

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

TRACKING NO.: 2021-259

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

Prepared By:	Rafael Gutierrez	Division:	Corporate Real Estate Management
Date Prepared:	September 15, 2021	Phone No.:	416-338-2995

Purpose	To amend Delegated Approval Form No. 2020-160, which authorizes the Omnibus Permission to Enter (" OPTE ") between the City of Toronto and Metrolinx, by adding certain properties listed in Appendix "A" and shown in Appendix "B" requiring due diligence work to facilitate the Eglinton Crosstown West Extension project (the " ECWE ") by Metrolinx and to enter into an amending Agreement (the " Amending Agreement ") with respect to the same.
Property	Those properties listed in Appendix "A" and shown in in Appendix "B" (collectively the "Properties").
Actions	<ol style="list-style-type: none"> 1. Authority be granted to amend Delegated Approval Form 2021-160 to add the Properties in the list of properties requiring to be added to the OPTE. 2. Authority be granted for the City to enter into the Amending Agreement on the terms and conditions listed in Delegated Approval Form 2021-160 and the terms and conditions set out herein. 3. Authority be granted to waive the City's administrative fee pursuant to Chapter 441 of the Toronto Municipal Code for the Amending Agreement.
Financial Impact	<p>Until a formal arrangement between the City and Metrolinx respecting ECWE has been agreed to, any licensed area shall be at market fee; unless the licenses are for environmental, cultural heritage or archaeological assessments; testing or surveying, natural resource investigations or tree/vegetation removal or maintenance for periods not exceeding 3 months and do not impact the revenue generation and operations of the property. The current licensed areas required under the Amending Agreement are for Stage 2 Archeological Study, Natural Environment Investigations and Tree and are 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>Delegated Approval Form No. 2020-160 authorized the City, as licensor, to enter into the OPTE in favour of Metrolinx to permit access to City-owned properties that have been identified as required to facilitate ECWE, for the purpose of due diligence work, as listed on Appendix "A" of DAF 2020-160. This allows for staggered delivery of properties as they are identified by Metrolinx.</p> <p>Delegated Approval Form No. 2021-185 authorized the amendment of the permitted scope of work, updated the schedule of properties requiring access by Metrolinx and required amending agreements to the OPTE Agreement dated July 9, 2020.</p> <p>This Delegated Approval Form will seek to add additional City-owned properties listed in to Appendix "A" and shown in Appendix "B" and to waive the administrative fee pursuant to Chapter 441 of the Toronto Municipal Code for the Amending Agreement.</p>
Terms	<p>Amended Terms and Conditions:</p> <p>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.</p> <p>All other principal terms of the OPTE will remain the same.</p>

Property Details	Ward:	02 - Etobicoke Centre / 05 – York South-Weston
	Assessment Roll No.:	Various
	Approximate Size:	Various
	Approximate Area:	Various
	Other Information:	N/A

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/Licensor):</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 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:	Stephen Holyday	Councillor:	Frances Nunziata
Contact Name:	Amelia ter Brugge	Contact Name:	Jennifer Cicchelli
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 checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections – July 26, 2021	Comments:	No objections – July 6, 2021

Consultation with Divisions and/or Agencies

Division:	Corporate Real Estate Management / Parks Forestry and Recreation / Transportation Services / Toronto Water	Division:	Financial Planning
Contact Name:	Mark MacSorley / Kellie Spence / Jawaid Choudhary / Henry Polvi	Contact Name:	Patricia Libardo
Comments:	No objections – August 12, 2021 / July 9, 2021 / July 22, 2021 / September 15, 2021	Comments:	No objections – September 16, 2021

Legal Services Division Contact

Contact Name: Luxmen Aloysius (September 15, 2021)

DAF Tracking No.: 2021-259	Date	Signature
Concurred with by: Manager, Real Estate Services Daran Somas	Sept 17 2021	Signed By: Daran Somas
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Sept 17 2021	Signed By: Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

APPENDIX "A"**Properties to be added to the OPTE**

Property Description - Address	PIN	Ward Name
4600 Eglinton Ave W	074010145	Etobicoke Centre (2)
4200 Eglinton Ave W	073830194	Etobicoke Centre (2)
4760 Eglinton Ave W	074050080	Etobicoke Centre (2)
4400 Eglinton Ave W	073830188	Etobicoke Centre (2)
Eglinton West Trail, South east corner of Eglinton Ave W & Kipling Ave	074660001	Etobicoke Centre (2)
4300 Eglinton Ave W	073830193	Etobicoke Centre (2)
Richview Rd	073820154	Etobicoke Centre (2)
30 Pearen St, Glenvalley Dr / Pearen St	105090232	Etobicoke Centre (2)
Eglinton Flats (TRCA Owned)	105080724	York South-Weston (5)
Scarlett Mills Park, South of Eglinton Ave/East of Scarlett Rd (TRCA Owned)	074920061	Etobicoke Centre (2)
Eglinton Flats (TRCA Owned)	105100049	York South-Weston (5)
425 Scarlett Rd (TRCA owned)	073780218	Etobicoke Centre (2)
101 Emmett Ave, Eglinton Flats (TRCA owned)	105080725	York South-Weston (5)
1000 Jane St, Fergy Brown Park (TRCA Owned)	105320037	York South-Weston (5)
3650 Eglinton Ave W, Fergy Brown Park (TRCA owned)	105090090	York South-Weston (5)
555 Martin Grove Rd	074050056	Etobicoke Centre (2)

APPENDIX "B"

Sketches of the Properties to be added to the OPTE

1. 4600 Eglinton Ave W



2. 4200 Eglinton Ave W



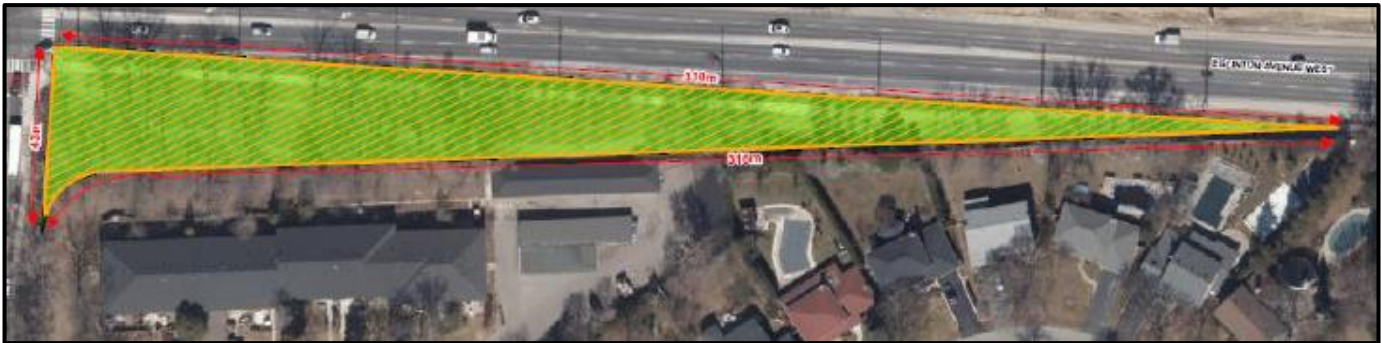
3. 4760 Eglinton Ave W



4. 4400 Eglinton Ave W



5. Eglinton W Trail



6. 4300 Eglinton Ave W



7. Richview Rd



8. 30 Pearen St, Glenvalley Dr / Pearen St



9. Eglinton Flats (TRCA Owned)



10. Scarlett Mills Park, South of Eglinton Ave/East of Scarlett Rd (TRCA Owned)



11. Eglinton Flats (TRCA Owned)



12. 425 Scarlett Rd (TRCA owned)



13. 101 Emmett Ave, Eglinton Flats (TRCA owned)



14. 1000 Jane St, Fergy Brown Park (TRCA Owned)



15. 3650 Eglinton Ave W, Fergy Brown Park (TRCA owned)



16. 555 Martin Grove Rd.

