

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

TRACKING NO.: 2021-171

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

Prepared By:	Ishan Dasgupta	Division:	Corporate Real Estate Management
Date Prepared:	June 14, 2021	Phone No.:	(416) 392-7165

Purpose	To obtain authority to enter into a licence agreement with the Minister of Transportation and its contractors. (the " Licensee ") with respect to a portion of Moatfield Farm Park in North York (the " Subject Lands "), Toronto for the purpose of conducting bat surveys.
Property	Part of the property known as Moatfield Farm Park, municipally known as 355 Lesmill Road, Toronto, legally described as part of Lots 13 and 14, Concession 3 East of Yonge Street, Township of York, as more particularly described in Instrument Number NY300627, save and except PART 5 on CTA Plan 287, NY462864 & NY590890 and PART 1, on Expropriation Plan AT5692863, City of Toronto, being all of PIN 10088-0235 (LT).
Actions	1. Authority be granted to enter into the Agreement with the Licensee, substantially on the major terms and conditions set out in the Terms section 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	There is no financial impact to the City. The licence is to be granted to the Licensee for nominal consideration. There is a Legal Services fee of \$656.88 plus HST applicable for preparation of the Licence agreement. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	The Licensee initiated expropriation proceedings for a portion of Moatfield Farm Park for the purpose of highway 401 realignment. As part of the detail design and class Environmental Assessment study, the Licensee's contractor, AECOM, requires access to the Subject Lands for a period of 10 consecutive days for the purpose of conducting a species at risk bat acoustic survey which can only be done during the month of June in any given year. Ecologists will install acoustic monitors at 4 locations within the Subject Lands for bat detection. These monitors will record at dusk during the 10-day period before being retrieved by the Licensee.
Terms	<p><u>Major Terms and Conditions</u></p> <p>License Fee: Nominal</p> <p>Term: 1 month, for a single period of 10 consecutive days during the month of June, 2021</p> <p>Use: Bat Acoustic Survey</p> <p>Equipment: Acoustic monitors, 12" by 7 " box with attached cables and microphones</p> <p>Restoration: The Licensee shall expeditiously repair and restore at its own expense any damage to the licensed area</p> <p>Insurance: Commercial liability coverage, Bodily injury and property damage, in an amount of not less than five million dollars (\$5,000,000.00) per occurrence. The Commercial General Liability policy shall name the City as an insured</p> <p>Indemnity: The Licensee shall at all times indemnify and save harmless the City and its respective representatives from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, made or brought against, suffered by or imposed on the City or the City's Representatives or their property sustained as a result of the Licensee's or the Licensee's Representatives' occupation of or use of the Licensed Area.</p>

Property Details	Ward:	16 – Don Valley East
	Assessment Roll No.:	1908-1031-4104-1500-000
	Approximate Size:	N/A
	Approximate Area:	N/A
	Other Information:	Moatfield Farm Park

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 checked="" 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:

- 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:	Denzil Minnan-Wong	Councillor:	
Contact Name:	Denzil Minnan-Wong	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 comments	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Rachel MacMillan	Contact Name:	Patricia Libardo
Comments:	No concerns (06/11/2021)	Comments:	No concerns (06/10/2021)

Legal Services Division Contact

Contact Name: Mark Zwegers – comments incorporated (06/10/2021)

DAF Tracking No.: 2021-171	Date	Signature
Concurred with by: Acting Manager, Real Estate Services Alex Schuler	June 17, 2021	Signed by Alexander Schuler
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Daran Somas	June 17, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		

Appendix "A" Location and Licence Area

Location:



Licence Area:

