

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

TRACKING NO.: 2021-262

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

Prepared By:	Anna Edwards	Division:	Corporate Real Estate Management
Date Prepared:	November 22 nd , 2021	Phone No.:	416-338-3185

Purpose	To obtain authority for the City to consent, as owner of the properties municipally known as part of 363 Adelaide Street West and the below grade portions of 105 Spadina Avenue (collectively, the "Property"), to a rezoning application, to facilitate the proposed development by Devgreat Inc. (the "Developer") of a residential condominium comprised of the Developer's lands at 101 Spadina Avenue together with the Property.
Property	The Property is outlined in Appendix A and consists of: <ul style="list-style-type: none"> City Property municipally known as 363 Adelaide Street West (excluding a stratified portion shown in Appendices B and C); and City Property municipally known as 105 Spadina Avenue (excluding a stratified portion shown in Appendices B and C).
Actions	1. Authority be granted for the City to consent, solely in its capacity as land owner of the Property, to a rezoning application by the Developer in respect of the Property, on the terms and conditions set out below and any other terms and conditions deemed appropriate by the Director, Real Estate Services.
Financial Impact	There are no financial implications resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	By Item GL19.11, adopted by City Council on December 16, 17 and 18, 2020 (http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.GL19.11), City Council authorized the City, as vendor, to enter into an Agreement of Purchase and Sale (the "APS") with the Developer as purchaser, for the sale of the Property, among other transactions including the future development by the Developer of an underground public parking garage for operation by the Toronto Parking Authority (the "TPA") and a City Public Park at the corner of Spadina Avenue and Adelaide Street West. Although the parties have begun negotiations for the APS, the APS is not settled or executed by the parties. Prior to the execution of the APS, the Developer would like to commence the necessary municipal planning approvals. The Developer has requested the City's consent to submit the rezoning application for the entire development site (excluding the future City Public Park Lands), which rezoning application will include the Property. The proposed rezoning application will be reviewed by staff in Corporate Real Estate Management, the TPA, and CreateTO prior to City consent being provided to the Developer.
Terms	<ul style="list-style-type: none"> The rezoning application shall be consistent with GL 19.11, as adopted by City Council. The letter of consent that is provided to the Developer will expressly state that the City's consent is being given solely in the City's capacity as land owner and that by giving such consent, the City shall not be deemed to support or endorse the planning merits of the Developer's application nor to fetter City Council's discretion in any way. The Developer shall assume all risk, cost and expense associated with the application. A stratified portion of City owned lands at 105 Spadina Avenue, a stratified portion of 363 Adelaide Street West and a stratified portion of the Developer's lands at 101 Spadina Avenue (collectively the "City Public Park Lands"), which are identified as outlined in Appendix B and Appendix C, shall not to be included in the rezoning application. Given that there is no binding APS, the consent letter shall expressly state that the City is not obligated to convey any of the City lands contained in the rezoning application to the Developer.

Property Details	Ward:	Ward 9 – Davenport
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	
	Other Information:	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</p> <p>3. Issuance of RFPs/REOs:</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>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"/> Issuance of RFPs/REOs.</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 checked="" 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).

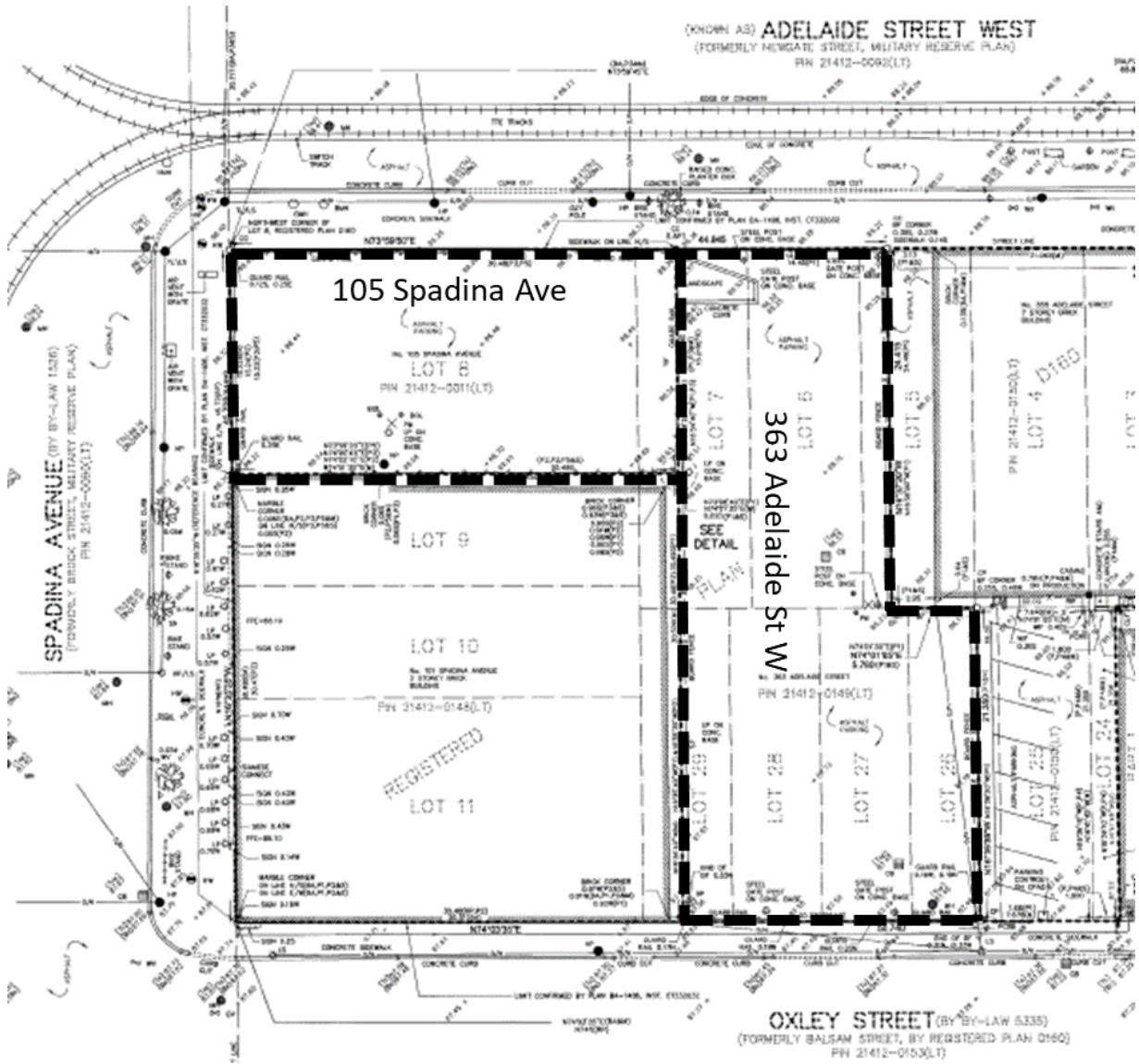
Director, Real Estate Services also has signing authority on behalf of the City for:

- 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.

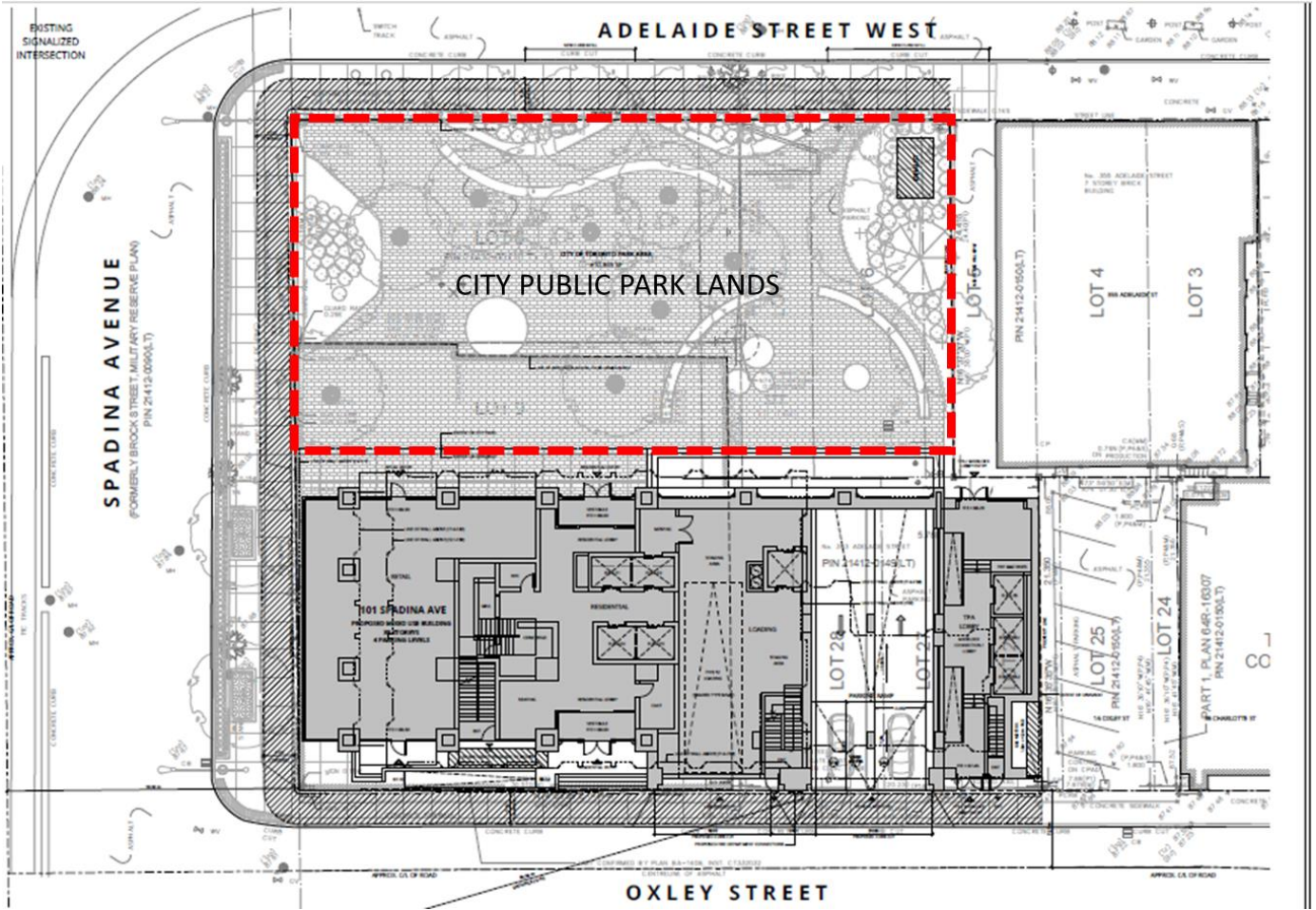
Pre-Condition to Approval							
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property							
Consultation with Councillor(s)							
Councillor:	Councillor Cressy				Councillor:		
Contact Name:	Brent Gilliard				Contact Name:		
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other
Comments:	No Objection (September 21, 2021)				Comments:		
Consultation with Divisions and/or Agencies							
Division:	CreateTO				Division:	Financial Planning	
Contact Name:	Peter Harron				Contact Name:	Patricia Libardo	
Comments:	Proceed (November 12, 2021)				Comments:	Comments incorporated (October 15, 2021)	
Legal Services Division Contact							
Contact Name:	Kathleen Kennedy (November 22, 2021)						

DAF Tracking No.: 2021-262	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	Nov. 22, 2021	Signed by Ronald Ro
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 23, 2021	Signed by Alison Folosea

Appendix A – the Property



Appendix B – City Public Park Lands



Appendix C – City Public Park Lands

Diagram 1 – Hatched Area Labelled "City Park" Excluded from Rezoning Application

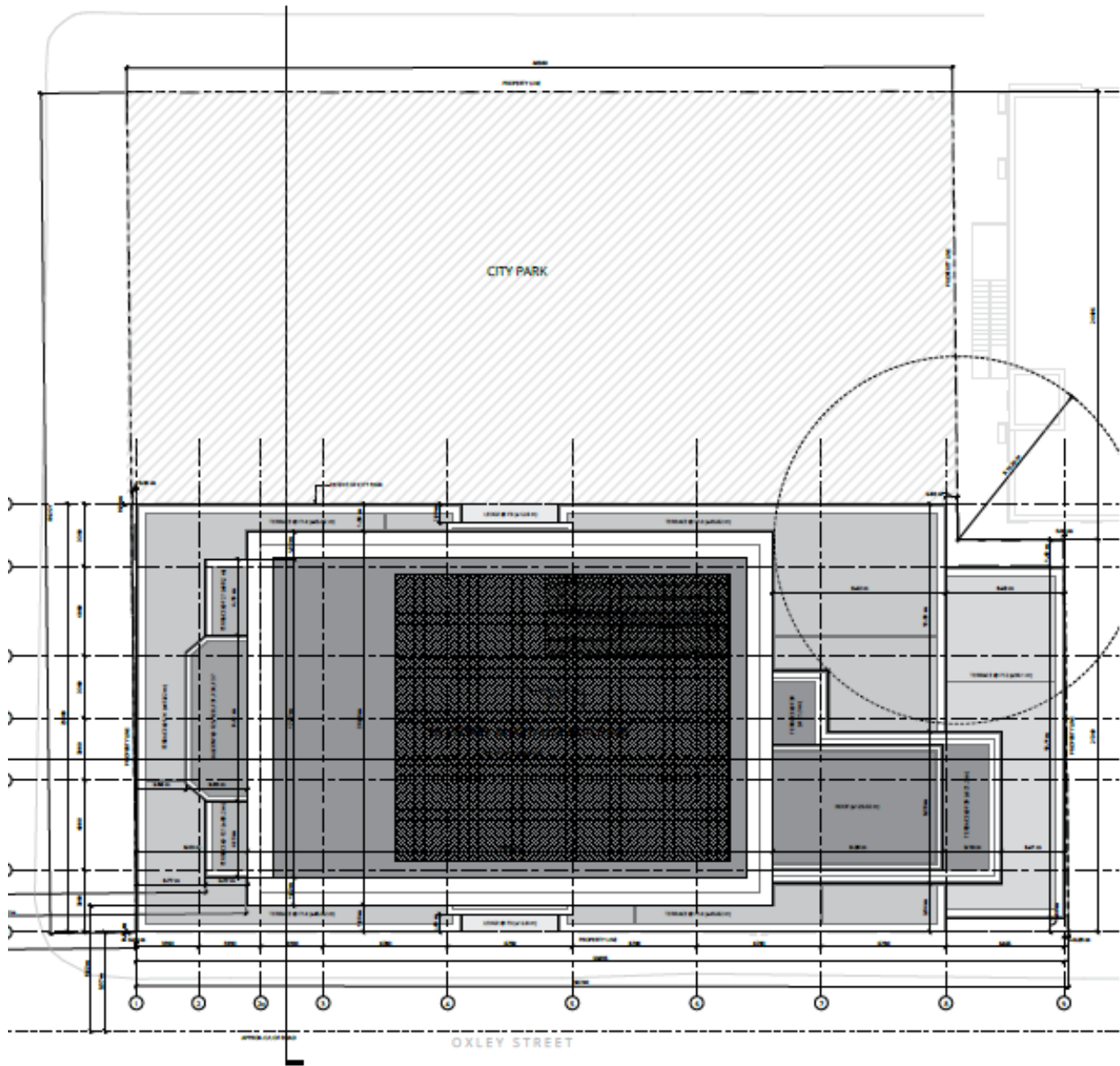


Diagram 2 – Cross-Section View of the Area Excluded from Rezoning Application

(Area as shown hatched is excluded from the rezoning application - from the basement level and higher with no ceiling cap, – for illustrative purposes only)

