

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

TRACKING NO.: 2021-207

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

Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Management
Date Prepared:	July 16, 2021	Phone No.:	416-392-1857

Purpose	To obtain authority to enter into a Permission to Enter Licence Agreement (the "Licence") between the City of Toronto (the "City") and Build Toronto Inc. ("Build Toronto") for the purposes of environmental investigation, testing and monitoring, including drilling boreholes and monitoring well installations for environmental, geotechnical and hydrogeological investigation (the "Work").
Property	The properties municipally known as (1) 1313 Queen Street West, (2) 1325 Queen Street West and (3) 220 Cowan Avenue, Toronto, Ontario; legally described as: (1) PT LT 1-2 PL 382 PARKDALE AS IN EW1980 (SIXTHLY); CITY OF TORONTO, (2) LT 3 PL 382 PARKDALE; PT LT 4 PL 382 PARKDALE AS IN CT708515; CITY OF TORONTO, and (3) LT 83, 86-87, 90-91, 1-2 PL 382 PARKDALE EXCEPT EW1980; CITY OF TORONTO (collectively, the "Properties"), as shown on the Location Plan in Appendix "B".
Actions	1. Authority be granted to enter into the Licence with Build Toronto, substantially on the major terms and conditions set out in Appendix "A", 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 allow for environmental testing for nominal consideration, and Build Toronto will be responsible for all costs related to the use of the licensed area. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	At its meeting on December 17 and 18, 2019, City Council directed CreateTO to lead Phase 2 of the feasibility study for the Parkdale Hub project, a transformational City-building opportunity with the potential to provide affordable housing and social, cultural and economic benefits to the Parkdale community. As part of the feasibility study, CreateTO, through Build Toronto, wishes to retain EXP Services Inc., or such other consultant as may be approved by the City, acting reasonably to perform the Work.
Terms	See Appendix "A"

Property Details	Ward:	Ward 4 – Parkdale-High Park
	Assessment Roll No.:	1904021290041000000,1904021290038000000,1904021290041000000
	Approximate Size:	Irregular
	Approximate Area:	6,355.2 m ² ± (68,407 ft ² ±)
	Other Information:	

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:	Gord Perks	Councillor:	
Contact Name:	Karen Duffy	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 objections (July 16, 2021)	Comments:	

Consultation with Divisions and/or Agencies

Division:	CreateTO	Division:	Financial Planning
Contact Name:	Tracey Smith	Contact Name:	Ciro Tarantino (Patricia Libardo)
Comments:	Concurrence (July 15, 2020)	Comments:	Concurrence (July 16, 2021)

Legal Services Division Contact

Contact Name: Aiden Alexio, Concurrence (July 15, 2021)

DAF Tracking No.: 2021- 207	Date	Signature
Concurred with by: Manager, Real Estate Services Peter Cheng	July 16, 2021	Signed by Peter Cheng
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	July 16, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A"

Major Terms and Conditions

1. **License fee:** nominal
2. **Term:** Three months beginning at 07:00 hours on July 19, 2021 and ending at 17:00 hours on October 18, 2021
3. **Insurance:** Commercial General Liability - \$2,000,000.00 and Professional Liability - \$2,000,000
4. **Use:** Environmental investigation, testing and monitoring, including drilling boreholes and monitoring well installations for environmental, geotechnical and hydrogeological investigation.
5. **Indemnity:** The licensee will indemnify and save harmless the City from and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, directly or indirectly resulting from occupation of or use of the licensed area.
6. **Restoration:** Upon expiry or termination of the Licence, the licensee shall restore the licensed area to its original condition immediately prior to the licensee's occupancy, at the licensee's sole cost and expense
7. **Reports:** The licensee will provide copies of all geotechnical reports to the City upon completion of the testing.

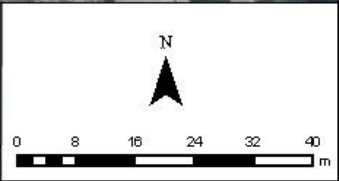
Appendix "B"

Borehole location Plan



EXP Services Inc.
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 Brampton, ON L6T 4V1
 Canada
 www.exp.com

*** BUILDINGS * EARTH & ENVIRONMENT * ENERGY *
 * INDUSTRIAL * INFRASTRUCTURE * SUSTAINABILITY ***



TITLE AND LOCATION:

SITE PLAN
 Phase I Environmental Site Assessment
 1313 and 1325 Queen Street West
 and 220 Cowan Avenue
 Toronto, Ontario

PROJ. No.	BRM-21003722-A0	CHKD.	JA
DATE	AS NOTED	DRW.	JH
REP.	APRIL 2021	REV.	3