

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

1 of 17

Prepared By:	Rafael Gutierrez &	Glenn Zeta	Division:	Corporate Real Estate Management			
Date Prepared:	August 11, 2021		Phone No.:	416-338-2995			
Purpose	To amend Delegated Approval Form No. 2019-180 to reflect amended and additional permitted scope of work (the "Works") and to update the schedule of properties Metrolinx may require to access to perform due diligence work to facilitate the Ontario Line project (the " OL ") and to obtain authority to enter into an amending agreement (the " Amending Agreement ") to the Omnibus Permission to Enter Agreement dated August 8, 2019 as amended from time to time (the " OPTE ") between the City of Toronto (the " City ") and Metrolinx with respect to the same.						
Property	The additional properties to be subject to the OPTE under the Amending Agreement are listed in Appendix "C".						
Actions	 Authority be granted to enter into the Amending Agreement on the terms as set out in DAF 2019-180 and on the amended terms set out herein. 						
Financial Impact Until a formal arrangement between the City and Metrolinx respecting OL has been agreed be at market fee; unless the licenses are for environmental, cultural heritage or archaeolo surveying, natural resource investigations or tree/vegetation removal or maintenance for promoths and do not impact the revenue generation and operations of the property. The cut are for Stage 2 Archeological Study, Natural Environment Investigations and Tree Inventor for nominal consideration.				cultural heritage or archaeological assessments; testi removal or maintenance for periods not exceeding 3 tions of the property. The current licensed areas rec			
		The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.					
Comments	Delegated Approval Form No. 2019-180 authorized the City as licensor to enter into the original Omnibus Permission to Enter Agreement in favour of Metrolinx to permit access to City-owned properties that have been or will be identified as required to facilitate the OL, for the purpose of due diligence work as listed on Appendix "A" of DAF 2019-180. Further amending agreements were entered into the parties with respect to the original Omnibus Permission to Enter Agreement and authority was obtained for the same. This allows for staggered delivery of properties as they are identified by Metrolinx.						
	While certain short-term access to parklands can be obtained through the Park Access Agreements administered by Parks, Forestry and Recreation ("PF&R"), it was determined that for transit projects, any short-term request for access to park and open space areas to facilitate works under an Urban Forestry permit (e.g. tree and vegetation removal) or any other short term construction access to park and open space property should be through the OPTE. As such, the due diligence work as permitted under DAF 2019-180 is recommended here to be amended to reflect this additional scope of work and that the properties owned by or managed by the City, listed in Appendix "C" are to be also subject to the OPTE, in addition to those properties already subject to the OPTE provided in Appendix "B"						
Terms	Amended Terms a	nd Conditions:					
	Other condition:			orm work shall be subject to Metrolinx providing deta final approved Urban Forestry permit			
	Use:		Delegated Approval Fo pproval Form No. 2021	rm No. 2019-180 is hereby replaced by Appendix "A' -229			
	Waiver of Administrative Fee: Metrolinx shall not be required to pay the City's administrative fee pursuant to Chapter 441 of the Toronto Municipal Code for the Amending Agreement.						
All other principal terms of the OPTE will remain the same save and except as p				we and except as provided herein.			
Property Details							

А.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
2A. Expropriations Where City is Expropriating Authority:	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B. Expropriations For Transit- Related Purposes Where City is Property Owner or Has Interest in Property Being	(a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	(a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
Expropriated:	(b) Request Hearings of Necessity.	(b) Request Hearings of Necessity.
	(c) Waive Hearings of Necessity.	(c) Waive Hearings of Necessity.
3. Issuance of RFPs/REOIs:	Delegated to more senior positions.	Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	Delegated to more senior positions.	Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
 Transfer of Operational Management to Divisions, Agencies and Corporations: 	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
 Disposals (including Leases of 21 years or more): 	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
 Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan: 	Delegated to more senior positions.	Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	(a) Where total compensation (including options/ renewals) does not exceed \$50,000.	(a) Where total compensation (including options/ renewals) does not exceed \$1 Million.
	(b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.	(b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.
	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
10. Leases/Licences (City as Tenant/Licensee):	Where total compensation (including options/ renewals) does not exceed \$50,000.	Where total compensation (including options/ renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	Where total compensation does not exceed \$50,000.	(a) Where total compensation does not exceed \$1 Million.
	Delegated to more senior positions.	(b) When closing roads, easements to pre- existing utilities for nominal consideration.
12. Easements (City as Grantee):	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	(a) Approvals, Consents, Notices and Assignments under all Leases/Licences
		(b) Releases/Discharges
		(c) Surrenders/Abandonments
		(d) Enforcements/Terminations
		(e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates (f) Objections/Waivers/Cautions
		(r) Objections/Waivers/Cautions (g) Notices of Lease and Sublease
		(b) Consent to regulatory applications by City, as owner
		(i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
		(j) Documentation relating to Land Titles applications
		(k) Correcting/Quit Claim Transfer/Deeds

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

x Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

Consultation with Councillor(s)

Consultation w	th Councilion(S)				
Councillor:	Mike Feldman (Ward 10), Kristyn Wong-Tam (Ward 13)	Councillor:	Paula Fletcher (Ward 14) Jaye Robinson (Ward 15)		
Contact Name:		Contact Name:			
Contacted by:	Phone X E-Mail Memo Other	Contacted by:	Phone X E-mail Memo Other		
Comments:	No Objections – July 7, 2021	Comments:	No Objections – July 7, 2021		
Consultation with Divisions and/or Agencies					
Division:	PF&R / Toronto Parking Authority / Toronto Water	Division:	Financial Planning		
Contact Name:	Jessica Chan / Darcy Watt / Mtokozisi Ncube	Contact Name:	Patricia Libardo		
Comments:	No objections – August 11, 2021	Comments:	No objections – August 11, 2021		
Legal Services Division Contact					
Contact Name:	e: Luxmen Aloysius				

DAF Tracking No.: 2021-229		Date	Signature
Concurred with by:	Manager, Real Estate Services Alex Schuler	Aug 13, 2021	Signed By: Alex Schuler
Recommended by:X Approved by:	Manager, Real Estate Services Daran Somas	Aug 12, 2021	Signed By: Daran Somas
Approved by:	Director, Real Estate Services		X

APPENDIX "A"

THE "WORKS"

Natural Resource Investigations

- Include multiple walk-throughs and targeted observations by naturalist(s) to identify and photograph plant material and observe wildlife (terrestrial, aquatic) and bird nesting sites.
- All field visits will record incidental observations of wildlife. The species and location of observed wildlife will be noted. The presence
 of migratory routes or aspects of habitat use (e.g., dens, burrows) will be noted if applicable.

Noise and Vibration Survey

 Include measurements of baseline ambient noise and vibration levels. Typically, devices are left for 24-48 hours depending on the location.

Utility Survey (Including MASW)

- Utility mapping using portable geophysical equipment to delineate the existence and approximate horizontal alignment of existing utilities.
- Excavation of test pits may be required at specific points to delineate the horizontal, vertical depth and subsequent measurements of existing underground utilities by actual exposure (i.e. "daylighting").
- Utility locates are required for any excavations related to a utility survey.

All existing trees within and adjacent to excavations within the licensed area shall be fenced at the dripline or TPZ, whichever is greater, with snow fence or other similar material approved by PF&R. Any tree injuries and removals require an Urban Forestry permit and/or written approval in advance of entering City property.

Geotechnical and Hydrogeological Investigations

- All geotechnical investigations and/or hydrogeological investigations shall be conducted in accordance with applicable law and industry best practices.
- Ground disturbance on TRCA property may necessitate an archaeological assessment, which must be cleared prior to any construction. In order to verify archaeological potential, please contact TRCA archaeological staff and a fee may be required.
- Activities may include, but are not limited to, site visits, utility locates, intrusive investigative activities (drilling of boreholes and/or excavation of test pits, installation of monitoring wells), collection of soil and/or groundwater samples for laboratory analysis, etc.
- All monitoring wells shall be decommissioned upon completion of the Term in accordance with Ontario Regulation 903.
- Geophysical assessment may be completed as part of the Work, including magnetometer, electro magnetometer, ground penetrating radar and seismic surveys as appropriate.
- Any collected material must be stored in a location approved by the property owner/operator and removed off site within 24 hours.

All existing trees within and adjacent to excavations within the licensed area shall be fenced at the dripline or TPZ, whichever is greater, with snow fence or other similar material approved by PF&R. Any tree injuries and removals require an Urban Forestry permit and/or written approval in advance of entering City property.

Cultural Heritage Evaluations

- Cultural Heritage Evaluations will be undertaken in accordance with the *Ontario Heritage Act*, the Standards and Guidelines for Conservation of Provincial Heritage Properties and the Metrolinx Interim Heritage Management Process.
- Activities may include, but are not limited to, site visits, records review, historical research, consultation with relevant stakeholders and government authorities.
- Heritage Investigations may also include visual inspections and photography of interior and exterior building features.

Archaeological Stage 1 Study

- Archaeological Assessments of the Property will be undertaken in accordance with the Ontario Heritage Act, the 2011 Ministry of Tourism, Culture and Sport Standards and Guidelines for Consultant Archaeologists and industry best practices.
- Activities may include, but are not limited to, site visits, records review, historical research, consultation with relevant stakeholders and government authorities.
- Reports will be submitted to the Ministry of Tourism, Culture and Sport for review and acceptance.

Archaeological Stage 2 Study

- Stage 2 archaeological investigations with field work necessary to identify archaeological resources and to confirm areas of recent and extensive ground disturbance will be conducted as follows:
 - A test-pitting and/or pedestrian form of survey will be performed at survey intervals of 5 metres.
 - Test-pits are 30 cm units excavated manually with shovels to subsoil.
 - Soil fills are screened through 6 mm mesh and all test-pits are backfilled.
 - If archaeological materials are identified during the test pit survey, the survey may be intensified to include at least one 1 metre by 1 metre unit and up to eight additional test pits at 2.5 metre intervals around the positive test pit.
 - Pedestrian survey involves walking along ploughed and weathered fields at 5 metre intervals. Pedestrian survey must be undertaken on actively or recently cultivated land. Fields must be recently ploughed and allowed to weather through one hard or three light rainfalls and at least 80% of the ploughed ground surface must be visible.
 - If archaeological materials are identified during the pedestrian survey, the survey is intensified and the interval is reduced to 1 metre to determine whether the artifact is an isolated find or part of a larger scatter.
 - o All artifacts recovered will be taken back to the laboratory for processing and analysis.

- Based on findings, a final report will be prepared with recommendations to the Ministry of Tourism, Culture and Sport that either 1) the property be cleared of archaeological concern as no significant archaeological resources were identified, or 2) further work be conducted to clear the archaeological concern.
- o A revised scope of work for Stage 3 archaeological investigations will submitted to the City in advance.

Phase I Environmental Site Assessment

- Phase I Environmental Site Assessment (ESA) will be undertaken in accordance with either Ontario Regulation 153/04, as amended
 or Canadian Standards Association Z768-01, as determined by Metrolinx and in accordance with applicable law and industry best
 practices.
- Activities may include, but are not limited to, site visits, interviews with people familiar with the Licensed Area, records reviews, contacting government agencies, etc.

Phase II Environmental Site Assessment

- Phase II Environmental Site Assessment (ESA) will be undertaken in accordance with either Ontario Regulation 153/04, as amended or Canadian Standards Association Z769-00, as determined by Metrolinx and in accordance with applicable law and industry best practices.
- Activities may include, but are not limited to, site visits, utility locates, intrusive investigative activities (drilling of boreholes and/or excavation of test pits, installation of monitoring wells), collection of soil and/or groundwater samples for laboratory analysis, etc.
- All existing trees within and adjacent to excavations within the licensed area shall be fenced at the dripline or TPZ, whichever is greater, with snow fence or other similar material approved by UF. Any tree injuries and removals require an Urban Forestry permit and/or written approval in advance of entering City property.

Designated Substances and Hazardous Material Survey

- All Work shall be done in accordance with applicable law and industry best practices and shall provide sufficient detail to satisfy the requirements of the Occupational Health and Safety Act, Ontario Regulation 278/05.
- A survey of site buildings and structures will be undertaken to determine the presence of designated substances, mould and polychlorinated biphenyls.
- The collection and analysis of samples for asbestos containing materials, lead and mould shall be completed as required.
- Any collected material must be stored in a location approved by the property owner/operator and removed off site within 24 hours. All existing trees within and adjacent to excavations within the licensed area shall be fenced at the dripline or TPZ, whichever is greater, with snow fence or other similar material approved by PF&R. Any tree injuries and removals require an Urban Forestry permit and/or written approval in advance of entering City property.

Topographic and Cadastral Surveying

- Efforts will be made to effect minimum disturbance to the Licensed Area and the City's use and enjoyment thereof.
- The survey method to be used does not involve any destructive measures or noise above normal business activity levels.
- Only standard portable surveying equipment is anticipated to be utilized.
- Members of the survey crew will wear proper safety attire and they will present identification upon request.

Control Survey

- A control survey, with control sketches showing reference ties to the proposed alignment, set within the surveyed area.
- Control points to be referenced to 3° MTM (Nad27) control network consisting of either brass caps supplied by Metrolinx or Short Standard Iron bars/ cut crosses where appropriate.

Tree/Vegetation, Protection, Removal and Maintenance

- Activities may include, but are not limited to, tree pruning, tree removal, vegetation removal, clearing and grubbing, stump grinding, restoration, grade alteration, etc.
- All Works require an Urban Forestry permit and/or written approval in advance of entering City property.
- All arboricultural works shall be conducted in accordance with applicable law and industry best practices by an appropriate licensed professional with a minimum of five (5) years' experience, which includes providing measures to prevent soil compaction and undertake soil remediation, including de-compaction post-activity.
- In areas of existing manicured lawn, trees to be cut to existing grade level, then stumps should be ground down to a depth of 30cm (12") below grade, the hole should be back-filled with topsoil, lightly compacted without the use of machinery, and application of turf seed or sod rolls for final restoration.
- Utility locates are required prior to any excavations or stump grinding activities commence on City lands.
- If there are a number of trees removed in a manicured area and existing turf is destroyed, the area should be restored to original conditions, or better, including the addition of topsoil to re-establish pre-existing grades, sod rolls or turf seed shall be added.
- If tree removal work is done in a naturalized area, then trees should be cut flush to the ground to avoid tripping hazards. If trunks
 are to be left as wildlife habitat, following approval by TRCA and/or UF, trees shall be cut to 3 to 5 meters in height. Stump removal
 is not necessary in naturalized areas, especially on sloped areas to minimize the slope disturbance and erosion. No mulch or stump
 debris shall be left in naturalized areas. If the site is disturbed by equipment or these works, then the site should be restored to
 existing grades, a naturalized seed mix should be added to retain soil until re-planting can be completed.
- Efforts will be made through the methods and equipment used to effect minimum disturbance to the Licensed Area and both the City's and public's use and enjoyment thereof.
- To protect the public, a work zone plan must be submitted for the City's approval and the work zone area must be fenced off prior to the commencement of any work.
- Use of any chemical treatment including pesticides or herbicides must be approved in writing by the General Manager of Parks, Forestry and Recreation in advance of any application.
- No waste or debris from the above removal works shall be left in the licensed work area. All waste and debris should be disposed of offsite according to current City standards

Property Description - Address	PIN	Ward
1080 Millwood Rd	103690180	15
Banigan Drive	103690007	15
Part Of Gardiner Expressway Between Atlantic & Jefferson Ave	212990166	10
9 Hanna Ave	212990255	10
75R East Liberty St	212990270	10
South Of Pirandello St.	212990314	10
East Of Pirandello St	212990324	10
10 Ordnance St	212410361	10
525 Adelaide Street W	212390503	10
East Of 533 Richmond St W	212390401	10
East Of 533 Richmond St W	212390403	10
50 Richmond St E (TPA site)	214020075	13
Queen Street ROW	210970088	13
James Street ROW	210970091	13
50 Queen St W (Old City Hall)	210970093	13
150 Sherbourne St (Moss Park)	210990134	13
44 Parliament Street	210920250	10
271 Front St E	210920248	13
25 Berkeley St	210920249	13
Cherry Street Loop	210770324	10
East Of Cherry Street	210770397	10
Part of Don Valley Parkway, N of Lake Shore Blvd E	210770148	14
Part Don River, N of the Rail Corridor	210770152	14
Part of Queen St E, between DeGrassi St & Logan Ave	210750146	14
55 Wardell St (Bruce Mackey)	210750280	14
25 Saulter St	210760178	14
80 McGee St	210760202	14
Part of McGee St	210760326	14
Adj to 10 Dickens St	210590235	14
65 DICKENS ST	210580279	14
855 Gerrard St (Gerrard Carlaw Parkette - Dog Park)	210590069	14
Between Gerrard St & rail row	210590033	14
410 LOGAN AVE	210700020	14
Vacant land (triangle piece), N/S Dundas St E, E of Rail Corridor	210700029	14
Vacant land (adjacent to rail corridor), Rear of 390-398 Logan Ave	210700030	14
7 Tiverton Ave	210700259	14
Adj to 444 Logan Ave	210700363	14
743 Pape Ave	104040259	14
77 Gough Ave	104030638	14
25 Lipton Ave	104040291	14
20 Eaton Ave	104040292	14
17 Eaton Ave	104040432	14
12 Woodycrest Ave	104040454	14
1076 Pape Ave	104010176	14
1081 Pape Ave	104070189	14
900 Pape Ave (Agnes Macphail Square)	104020382	14
Between Pape Ave & Logan Ave	104020469	14
Vacant strip of land adjacent to Pape Ave	104020475	14
Vacant strip of land adjacent to Pape Ave	104020476	14
Between Westwood & Aldwych	104050695	14
Between Pape & Donlands	104070003	14
Strip of land parallel to a portion of O'Connor Dr	104070505	14
Between 1342 and 1344 Pape St	103810139	14
1300 Pape Avenue	103810236	14
1300 Pape Avenue	104010210	14
South of Minton	103820063	14
South of Minton	103820064	14

Daylight at Thorncliffe Park Dr / Overlea Blvd	103690028	15
N/S Pat Moore Dr, adj. to 2 Thorncliffe Park Dr	103690239	15
Vacant land (Triangle at corner of Don Mills Rd & Wynford Dr)	101330050	16
805 Don Mills Rd	101330057	16
Vacant land adjacent to Eglinton Ave E	101330085	16
770 Don Mills Rd (Ontario Science Centre)	103690143	16
9 Hanna Ave	212990255	10

A. Properties to be included in the Amending Agreement.

No.	Property Description - Address	PIN	Works to be Completed	Area (m2)	Licence Fee Payable
1	21 Redway Rd	103820123	Subsurface Utility	75 (3 test	Nominal
			Engineering Investigation	pits)	
2	44 Beechwood Drive	103820193	Subsurface Utility	25 (1 test	Nominal
			Engineering Investigation	pit)	
3	Lower Don Valley Trail West of	103820126	Subsurface Utility	175 (7 test	Nominal
	Millwood Rd. North of DVP, Toronto		Engineering Investigation	pits)	
4	155 Bayview Ave (Corktown	210770355	Geotechnical Investigation,	60 per	Nominal
	Common Park)		Designated Substances and	borehole	
			Hazardous Materials Survey,		
			Cultural Heritage Assessment,		
			Tree Inventory		
5	155 Bayview Ave (Corktown	210770356	Geotechnical Investigation,	60 per	Nominal
	Common Park)		Designated Substances and	borehole	
			Hazardous Materials Survey,		
			Cultural Heritage Assessment,		
			Tree Inventory		
6	872 Queen St E (Jimmie Simpson Park), Toronto	210750296	Noise and Vibration Studies	4	Nominal
7	21 Redway Rd	103820123	Species at Risk Survey and Tree	217,884	Nominal
,	21 Redway Ru	105020125	Inventory	217,004	Nommar
8	1080 Millwood Rd	103690225	Species at Risk Survey and Tree	6,317	Nominal
			Inventory		
9	South of 235 Wicksteed Avenue	103690231	Species at Risk Survey and Tree	5,303	Nominal
			Inventory		
10	West of Beth Nealson Drive	103690221	Species at Risk Survey and Tree	5,036	Nominal
			Inventory		
11	155 Bayview Ave (Corktown	210770355	Legal Boundary Survey	26,919	Nominal
	Common Park)				
12	West of Don River	210770156	Legal Boundary Survey	3,223	Nominal
13	155 Bayview Ave (Corktown	210770356	Legal Boundary Survey	24,281	Nominal
	Common Park)				
14	716 Pape Ave	104030122	Hydrological Investigation	37.5 (3	Nominal
				parking	
				spaces)	
15	Tiverton Ave Parkette	210700248	Noise and Vibration Studies	4	Nominal

B. Sketches of the Proposed Licensed Areas

1. 21 Redway Road



2. 44 Beechwood Drive



3. Lower Don Valley Trail West of Millwood Rd. North of DVP



4. 155 Bayview Ave (Corktown Common Park)



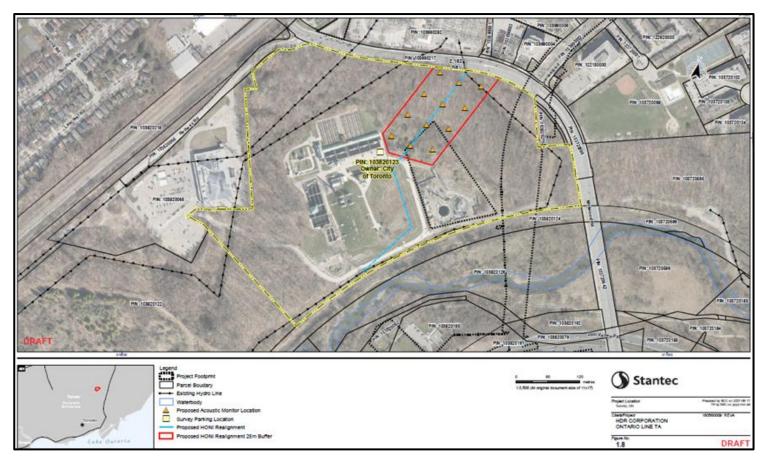
5. 155 Bayview Ave (Corktown Common Park)



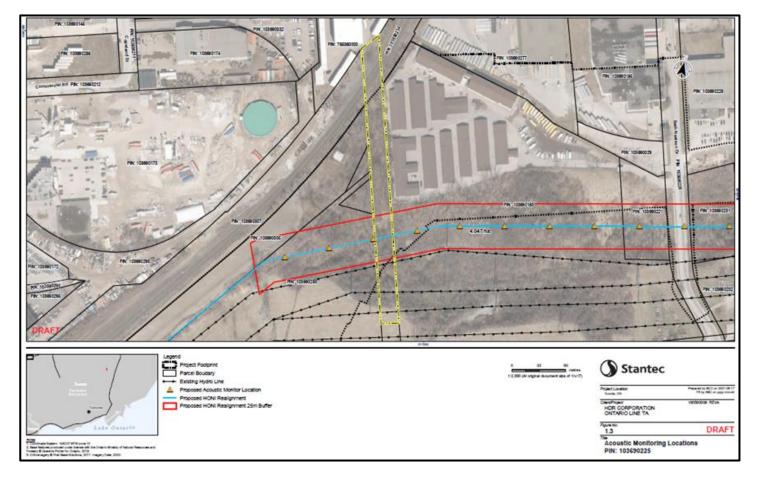
6. 872 Queen St E (Jimmie Simpson Park), Toronto



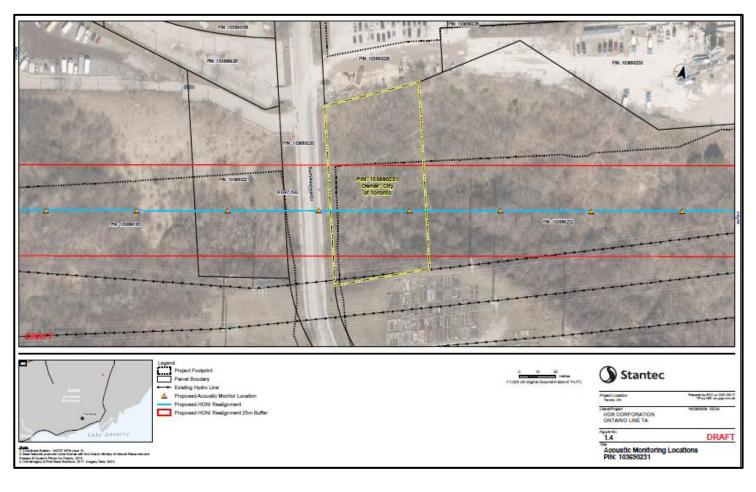
7. 21 Redway Rd



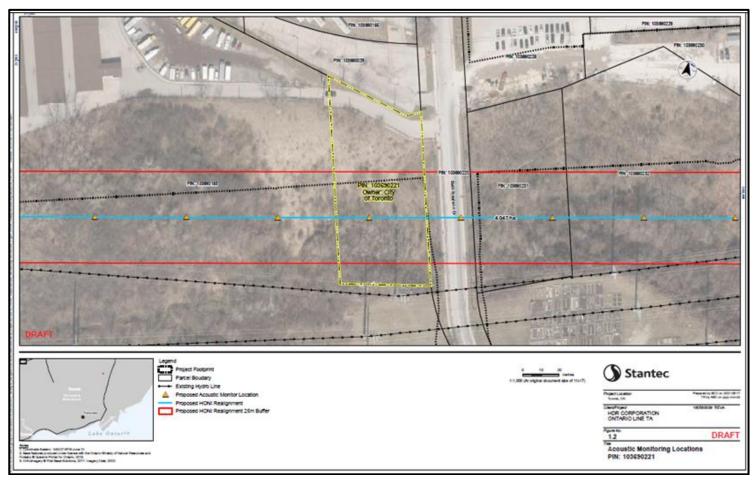
8. 1080 Millwood Rd



9. South of 235 Wicksteed Avenue



10. West of Beth Nealson Drive



11. 155 Bayview Ave (Corktown Common Park)



12. West of Don River



13. 155 Bayview Ave (Corktown Common Park)



14. 716 Pape Ave

