

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

TRACKING NO.: 2021-315

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	November 23, 2021	Phone No.:	416-397-7481

Purpose	To amend Delegated Approval Form No. 2018-297 ("DAF 2018-297"), which authorizes the Omnibus Permission to Enter ("OPTE") between the City of Toronto and Metrolinx, by adding the properties listed in Appendix "A" and as shown in Appendix "B" requiring due diligence work to facilitate the GO Expansion, including the Union Station Rail Corridor project (the "Project") and to obtain authority to enter into an amending agreement (the " Amending Agreement ") with respect to the same.
Property	The properties listed in Appendix "A" and shown in Appendix "B" (collective the "Properties")
Actions	<ol style="list-style-type: none"> 1. Authority be granted to amend DAF 2018-297 to add the Properties in the list of properties requiring to be added to the OPTE. 2. Authority be granted for the City to enter into the Amending Agreement on the terms as set out in DAF 2021-225 and on the additional terms set out herein. 3. Authority be granted to waive the City's administrative fee pursuant to Chapter 441 of the Municipal Code for the Amending Agreement.
Financial Impact	<p>Until a formal arrangement between the City and Metrolinx respecting the Project 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 are for heritage impact assessment, tree inventory and wetlands assessment 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>
Comments	<p>Delegated Approval Form No. 2018-297 authorized the City as licensor to enter into the original OPTE in favour of Metrolinx to permit access to City-owned properties that have been or will be identified as required to facilitate the Project, for the purpose of due diligence work as listed on Appendix "A" of DAF 2018-297. This allows for staggered delivery of properties as they are identified by Metrolinx.</p> <p>DAF 2021-225 authorized the amendment of the OPTE, update the schedule of properties requiring access by Metrolinx and required amending agreements to the OPTE dated August 23, 2018, and waived the administrative fees pursuant to Chapter 441 of the Toronto Municipal Code for the amending agreements. This Delegated Approval Form is seeking to update the schedule of properties, amend the OPTE and waiving of the administration fee.</p>
Terms	<p>Amended Terms and Conditions:</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>

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	19 04 101 630 003 00
	Approximate Size:	282 m x 660 m ± (958 ft x 2,165 ft ±); and 22 m x 660 m ± (72 ft x 2,165 ft ±)
	Approximate Area:	10,305 m ² ± (110,902 ft ² ±); and 377 m ² ± (4,058 ft ² ±)
	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/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:	Paula Fletcher (Ward 14)	Councillor:	
Contact Name:	Daryl Finlayson	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"/> X E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Objections, Mx to address – November 18, 2021	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry and Recreation	Division:	Financial Planning
Contact Name:	Tina Fernandes	Contact Name:	Ciro Tarantino
Comments:	No objections – November 23, 2021	Comments:	No objections – November 22, 2021

Legal Services Division Contact

Contact Name: Lisa Davies – (last reviewed on November 22, 2021)

DAF Tracking No.: 2021-315	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	Nov. 23, 2021	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Nov. 23, 2021	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

APPENDIX "A"

A. Properties to be included in the Amending Agreement.

No.	Property Description - Address	PIN	Works to be Completed	Area (m ²)	Licence Fee Payable
1	Part of Don Valley Park - 800 Bloor Street East, Toronto	103950536	Non-invasive due diligence, including Heritage Impact Assessment, Tree Inventory and Wetlands Assessment	10,305	Nominal
2	Lands under the Bloor Viaduct, south of 800 Bloor Street East, Toronto	103950114	Non-invasive due diligence, including Heritage Impact Assessment, Tree Inventory and Wetlands Assessment	377	Nominal

B. Sketches of the Proposed Licensed Areas

- 1. Property # 42 – Part of Don Valley Park, 800 Bloor Street East, Toronto, ON PIN 103950536 (Work is limited to Part 1 & 2)



2. Property # 41 – Lands under the Bloor Viaduct, south of 800 Bloor Street East, Toronto, ON PIN 103950114 (Work is limited to Part 1)

