

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

TRACKING NO.: 2021-173

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

|                |                   |            |                                  |
|----------------|-------------------|------------|----------------------------------|
| Prepared By:   | Patricia Palmieri | Division:  | Corporate Real Estate Management |
| Date Prepared: | June 8, 2021      | Phone No.: | 416-392-4829                     |

|                         |   |
|-------------------------|---|
| <b>Purpose</b>          | To obtain authority to enter into Permission to Enter Agreements (the "Licences") with the owners of 5, 7, 9 and 11 Strathmore Boulevard (the "Licensors") in connection with erecting a new second exit and installing new elevators at Donlands Subway Station.   |
| <b>Property</b>         | The lands listed in Appendix "B" and shown on the map attached hereto as Appendix "A" (the "Properties").   |
| <b>Actions</b>          | 1. Authority be granted for the City to enter into the Licences for the Works as defined below, substantially on the terms and conditions set out below together with such other terms and conditions as may be satisfactory to the Manager, Transaction Services and in a form acceptable to the City Solicitor.   |
| <b>Financial Impact</b> | Funding for the Works as identified in the Licence is available in the 2021-2030 Council Approved Capital Budget and Plan for the TTC under capital account CTT028-1 Easier Access – Phase 2 for Council consideration.<br><br>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.  |
| <b>Comments</b>         | The Toronto Transit Commission (the "TTC") is erecting a new second exit and installing new elevators at Donlands Subway Station to improve the safe operation of the Station and to meet its legal requirements relating to accessibility and barrier free access (the "Project"). The Project is in the vicinity of the Properties.<br><br>In order to facilitate the construction of the Project and protect the Properties, TTC is to carry out the following works (the "Works") on the Properties:  |
| <b>Terms</b>            | 1. The TTC are constructing a new second exit building for Donlands Station on land adjacent to the Properties and require access on part of the Properties to facilitate the installation of an access gate on the southerly boundary of the Properties, to maintain the condition and operability of the access gate for the duration of the construction works for the Project, and to replace the fencing that surrounds the rear garden at the conclusion of the construction works for the Project.<br><br><b>Term</b> – The term shall commence on the completion of the Licence and shall expire on August 31, 2023. The City and its Representatives shall have the right to enter on the Licensed Area to perform the Work between the hours of 7 a.m. and 7 p.m. Mondays to Fridays, both inclusive, and between the hours of 9 a.m. and 6 p.m. on Saturdays and Sundays, unless otherwise mutually agreed between the Licensor and the City, upon at least 48 hours' prior notice.<br><b>Restoration</b> – The City shall restore the Properties to a condition suitable for continued use and occupation<br><b>Indemnity</b> – City to indemnify and save the Licensors harmless from and against costs, expenses, claims, and demands brought against the Licensor in respect of loss, damage or injury to persons or property, arising out of the carrying out of the Work, except to the extent caused and/or contributed to by the negligence or willful misconduct of the Licensors or those for whom it is at law responsible.<br><b>Expropriation</b> – The City acknowledge and agrees that the Licensor may advance claims for compensation that are available to the Licensor pursuant to the Expropriations Act, R.S.O. 1990, c E-26, including any claims in connection with the Work or ancillary works thereto, and nothing in this Agreement limits or restricts in any way any claim for compensation that is advanced by the Licensor nor shall this Agreement be interpreted as doing so in any way. (For clarity, the City have expropriated real estate interest on 7, 9 and 11 Strathmore independently for the purposes of the Project and this provision applies only to those properties.) |

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|-------------------------|--------------------------|----------------------------|
| <b>Property Details</b> | <b>Ward:</b>             | Ward 14 – Toronto-Danforth |
|                         | <b>Approximate Area:</b> | Irregular                  |

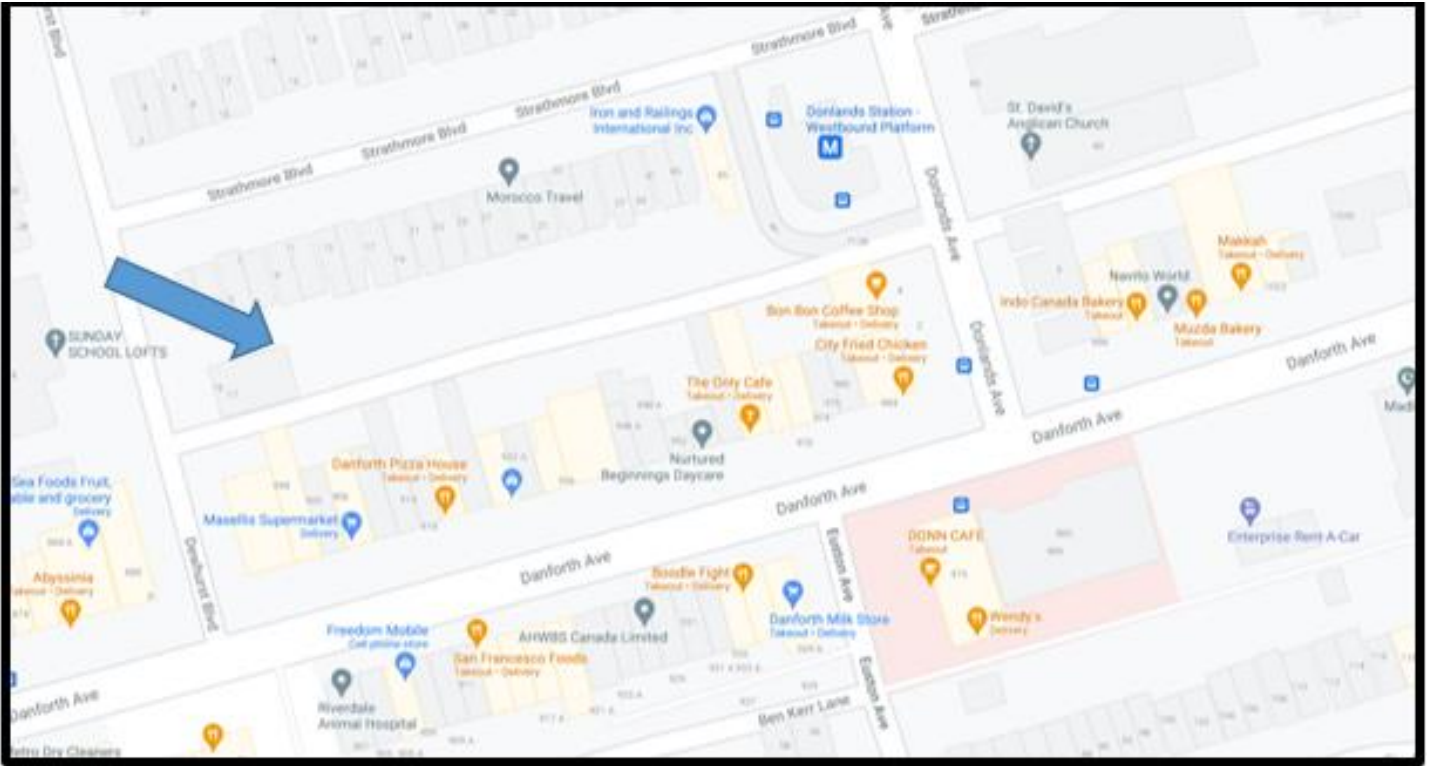
| A.   | Manager, Real Estate Services has approval authority for:  | Director, Real Estate Services has approval authority for:  |
|--|--|---|
| <p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property 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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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> |

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| <b>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>  |
| <ul style="list-style-type: none"> <li>• Documents required to implement matters for which each position also has delegated approval authority.</li> <li>• Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).</li> </ul>                   |
| <b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>   |
| <ul style="list-style-type: none"> <li>• Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>• Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul> |

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|--|--|---------------|---|
| <b>Pre-Condition to Approval</b>   |  |               |   |
| <input type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property |  |               |   |
| <b>Consultation with Councillor(s)</b>   |  |               |   |
| Councillor:  | Paula Fletcher   | Councillor:   |   |
| Contact Name:  | Susan Serran   | Contact Name: |   |
| Contacted by:  | <input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other | Contacted by: | <input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other |
| Comments:  | Advised June 8, 2022   | Comments:     |   |
| <b>Consultation with Divisions and/or Agencies</b>   |  |               |   |
| Division:  | Toronto Transit Commission   | Division:     | <b>Financial Planning</b>   |
| Contact Name:  | Duane Lovelace   | Contact Name: | Patricia Libardo  |
| Comments:  | Concurred June 8, 2021   | Comments:     | Concurred June 8, 2021  |
| <b>Legal Services Division Contact</b>   |  |               |   |
| Contact Name:  | Dale Mellor  |               |   |

| DAF Tracking No.: 2021- 173  | Date          | Signature             |
|--|---------------|-----------------------|
| Concurred with by: <b>Manager, Appraisal Services<br/>Peter Cheng</b>                          | June 17, 2021 | Signed by Peter Cheng |
| <input type="checkbox"/> Recommended by: <b>Manager, Transaction Services<br/>Daran Somas</b>  | June 17, 2021 | Signed by Daran Somas |
| <input checked="" type="checkbox"/> Approved by:   |               |                       |
| <input type="checkbox"/> Approved by: <b>Director, Transaction Services<br/>Alison Folosea</b> |               | X                     |

Appendix "A"



## Appendix "B"

| <b>Properties</b>       | <b>Owner</b>  |
|-------------------------|---|
| 5 Strathmore Boulevard  | Bill Boulougouris                                       |
| 7 Strathmore Boulevard  | Tiehe Huang   |
| 9 Strathmore Boulevard  | Nicole Elizabeth Ladanyi &<br>Douglas Claude MacDougall |
| 11 Strathmore Boulevard | Sing Yan Yeung & Tinh Van Chau                          |