

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

TRACKING NO.: 2021-011

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

Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Services
Date Prepared:	January 4, 2021	Phone No.:	(416) 392-1857

Purpose	To obtain authority to amend a previous Delegated Approval Form (2019-262) to enter into a permanent surface easement agreement within a portion of the property to the rear of 2000 Lake Shore Boulevard West, with Toronto Hydro-Electric Systems Limited ("Toronto Hydro"). The amendment will correct the easement from permanent to temporary (the "Temporary Easement") as well add additional abutting City lands at 2000 Lake Shore Boulevard West to the Temporary Easement. The Temporary Easement will remain in force until all subject lands are rightly dedicated as a public highway.
Property	City-owned property located at the rear of 2000 Lake Shore Boulevard West, designated as Part 6.7 and 8 on Plan 66R-29665 (the "Property").
Actions	<ol style="list-style-type: none"> Authority be granted to enter into a temporary easement with Toronto Hydro, for the purpose of enabling the relocation of their active utility (the "Works") to the Property and to allow Toronto Hydro access for maintenance and repair of its works, on terms and conditions satisfactory to the Manager, Transaction Services and in a form satisfactory to the City Solicitor. 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 resulting from the approval of this DAF. The proposed grant of a temporary easement is for nominal consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>
Comments	<p>Lands at 2000 and 2002 Lake Shore Boulevard West were acquired by Metropolitan Toronto in 1990 and 1992 for the purpose of constructing improvements to the Gardiner Expressway and any related access. However, Transportation Staff have realized that a portion of these lands remain undedicated, and accordingly, intend to rectify this via a Dedication By-law to Council in early 2021.</p> <p>This portion was declared surplus by DAF No. 2012-209 on October 2, 2012.</p> <p>City Council approved the transfer of this portion to Build Toronto on May 17-19, 2011, with the adoption of Item GM3.21 and further granted authority to enter into an Agreement to Transfer, with adoption of item GM32.8.</p> <p>The City entered into a Transfer Agreement with Build Toronto November 29th, 2017. The agreement included as a Schedule a "Utility Relocation Agreement" relating to the relocate of Toronto Hydro Equipment, located on part of the Property,</p>
Terms	<ol style="list-style-type: none"> Term – The Temporary Easement will remain on parts 6,7, 8 until such parts are dedicated as a public Highway; As soon is reasonably possible after installation of the Works Toronto Hydro shall repair or restore the Temporary Easement Lands as nearly as is reasonably practicable to the conditions existing prior to such work being undertaken. The maintenance of the Temporary Easement Lands shall be the responsibility of the City save and except for the service/infrastructure installed by Toronto Hydro, which shall be the responsibility of Toronto Hydro. Toronto Hydro shall also be responsible for any damage to the Temporary Easement Lands caused at any time by its agents, employees or those for whom at law it is responsible. Toronto Hydro shall, at all times, indemnify and save harmless the City and its elected officials, directors, officers, employees, agents, representatives, successors and assigns against any and all claims, demands, damages, losses and costs (including legal costs) arising as a result of Toronto Hydro's use of the Temporary Easement Lands.

Property Details	Ward:	Ward 4 – Parkdale-High Park
	Assessment Roll No.:	1904-01-1-060-01400, 1904-01-1-060-01500 and 1904-01-1-060-01700
	Approximate Size:	Irregular, approximately 131 m x 34 m (429.8 ft X 111.5 ft)
	Approximate Area:	4286 m ² ± (46142ft 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 type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input checked="" 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:	Gord Perks	Councillor:	
Contact Name:	Karen Duffy	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 (December 8, 2020)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Lukasz Pawlowski	Contact Name:	Patricia Libardo
Comments:	Concurs (December 30, 2020)	Comments:	Concurs (December 18, 2020)

Legal Services Division Contact

Contact Name: Michele Desimone, Concurred (December 18, 2020)

DAF Tracking No.: 2021-011	Date	Signature
Concurred with by: Manager, Real Estate Services Daran Somas	Jan. 5, 2021	Signed by Daran Somas
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Melanie Hale-Carter	Jan. 5, 2021	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		