

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

TRACKING NO.: 2021-019

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:	January 13, 2021	Phone No.:	416-397-0806

Purpose	To obtain authority to enter into a licence agreement with Metrolinx (the "Licensee") with respect to the City-owned lands abutting the rear of 3447 Kennedy Road and 29 Redlea Avenue, Toronto for access purposes (the "Licence Agreement").
Property	Part of City-owned lands located between 3447 Kennedy Road and 29 Redlea Avenue, legally described as Part of Lot 6 on Registrar's Compiled Plan 9828, Parts 2 to 4 and 9 to 17 on 64R-1619, being part of PIN 06018-0067, City of Toronto, and shown as Part 1 on Sketch No. PS-2019-140 on Appendix A (the "Licensed Area").
Actions	Authority be granted to enter into the Licence Agreement with the Licensee, substantially on the major terms and conditions outlined below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>The City will receive total net revenue of approximately \$4,817.00 (before HST) for the term of the Licence Agreement being approximately 6 months. Should Metrolinx decide to exercise 2 consecutive options to extend the term for one (1) year each, the City will receive additional revenue of approximately \$20,144.00 (before HST).</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>Metrolinx requested temporary use of the Licensed Area from the City, as well as from the abutting owner at 29 Redlea Avenue for the lands shown as Part 2 on the sketch, both for ingress/egress access to the abutting rail corridor to facilitate the construction in conjunction with the GO Expansion Program. While negotiations with the City have been finalized in mid-2020, Metrolinx has only recently finalized its negotiation with the abutting owner.</p> <p>The License Area forms part of the lands acquired by the City for the proposed Redlea Avenue extension from Steeles Avenue East to Passmore Avenue. Transportation Services advised that the timeline of the road extension has yet to be determined and as such, has no concerns with the proposed licence, subject to the terms and conditions herein.</p> <p>The licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>
Terms	<p>Major terms and conditions:</p> <p>Licensed Area: 275.4 sq. m.</p> <p>Commencement date: The date of execution of the Licence Agreement.</p> <p>Expiry day: July 7, 2021</p> <p>Licence fee: \$9,634.00 per year for the term, plus additional 3% per year during extension term.</p> <p>Options to renew: Two further periods of one (1) year each with three (3) months prior written notice.</p> <p>Early termination: Each party may terminate on not less than 30 days' prior written notice to the other party.</p> <p>Use: Access for ingress/egress to the rail corridor</p> <p>Insurance: General liability insurance with limits of not less than \$10,000,000.00 per occurrence. The City is to be added as an additional insured.</p>

Property Details	Ward:	22 – Scarborough-Agincourt
	Assessment Roll No.:	Part of 190111335001101
	Approximate Size:	Irregular shape
	Approximate Area:	275.4 m2 ± (2,964.4 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/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 checked="" 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 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>

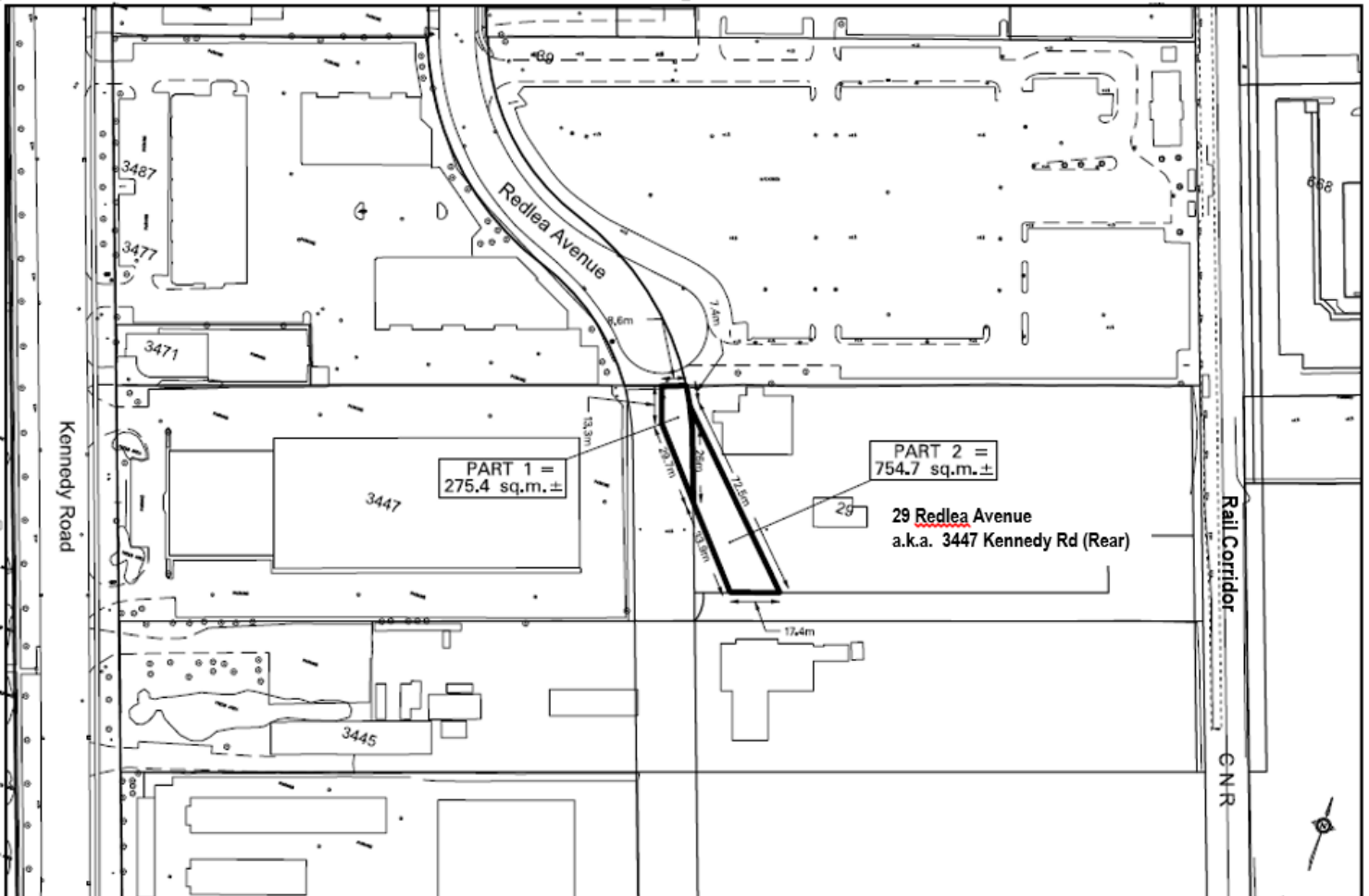
B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:
<ul style="list-style-type: none"> • Documents required to implement matters for which each position also has delegated approval authority. • Expropriation Applications and Notices 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:
<ul style="list-style-type: none"> • 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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Office of the Mayor (on behalf of Ward 22 Vacancy)	Councillor:	
Contact Name:	Office of the Mayor	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:	Notified - Jan 13, 2021	Comments:	
Consultation with Divisions and/or Agencies			
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Rhema Stevenson, Senior Project Manager	Contact Name:	Filisha Jenkins
Comments:	Included – May 22, 2020	Comments:	No Issues – March 20, 2020
Legal Services Division Contact			
Contact Name:	Lisa Davies – May 4, 2020		

DAF Tracking No.: 2021- 019	Date	Signature
Concurred with by: Manager, Real Estate Services Darán Somas	Jan. 13, 2021	Signed by Darán Somas
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Melanie Hale-Carter	Jan. 13, 2021	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A"

Location Map and PS Sketch



<p>ENGINEERING & CONSTRUCTION SERVICES ENGINEERING SUPPORT SERVICES LAND & PROPERTY SURVEYS</p>	<p>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS, MEASUREMENTS SHOWN ARE APPROXIMATE</p>	<p>PROPERTY INFORMATION SHEET SKETCH SHOWING A PORTION OF CITY OWNED LAND ABUTTING NO. 3447 KENNEDY ROAD (PART 1) AND NO. 29 REDLEA AVENUE (PART 2)</p>	
	<p>NOT TO SCALE</p>	<p>WARD 22 - SCARBOROUGH-AGINCOURT DATE: NOVEMBER 29, 2019</p>	<p>SKETCH No. PS-2019-140</p>
<p>PREPARED BY: DWAYNE PITT</p>	<p>CHECKED BY: JOHN HOUSE</p>		