

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

TRACKING NO.: 2020-232

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

Prepared By:	Patrick McCabe	Division:	Corporate Real Estate Management
Date Prepared:	October 28, 2020	Phone No.:	647 462-7427

Purpose	To obtain authority to enter into a Licence Agreement with The Governing Council of the University of Toronto (the "Licensor") to allow the City of Toronto (the "Licensee") to design, construct and maintain a public parkette and playground (the "Park") on the Licensor's land at 420 Huron Street (the "Site"), for a term of 20 years, commencing September 1, 2021, or subsequent date when the Site, currently occupied by the Licensor, is available.
Property	South portion of 420 Huron Street, legally described as PLAN 641 LOT 1 TO 4 PLAN 449 LOTS 25 26 27 28
Actions	<ol style="list-style-type: none"> 1. Authority be granted to enter into a Licence Agreement with The Governing Council of the University of Toronto as Licensor, and the City of Toronto as Licensee, for the design, construction and operation of the Park at 420 Huron Street, effective September 1, 2021, or date to be determined subject to availability, for a term of 20 years. 2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
Financial Impact	<p>The Site will be provided by the Licensor to the City of Toronto at a nominal fee. Total cost for park construction and purchase of new playground equipment is estimated to be \$556,272.65. Annual maintenance costs are estimated at \$2,500.</p> <p>Funding is available in the 2020 – 2029 Council Approved Capital Budget and Plan for Parks, Forestry & Recreation under capital project CPR117-50-13. Future year capital and operating expenditures will be included as part of the 2021 and future year budget submissions.</p> <p>The Chief Financial Officer and Treasurer has been provided the financial impacts associated with the program identified in this DAF for review as part of the 2021 budget process.</p>
Comments	<p>The City of Toronto has maintained a public parkette on lands owned by the Governing Council of the University of Toronto since 2008. Given the active redevelopment of the University's campus the parkette was closed in 2019 to allow for its use as a construction staging area. The new Park construction is anticipated to commence September 2021, but could be subject to delays, as a result of the Licensor's current project.</p> <p>Although construction of the Park is not anticipated for approximately another year, execution of the Licence Agreement by both parties is necessary at this time because planning approvals respecting the Licensor's redevelopment project included the condition that an agreement for the provision of the future Park is established, to the satisfaction of the General Manager – Parks, Forestry & Recreation. The Licensor will prepare a survey respecting this parcel in due course.</p> <p>Execution of this Licence Agreement will satisfy the city planning requirement.</p>
Terms	<p>Term: September 1, 2021 – August 31, 2041</p> <p>Licence Fee: \$1.00</p> <p>Licensee responsible for design/construction of parkette and playground area in consultation with Licensor</p> <p>Licensee responsible for regular maintenance of the parkette, including inspection/repair of playground equipment</p> <p>Licensee will maintain comprehensive general liability insurance against bodily injury and property damage on an occurrence basis insuring all operations and activities of the Licensee in an amount not less than \$5,000,000</p> <p>Licensor has the right to terminate the Agreement at any time after the 15th year upon providing the City with at least one year's notice</p>

Property Details	Ward:	11 – University Rosedale
	Assessment Roll No.:	
	Approximate Size:	19 04 067 470 012 00
	Approximate Area:	1,380 m ² ± (14,854 ft ² ±)
	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/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 (Sep 1, 2020)	Councillor:	
Contact Name:	Mike Layton	Contact Name:	
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 type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objection	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Diana Chang (Sep 1, 2020)	Contact Name:	Patricia Libardo (Oct 28, 2020)
Comments:	Proceed With Agreement	Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name:	Lisa Strucken (Sep 1, 2020)
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DAF Tracking No.: 2020-232	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Oct. 29, 2020	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Manager, Real Estate Services Melanie Hale-Carter	Oct. 29, 2020	Signed by Melanie Hale-Carter

Schedule A
Huron-Washington Parkette
420 Huron Street

