

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

TRACKING NO.: 2020-325

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

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management
Date Prepared:	December 3, 2020	Phone No.:	416-397-0806

Purpose	To obtain authority to enter into a licence agreement with York University (the "Licensee") with respect to a small portion of the rooftop (the "Licenced Area") of a City-owned building at 2213 Dufferin Street (the "Property") for the purpose of granting the Licensee permission to install, operate and maintain air pollution measuring equipment on a temporary basis (the "Agreement").
Property	The Licenced Area is on a small portion the Property legally described as LT 30 PL 423 TWP OF YORK; LT 136 PL 1398 TWP OF YORK; LT 137 PL 1398 TWP OF YORK; LT 138 PL 1398 TWP OF YORK; LT 139 PL 1398 TWP OF YORK; PT LT 135 PL 1398 TWP OF YORK AS IN CY247694 EXCEPT TB721865; LT 41 PL 1398 TWP OF YORK; LT 42 PL 1398 TWP OF YORK; LT 43 PL 1398 TWP OF YORK; LT 44 PL 1398 TWP OF YORK; LT 45 PL 1398 TWP OF YORK; LT 46 PL 1398 TWP OF YORK; LT 47 PL 1398 TWP OF YORK; LT 48 PL 1398 TWP OF YORK; 2 FT RESERVE PL 1398 TWP OF YORK; SENECA ST PL 1398 TWP OF YORK AS CLOSED BY BYLAW CY255724 N OF GIBSON ST; TORONTO (YORK) , CITY OF TORONTO, being all of PIN 10454-0009 (LT), as shown on the Location Map in Appendix "A".
Actions	1. Authority be granted to enter into the Agreement with the Licensee, substantially on the major terms and conditions set out herein, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	There is no financial impact resulting from this approval as the Agreement is for nominal consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section
Comments	York University is carrying out a Dufferin Street Traffic Pollution Study (DSTPS), the purpose of which is to investigate what effect the reduction on speed might have on traffic pollution. This project was inspired by the Toronto Council decision to lower the speed limit on Dufferin St to 40 km/hr between Queen West and Eglinton Ave as part of the Vision Zero plan. The study will investigate whether modified driving behaviour due to the change in posted speed has any effect on the emission of harmful particulate pollutants. This study is led by the Earth and Space Science and Engineering department at the Lassonde School of Engineering at York. The Licensee will install, operate and maintain a temporary tripod and anemometer installation within the Licenced Area, being approximately five feet by five feet (5 x 5) and as shown in Appendix "A". This installation will provide information to support the above mentioned DSTPS. While the Property is currently operating as Fairbank Memorial Community Recreation Centre, PF&R have advised that they have no concerns with this study or temporary installation.
Terms	Licensee: York University Term: 6 months, commencing on December 7, 2020 and expiring on May 31, 2021 Licensed Area: approximately twenty five (25) square feet at the location shown in Appendix "A" Use of power outlet: the Licensee will have the right to use the existing power outlet adjacent to the water fountain next to the door which provides access to the rooftop of the Building. Early termination: The City and the Licensee can terminate at 30 days' notice Operating Costs: The Licensee shall pay all costs and expenses related to the Licensed Area and the Licensee's use and occupancy. Insurance: Commercial General Liability Insurance with limits of \$2,000,000.00 per occurrence

Property Details	Ward:	12 – Toronto – St. Paul's
	Assessment Roll No.:	N/A
	Approximate Size:	
	Approximate Area:	2.3 m ² ± (25 ft ² ±)
	Other Information:	Temporary installation

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 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 checked="" 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:	Josh Matlow	Councillor:	
Contact Name:	Andrew Athanasiu	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input type="checkbox"/> 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 – Nov 27, 2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Tino Decastro, Supervisor Facility Services	Contact Name:	Patricia Libardo
Comments:	Concurred – Sept 16, 2020	Comments:	No changes – Dec 1, 2020

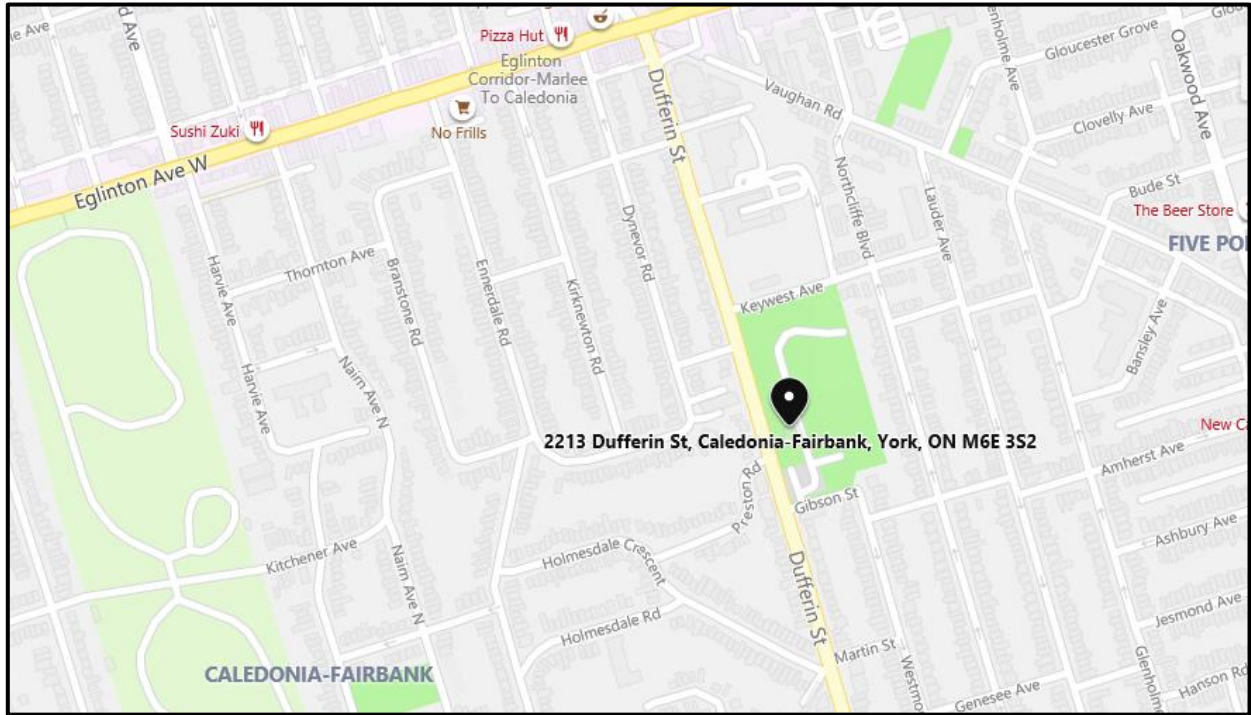
Legal Services Division Contact

Contact Name:	Emily Ng – November 26, 2020
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DAF Tracking No.: 2020-325	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Melanie Hale-Carter	Dec. 3, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Dec. 7, 2020	Signed by Alison Folosea

Appendix "A"

Location Map



Sketch of Licenced Area



3D view of Instalation and image of tripod and anemometer (wind monitor) instrument.

