

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

**TRACKING NO.: 2020-186**

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

<b>Prepared By:</b>	Patrick McCabe	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	October 27, 2020	<b>Phone No.:</b>	647 462 7427

<b>Purpose</b>	To obtain authority to renew the 2015 Agreement (the "Agreement") between the City of Toronto (the "City") and Native Child and Family Services of Toronto ("NCFST") for a further term of five (5) years on the same terms and conditions.
<b>Property</b>	655 Bloor Street West, Toronto.
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Authority be granted to renew the 2015 Agreement with Native Child and Family Services of Toronto allowing Parks, Forestry and Recreation ("PFR") to provide youth programming at the NCFST facility for an extended term commencing on July 1, 2018 and ending on June 30, 2023, subject to similar terms and conditions of the 2015 Agreement outlined on page 4 of this form and on such other terms as may be satisfactory to the Chief Corporate Officer and in a form acceptable to the City Solicitor;</li> <li>2. The Parks, Forestry and Recreation Manager – Business Services &amp; Partnerships shall administer and manage the Agreement, including the provision of any consents, approvals, waiver, notices and notice of termination provided that the Deputy City Manager, Corporate Services may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction; and,</li> <li>3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	<p>Annual costs for this location are currently estimated at \$169,000. Funding is available in the 2020 Council Approved Operating Budget for Parks, Forestry and Recreation under cost centers P13573 and P12901. Future year expenditures will be referred to the City's annual budget process and will be included as part of the 2021 and future year budget submissions for Council consideration.</p> <p>The Chief Financial Officer and Treasurer has been provided the financial impacts associated with this program for review as part of the 2021 budget process.</p>
<b>Comments</b>	In 2015 City Council approved the expansion of three (3) Enhanced Youth Spaces with one of the spaces designated within a facility owned by Native Child and Family Services of Toronto. NCFST is a charitable organization that offers a variety of programming for the Native community including specialized youth programming focusing on the needs of Native youth. Parks, Forestry and Recreation have been allocating funding since 2015 to deliver programming to NCFST at 655 Bloor Street West. The agreement which defines the responsibilities of PFR and NCFST expired on June 30, 2018 and requires renewal. Terms and conditions of the renewal will remain consistent with the existing agreement and are outlined on page 4.
<b>Terms</b>	See page 4 Terms and Conditions.

<b>Property Details</b>	<b>Ward:</b>	11 – University - Rosedale
	<b>Assessment Roll No.:</b>	19 04 044 470 02700
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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	Division:	Parks, Forestry & Recreation (Finance)
Contact Name:	Mike Layton (Jul 10, 2020)	Contact Name:	Aaron Wang (Oct 1, 2020)
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objection	Comments:	Comments Incorporated

**Consultation with Divisions and/or Agencies**

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Christina Iacovino / Rohan Dove	Contact Name:	Patricia Libardo (Oct 22, 2020)
Comments:	Proceed With Agreement (Feb 5, 2020)	Comments:	Comments Incorporated

**Legal Services Division Contact**

Contact Name:	Lisa Strucken (Feb 5, 2020)
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DAF Tracking No.: 2020-186	Date	Signature
Concurred with by: <b>Manager, Real Estate Services</b> Daran Somas	October 29, 2020	Signed by Daran Somas
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b>	October 29, 2020	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by: <b>Manager, Real Estate Services</b> Melanie Hale-Carter		
<input type="checkbox"/> Approved by: <b>Director, Real Estate Services</b>		X

## MAJOR TERMS AND CONDITIONS

### Objective:

This Agreement defines the framework agreed upon by NCFST and the City's General Manager - Parks, Forestry and Recreation or his or her designate (the "GM") for the operation of a youth space at NCFST's property located at 655 Bloor Street West, Toronto (the "Building")

### Organization:

Native Child and Family Services of Toronto

### Location:

655 Bloor Street West, Toronto

### Renewal Term:

Term of five (5) years commencing July 1, 2018 and expiring on June 30, 2023 on the same terms and conditions as the 2015 Agreement

### Early Termination:

Either Party may terminate this Agreement at any time and for any reason upon at least sixty (60) days' notice in writing to the other party

### Responsibilities:

**Native Child and Family Services of Toronto is responsible, at its sole expense for the following:**

- (a) providing dedicated space within the Building for the City's Parks, Forestry and Recreation Enhanced Youth Space (the "Youth Space") including office space and a phone line/extension for one full time work station;
- (b) orientation and training to all Youth Space staff regarding the process, procedure and information pertinent to the NCFST organization;
- (c) janitorial services, and repairs to and maintenance of the Youth Space;
- (d) all utility charges associated with the Youth Space;
- (e) providing full-time City staff with a key for access to the Building including the security access code; and
- (f) all disciplinary/supervision issues involving NCFST staff.

**City of Toronto will be responsible, at its sole expense for the following:**

- (a) providing one full time staff and part-time program staff for the Youth Space;
- (b) funding the operation of the Youth Space; and
- (c) all disciplinary/supervision issues involving City staff.

### Insurance:

The City and NCFST shall, at all times during the term and any extension or renewal thereof of this agreement, purchase and maintain at their own expense a Commercial General Liability policy for bodily injury, death or property damage in the amount of Five Million Dollars (\$5,000,000.00) per occurrence. The policy shall contain a cross-liability and severability of interest clause, a 30 day cancellation clause, NCFST and the City shall add the other party as additional insured and shall be with insurers licensed to operate in Ontario.

**Location Map**  
**Native Child and Family Services of Toronto**  
**655 Bloor Street West**

