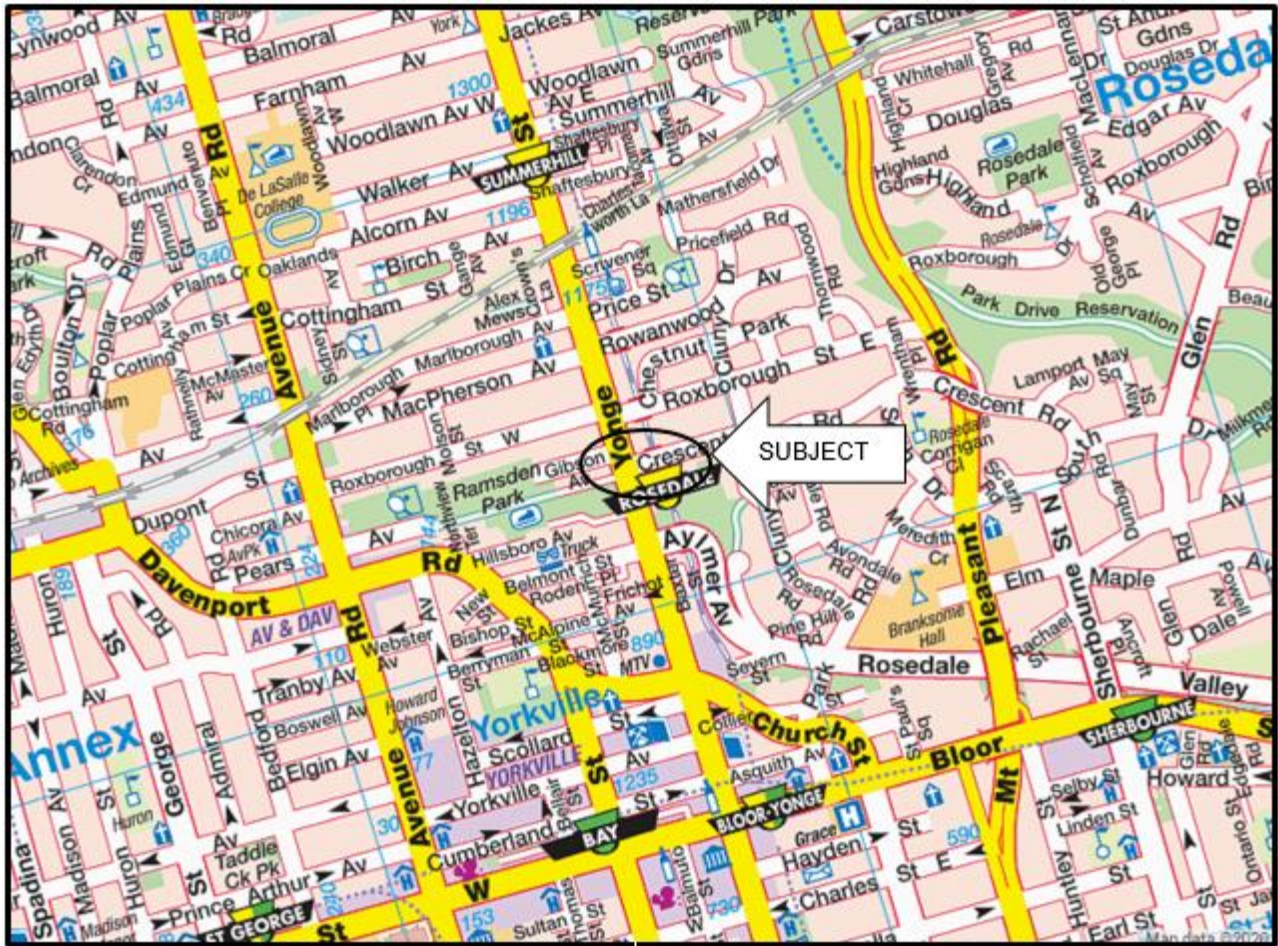
Legal Services Division Contact

Contact Name:	Aiden Alexio (Oct 29, 2020)
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DAF Tracking No.: 2020-300	Date	Signature
Concurred with by: Manager, Real Estate Services Melanie Hale-Carter	November 2, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	November 2, 2020	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Terms	<p>Term – Three (3) years, with forty-eight (48) hours' written notice prior to commencement.</p> <p>TTC as City Agent – 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 Licences.</p> <p>Restoration – At the expiration or early termination of the Licences, the City will, at its sole cost and expense, repair any damage to the Properties caused in the carrying out of the Work in a good and workmanlike manner.</p> <p>Indemnity – The City will indemnify and save the Licensors harmless from and against any and all losses, claims, actions, damages, liabilities and expenses in connection with loss of life, personal injury, damage to property or other loss or injury whatsoever arising from or out of or as a result of the rights granted to the City by the Licences or the carrying out of the Work by the City (or any of its employees, agents, invitees, contractors, or contractor's workers), save and except to the extent such loss, injury or damage results from any wilful misconduct, negligent act or omission of the Owner or those for whom the Owner is in law responsible.</p>
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Appendix "A": Subject Properties Location Map



Municipal Address	Legal Description	Registered Owner
6 Crescent Road Toronto, ON M4W 1T1	LT B, C PL 196E TORONTO; CITY OF TORONTO	Royal College of Dental Surgeons of Ontario
22 Crescent Road Toronto, ON M4W 1S9	PT LT 30-31 PL 84E TORONTO PT 1, 63R2370; CITY OF TORONTO	Christina Kennedy Humphrey
25 Crescent Road Toronto, ON M4W 1T4	PT LT D, E PL 176E TORONTO AS IN CT662366; S/T CT662366; CITY OF TORONTO	Hugh O'Connell
1054 Yonge Street Toronto, ON M4W 2L1	PCL B-2 SEC M209; PT BLK B PL M209 TORONTO PT 1 & 2, 66R17502; T/W PT 4 & 5, 66R17502 AS IN E100869; S/T PT 1 & 2, 66R17502 IN FAVOUR OF PT 3, 4 & 5, 66R17502 AS IN E100869; AS CONFIRMED UNDER BA1745 REGISTERED UNDER THE BOUNDARIES ACT AS PL D664; TORONTO , CITY OF TORONTO	639281 Ontario Limited