

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

TRACKING NO.: 2022-053

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management
Date Prepared:	March 3, 2022	Phone No.:	416-338-3207

Purpose	To obtain authority to enter into a licence agreement (the "Agreement") with the Toronto District School Board (the "Licensor") for the purposes of allowing the City (the "Licensee") to access a portion of the Licensor's property for construction staging associated with repairs to the Overlea Boulevard Bridge (also known as the Charles H. Hiscott Bridge).
Property	A portion of the property municipally known as Marc Garneau Collegiate – 135 Overlea Boulevard, Toronto, legally described as Pcl Plan-1 Sec D15; Unit 2 PI Expro D15 East York Subject to an Easement In Gross as in AT4722407 City of Toronto, part of PIN 10372-0169 (LT), and as shown as Parts 1 and 2 in sketch No PS-2021-054 (the "Premises") as outlined in Appendix "A".
Actions	Authority be granted to enter into the Agreement with the Licensor, substantially on the major terms and conditions set out herein, and including such other or amended terms and conditions as may be deemed appropriate by the Manager, Real Estate Services, Corporate Real Estate Management and in a form acceptable to the City Solicitor.
Financial Impact	<p>The City will incur a total expenditure estimated in the amount of \$7,840 plus Harmonized Sales Tax ("HST"). This includes a licence fee of \$3,920 plus HST for the initial 4 month licence term, and another licence fee of \$3,920 plus HST in the event of a licence renewal for which the City has an option to exercise at its discretion. Funds are included in Transportation Services 2022 – 2031 Approved Capital Budget, and will be paid from cost centre CTP519-01-136.</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	The City of Toronto will be performing deck repair work on the Charles H. Hiscott Bridge over the West Don River (the "Capital Project"). The Capital Project is part of the Council-approved 2021 Capital Works Program and this licence agreement is necessary to facilitate the required construction activities.
Terms	<ol style="list-style-type: none"> Licensor: Toronto District School Board Licensee: City of Toronto Use: The Licensee shall use Part 1 of the Premises for construction staging and equipment storage. Part 2 of the Premises shall be used for the delivery of construction material and equipment, and as an access route to Part 1 Term: 4 months, commencing on March 14, 2022, and terminating on July 14, 2022 Renewal Option: 4 month renewal at the Licensee's discretion. Requires 30 day notice prior to termination of the initial term Licence Fee: \$3,920 plus HST Net licence: Any additional costs associated with the Licensee's use shall be the responsibility of the Licensee, including but not limited to operating costs, restoration and third party costs incurred by the Licensor Other Licensee Responsibilities: a) shall work with the Licensor's Project Supervisor to ensure appropriate safety measures are in place, b) all communications shall be directed to the Project Supervisor or designate with a communications plan for all public notices, c) shall use reasonable efforts not to interfere with the Licensor's building operations and shall take all reasonable precautions to reduce noise levels, vibration levels and the disbursement of dust and contaminants resulting from construction related activities within and surrounding the Premises Insurance: Commercial general liability insurance or wrap up insurance written on an occurrence basis with limits of not less than ten million dollars (\$10,000,000.00) per occurrence, and an aggregate limit of not less than ten million dollars (\$10,000,000.00) within any policy year with respect to completed operations

Property Details	Ward:	15 – Don Valley West
	Assessment Roll No.:	1908-10-1-540-00200
	Approximate Size:	N/A
	Approximate Area:	333.8 m ² ± (3,593 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 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:	Councillor Jaye Robinson	Councillor:	
Contact Name:	Lesley Burlie	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 – March 3, 2022	Comments:	

Consultation with Divisions and/or Agencies

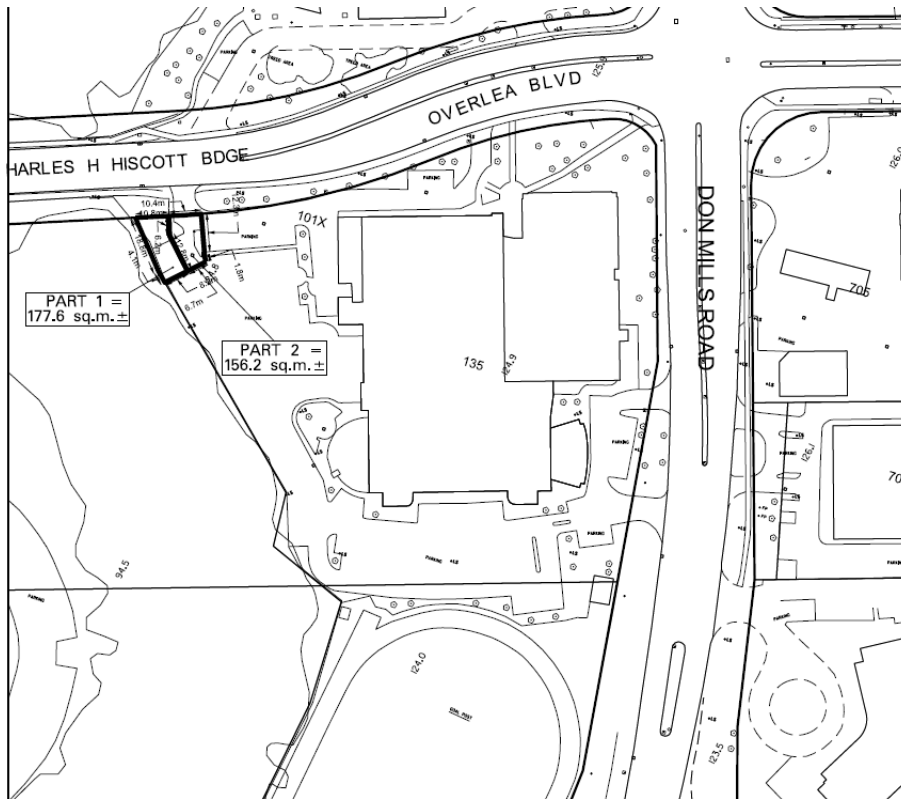
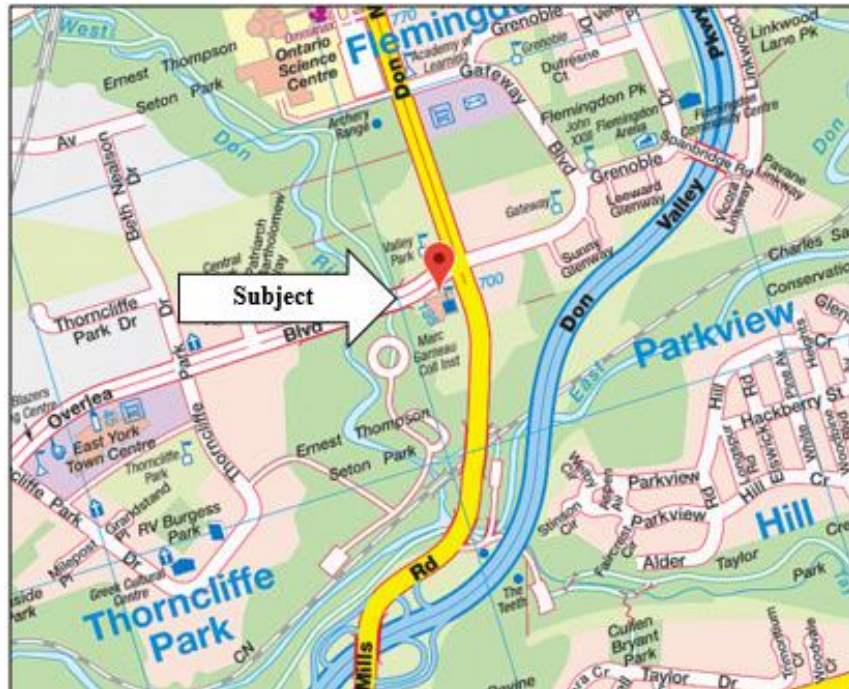
Division:	Engineering & Construction Services	Division:	Financial Planning
Contact Name:	Eldwin Yau	Contact Name:	Ciro Tarantino
Comments:	Comments incorporated – February 23, 2022	Comments:	Comments incorporated – March 2, 2022

Legal Services Division Contact

Contact Name: Amna Shakil – Comments incorporated – February 14, 2022

DAF Tracking No.: 2022-053	Date	Signature
Concurred with by: Manager, Real Estate Services Scott Delahunt	Mar. 3, 2022	Signed by Scott Delahunt
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Mar. 3, 2022	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix A
Property Sketch and Location Map



NOTE:
THIS SKETCH HAS BEEN
COMPILED FROM OFFICE
RECORDS, MEASUREMENTS
ARE APPROXIMATE

CHECK BY ANA MICHALEK
PREPARED BY: DWAYNE PITT

PROPERTY INFORMATION SHEET
SKETCH SHOWING
CONTRACT 21ECS-TI-15BE LICENSE
AGREEMENT AREA AT
NO. 135 OVERLEA BOULEVARD

WARD 15 - DON VALLEY WEST
DATE: OCTOBER 14, 2021

SKETCH No. PS-2021-054