

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

TRACKING NO.: 2021-224

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:	July 30, 2021	Phone No.:	416-338-2995

Purpose	To obtain authority to enter into a Temporary Access Agreement between the City of Toronto, as licensee (the " City ") and the Toronto District School Board (the " TDSB "), as licensor, with respect to the property municipally known as 401 Cedarvale Avenue, Toronto (the " TDSB Lands ") for the purpose of granting the City and members of the public attending 373 Cedarvale Avenue, known as Stan Wadlow Park (the " City Lands ") a right of temporary access to the parking lot located on TDSB Lands (the " Agreement ").
Property	Part of the property municipally known as 401 Cedarvale Avenue, legally described as PT BLK A PL 4221 EAST YORK AS IN EY80465, EXCEPT EY132350; PT LT 502 PL 1696 TWP OF YORK AS IN EY75911; PT LT 503 PL 1696 TWP OF YORK AS IN EY76800; TORONTO (E YORK), CITY OF TORONTO, as identified in the maps and sketches attached hereto as Appendix "B" and Appendix "C".
Actions	1. Authority be granted to enter into the Agreement with TDSB, 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	The agreement is of nominal consideration resulting in no financial implications to the City. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	The City is committed to creating 1,000 new modular home in Toronto to provide people experiencing homelessness with homes and appropriate support to help them achieve housing stability. One of the modular housing sites is on the parking lot located at the corner of Trenton Avenue and Cedarvale Avenue. As a result, the City requires temporary access to the school parking lot located on the TDSB Lands to provide replacement public parking spots for personal vehicles of members of the public attending City Lands. The City and TDSB are negotiating a long-term arrangement for the City's use of TDSB Lands in exchange for the TDSB's use of a portion of the City Lands.
Terms	See Appendix "A" for the Major Terms and Conditions of the Licence Agreement.

Property Details	Ward:	19 – Beaches-East York
	Assessment Roll No.:	19 06 021 690 011 00
	Approximate Size:	N/A
	Approximate Area:	1,198.75 m ² (12,903.2 ft ²)
	Other Information:	Approximately thirty-three (33) parking spots

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 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 checked="" 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:	Brad Bradford	Councillor:	
Contact Name:	Rishab Mehan	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 , 2021)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry, and Recreation	Division:	Financial Planning
Contact Name:	Christina Iacovino	Contact Name:	Patricia Libardo
Comments:	No Objections (July , 2021)	Comments:	No Objections (July 29, 2021)

Legal Services Division Contact

Contact Name:	Shirley Chow
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DAF Tracking No.: 2021-224	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	July 30, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 30, 2021	Signed by Alison Folosea

Appendix "A" – Major Terms and Conditions

Licensor:	Toronto District School Board (the "TDSB")
Licensee:	City of Toronto (the "City")
TDSB Lands:	The property municipally known as 401 Cedarvale Avenue, Toronto, as identified in the maps and sketches attached hereto as Appendix "B" and Appendix "C".
City Lands:	The property located at 373 Cedarvale Avenue, Toronto, also known as Stan Wadlow Park.
Licence Fee:	Nominal
Term Start Date:	August 1, 2021
Term End Date:	August 31, 2021
Permitted Use:	To grant the City and members of the public attending City lands a right of temporary access to the parking lot located on TDSB Lands for personal vehicles.
Restrictions on Access:	<p>When exercising the rights granted to it under paragraph 1 hereof, the City and its Representatives and those authorized by or under the City shall at all times act reasonably and with due consideration for the TDSB, shall have access only during regular operating hours of Stan Wadlow park from 7:00am to 11:00pm from Monday to Sunday during the Term of this Agreement to complete the Activities in accordance with Section 1(b) i.</p> <p>The City shall cause as little disturbance to the TDSB and its tenants, invitees, students, staff, parents, employees, trustees and any users of the TDSB Lands as is reasonably possible. The City, its Representatives and those authorized by or under the City further covenant and agree to coordinate all work on the TDSB Lands with the TDSB's project supervisor or designated representative (or his/her designate).</p> <p>Prior to entering onto the TDSB Lands or undertaking any Activities on, under or within the Access Area the City and its Representatives and those authorized by or under the City shall not do anything or fail to do anything which might damage, disturb, prejudice or adversely affect the TDSB Lands or the foundations, walls, roof or other load-bearing components thereof of the TDSB Building and shall not do anything or fail to do anything which will interfere with or interrupt any utilities or similar services supplied to the TDSB Building or the TDSB Lands.</p>

Appendix "B" – Sketch of Licensed Areas



Appendix "C" – Location of Subject Property

