

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

**TRACKING NO.: 2021-334**

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: | December 6, 2021 | Phone No.: | 416-338-7612                     |

|                         |  |
|-------------------------|--|
| <b>Purpose</b>          | To amend Delegated Approval Form No. 2019-180, which authorizes the Omnibus Permission to Enter ("OPTE") between the City of Toronto and Metrolinx, by adding the properties listed in Appendix "A" and shown in Appendix "B" requiring due diligence work to facilitate the Ontario Line project (the "OL") by Metrolinx and to obtain authority to enter into an amending agreement (the " <b>Amending Agreement</b> ") with respect to the same.  |
| <b>Property</b>         | Properties listed in Appendix "A" and shown in Appendix "B" (the "Properties")   |
| <b>Actions</b>          | <ol style="list-style-type: none"> <li>1. Authority be granted to amend Delegated Approval Form No. 2019-180 to add the Properties in the list of properties requiring to be added to the OPTE.</li> <li>2. Authority be granted to enter into the Amending Agreement on the terms as set out in DAF 2019-180 and on the additional terms set out herein.</li> <li>3. Authority be granted to waive the City's administrative fee pursuant to Chapter 441 of the Toronto Municipal Code for the Amending Agreement.</li> </ol>   |
| <b>Financial Impact</b> | <p>Until a formal arrangement between the City and Metrolinx respecting OL 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 three 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 Inventory shown in Appendix "A" 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> |
| <b>Comments</b>         | <p>Delegated Approval Form No. 2019-180 authorized the City, as licensor, to enter into the OPTE in favour of Metrolinx to permit access to City-owned properties that have been or will be identified as required to facilitate the OL, for the purpose of due diligence work as listed on Appendix "A" of DAF 2019-180. Further amending agreements were entered into between the parties with respect to the OPTE and authority was obtained for the same. This allows for staggered delivery of properties as they are identified by Metrolinx.</p> <p>In accordance with the OPTE, Metrolinx is to provide the City with copies of any or all reports upon completion of the due diligence works.</p>   |
| <b>Terms</b>            | <p>Amended Terms and Conditions:</p> <p>Other condition: Access to parks and open space to perform work shall be subject to Metrolinx providing detailed extent of park impacts as outlined in the final approved Urban Forestry permit</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 save and except as provided herein.</p>  |

|                         |                             |          |
|-------------------------|-----------------------------|----------|
| <b>Property Details</b> | <b>Ward:</b>                | Multiple |
|                         | <b>Assessment Roll No.:</b> |          |
|                         | <b>Approximate Size:</b>    |          |
|                         | <b>Approximate Area:</b>    |          |
|                         | <b>Other Information:</b>   |          |

| 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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:   | Joe Cressy, Gord Perks, Jay Robinson   | Councillor:   | Denzil Minnan-Wong, Krystin Wong-Tam   |
| Contact Name: |  | Contact Name: |  |
| 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 – November 9, 2021   | Comments:     |  |

**Consultation with Divisions and/or Agencies**

|               |  |               |                               |
|---------------|--|---------------|-------------------------------|
| Division:     | TTC, CREM, Toronto Water                       | Division:     | Financial Planning            |
| Contact Name: | David Cooper, Tatiana Kokonova, Colin Marshall | Contact Name: | Ciro Tarantino                |
| Comments:     | No objections – November 11, 2021              | Comments:     | Concurred – November 29, 2021 |

**Legal Services Division Contact**

|               |                   |
|---------------|-------------------|
| Contact Name: | Luxmen Aloysius - |
|---------------|-------------------|

| DAF Tracking No.: 2021-334   | Date         | Signature                        |
|--|--------------|----------------------------------|
| Concurred with by: Manager, Real Estate Services<br>Ronald Ro                                    | Dec. 8, 2021 | Signed by Ronald Ro              |
| <input type="checkbox"/> Recommended by: Manager, Real Estate Services<br>Vinette Prescott-Brown | Dec. 8, 2021 | Signed by Vinette Prescott-Brown |
| <input checked="" type="checkbox"/> Approved by:   |              |                                  |
| <input type="checkbox"/> Approved by: Director, Real Estate Services                             |              | X                                |

## APPENDIX "A"

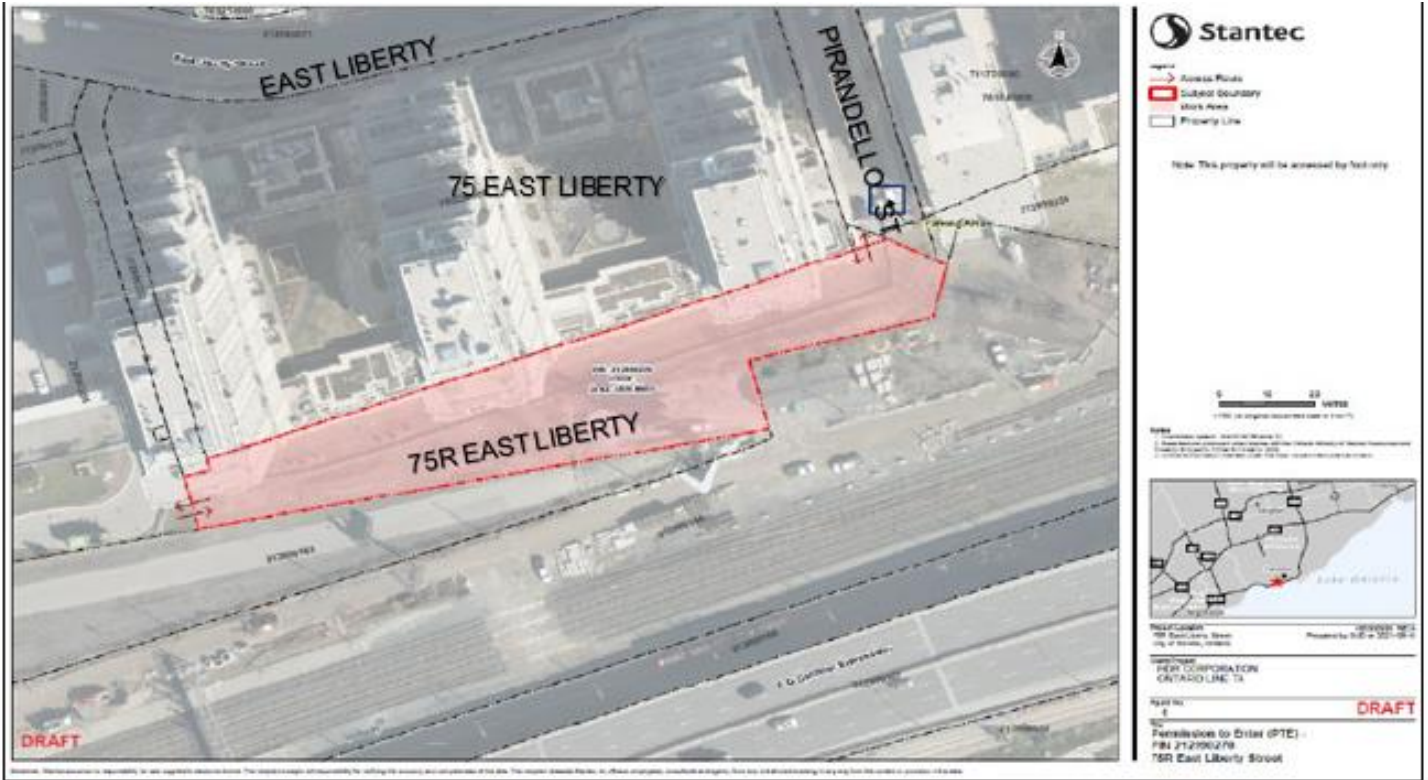
**Properties to be included in the Amending Agreement.**

| <b>No.</b> | <b>Property Description - Address</b>                           | <b>PIN</b>           | <b>Works to be Completed</b>  | <b>Area (m2)</b> | <b>Licence Fee Payable</b> |
|------------|---|----------------------|---|------------------|----------------------------|
| 1          | 75R East Liberty St.  | PIN<br>212990270     | Pre-construction Survey, DSS,<br>Species at Risk Survey and<br>Tree Inventory   | 3,840            | Nominal                    |
| 2          | South of Pirandello St.   | 212990314            | Pre-construction Survey, DSS,<br>Species at Risk Survey and<br>Tree Inventory   | 58               | Nominal                    |
| 3          | East of Pirandello St.  | Part of<br>212990324 | Environmental Site<br>Assessment, pre-construction<br>survey and tree inventory   | 2,154            | Nominal                    |
| 4          | TRCA-owned Green Space by<br>Don Mills Rd.                      | 103690053            | Topographic Survey and<br>Cadastral Legal Survey, SUE<br>Investigation, arborist report<br>and tree inventory   | 131,485          | Nominal                    |
| 5          | 185 Bayview Ave<br>(portion of Corktown Common<br>Park)         | 210770156            | Environmental Site<br>Assessment, DSS,<br>Archaeological Test Pit Survey,<br>Tree Inventory/Survey  | 877              | Nominal                    |
| 6          | TRCA-owned Lands South of<br>Corktown Common Park               | 210770198            | Environmental Site<br>Assessment, DSS, SUE<br>Investigation, Pre-construction<br>and Pre-Demolition Survey,<br>Species at Risk Survey and<br>Tree Inventory | 3,978            | Nominal                    |
| 7          | Corktown Common Park<br>(jointly owned by the City and<br>TRCA) | 210770356            | Pre-construction Survey and<br>SUE investigation  | 3,580            | Nominal                    |

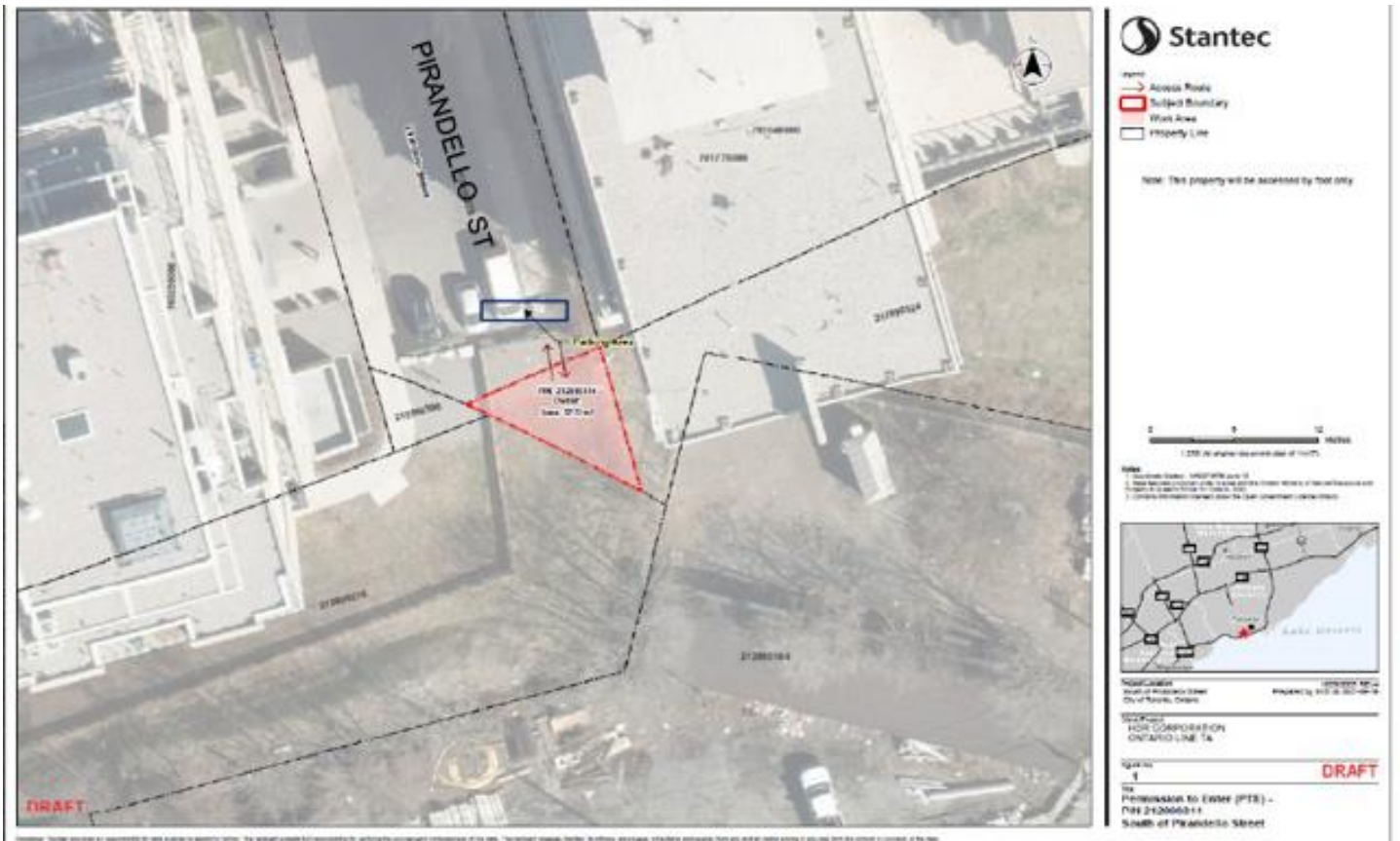
APPENDIX "B"

Aerial Map / Sketches of the Properties to be added to the OPTE

1. Property #41 – 75R East Liberty St. (PIN 212990270)



2. Property #42 – South of Pirandello St. (PIN 212990314)



3. Property #43 – East of Pirandello St. (PIN 212990324)



- Access Route
- Subject Boundary
- Work Area
- Property Line

1. This property will be accessed by foot only. It is assumed access can be coordinated through the adjacent City property (PIN 213880314) at the south end of Pirandello Street.
2. While the aerial imagery suggests the building backs the road into the site, it does not. The building abuts the north boundary of the property.



Notes:  
 1. Aerial Imagery: 2012/07/16  
 2. City of Toronto GIS Data: 2012/07/16  
 3. City of Toronto GIS Data: 2012/07/16



Map of Toronto, Ontario  
 City of Toronto, Ontario  
 Prepared by: 2012-07-16

Client:  
 HER CORPORATION  
 ONTARIO, ONT. L4L 1A1

Scale:  
 1:400

Project:  
 Permission to Enter (PTE) -  
 PIN 212990324  
 East of Pirandello Street

**DRAFT**

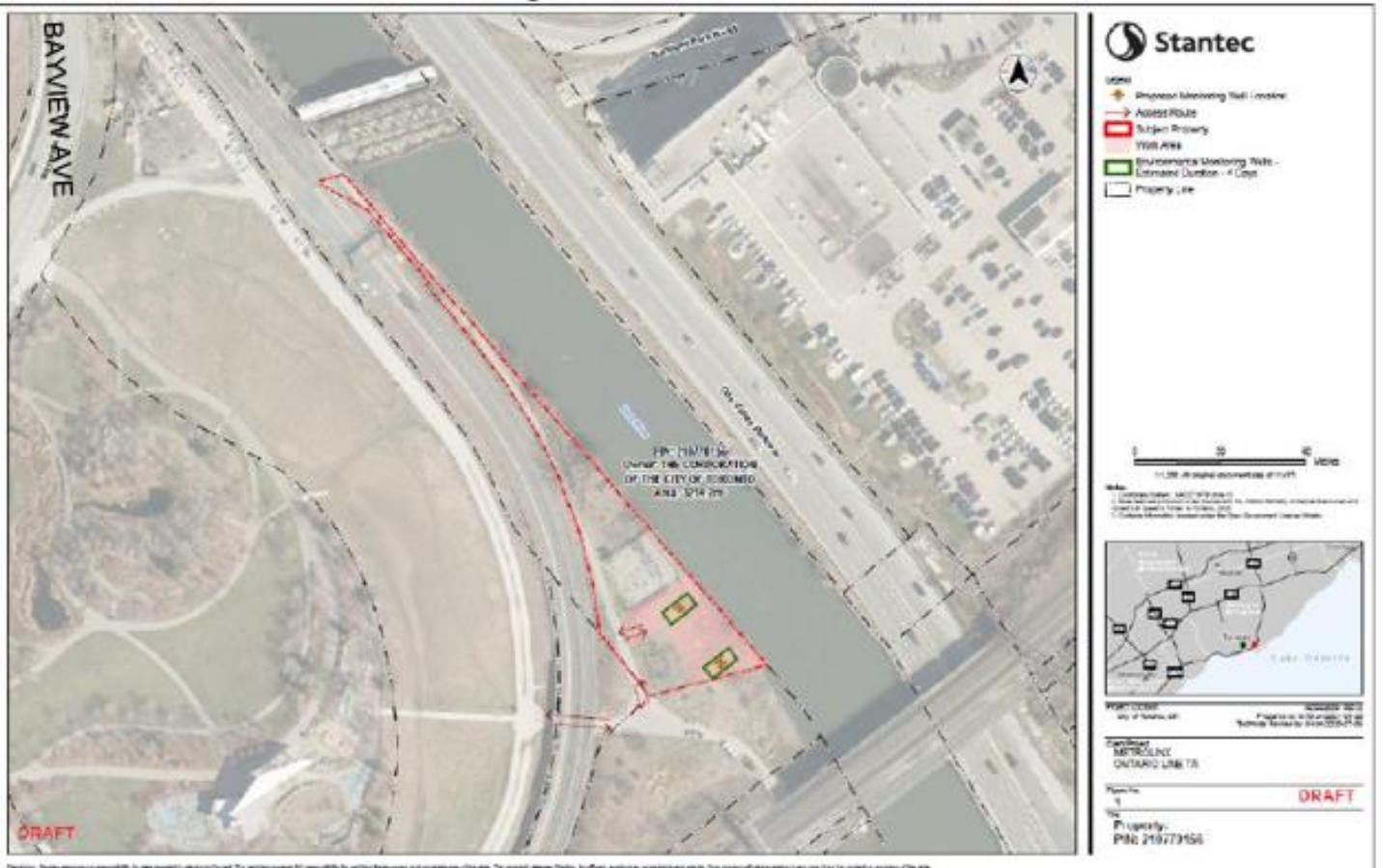
Source: Aerial imagery is provided by Google Earth. The digital data is provided for informational purposes only. The digital data is not to be used for any other purpose. All rights reserved. © 2012 Stantec Inc.



4. Property #44 – TRCA-Owned Green Space by Don Mills Rd. (PIN 103690053)



5. Property #45 – 185 Bayview Ave, Toronto (Corktown Common Park) (PIN 210770156)



6. Property #46 – TRCA-owned Lands South of Corktown Common Park (PIN 210770198)





7. Property #47 – Corktown Common Park – Jointly owned by the City and TRCA (PIN 210770356)

