

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

TRACKING NO.: 2021-272

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

Prepared By:	Glenn Zeta	Division:	Corporate Real Estate Management
Date Prepared:	September 28, 2021	Phone No.:	416-338-7612
Purpose	To obtain authority for the City of Toronto ("the City") to enter into an agreement to release a temporary easement over a portion of the Property defined below prior to the expiry of the term on the terms and conditions detailed below. The easement was initially required to permit the City to install borehole(s) and carry out methane gas monitoring as part of the Old Landfills program but Solid Waste Management have since confirmed that data for this particular Property can be secured through alternative means.		
Property	The property municipally known as 300 Oak Park Avenue and legally described Lt 28 PI 2025 Twp of York Toronto (E York) City of Toronto, being all of PIN 10427-0455 (LT) (the "Property") depicted on the attached Appendix "B".		
Actions	<ol style="list-style-type: none"> 1. Authority be granted for the City to enter into an agreement to release the temporary easement, substantially on the terms and conditions outlined herein, and in a form acceptable to the City Solicitor. 2. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto. 		
Financial Impact	<p>The total revenue to the City for release of the temporary easement is \$563.31 which include City's Legal Fee cost fee imposed pursuant to By-law 196-2021, as well as the overpayment incurred due to the early release of the temporary easement of \$266.67. Revenue is directed to the 2021 Council Approved Capital Budget for Solid Waste Management under capital accountCSW930-04.</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>On June 26, 27 and 28 2001, Council adopted Clause No.8 Report No. 9 of the Works Committee approving the Old Landfills program which entails the monitoring of methane gas on lands in the vicinity of former landfill sites, including - the Stan Wadlow Landfill Site. In January 2017, pursuant to the authority set out in DAF 2016-277, the City entered into an easement agreement (the "Original Easement Agreement") with the owner of the Property for a term of three (3) years. The Original Easement Agreement expired December 31, 2020.</p> <p>In September 2020, Solid Waste Services advised that an extension of the Original Easement Agreement was necessary in order to ensure the continuance of the program. In November 2020, pursuant to DAF 2020-333, the City and the owner of the Property Owners entered into an agreement (the "Extension and Amending Agreement") to extend the City's easement rights until December 31, 2025.</p> <p>Solid Waste has confirmed that this particular data can be acquired through alternative means and therefore the easement can be released.</p>		
Terms	n/a		
Property Details	Ward:	19 - Beaches-East York	
	Assessment Roll No.:	1906021531012000000	
	Approximate Size:	n/a	
	Approximate Area:	73.31 sq. m.	
	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 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 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 checked="" 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:
<ul style="list-style-type: none"> • 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:
<ul style="list-style-type: none"> • 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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Brad Bradford	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone	E-Mail	Memo
			Other
Comments:	Concurred – September 15, 2021		
Consultation with Divisions and/or Agencies			
Division:	Solid Waste Services	Division:	Financial Planning
Contact Name:	Lynda Mulcahy	Contact Name:	Patricia Libardo
Comments:	Concurred – August 26, 2021		Comments Incorporated – September 22, 2021
Legal Services Division Contact			
Contact Name:	Catherine Thomas – September 17, 2021		

DAF Tracking No.: 2021- 272	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	Sept. 30, 2021	Signed by Ronald Ro
<input checked="" type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct. 1, 2021	Signed by Alison Folosea

Appendix "A" Probe Site Plan showing Probe Location and Easement Lands



0 1.5 3.0 4.5m

LEGEND:
▲ PROPOSED PROBE LOCATION
EASEMENT LANDS

11102353-00
Sep 26, 2016

300 OAK PARK AVENUE, TORONTO, ONTARIO