

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

TRACKING NO.: 2022-075

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

Prepared By:	Mark MacSorley	Division:	Corporate Real Estate Management
Date Prepared:	April 11, 2022	Phone No.:	437-245-6958

Purpose	To obtain authority to enter into a Permission to Enter/Licence Agreement (the "Licence") between the City of Toronto (the "City") and Build Toronto Inc. ("Build Toronto") for the purposes of borehole drilling and monitoring well installations for environmental geotechnical and hydrogeological investigation (the "Work").
Property	The property municipally known as 4610 Finch Avenue East, Toronto, Ontario and legally described as Part Lot 24, Concession 4, Scarborough, Designated as Part 1 on Plan 66R26446, being all of PIN 06031-0038 (LT), and as shown on the sketches attached hereto as Schedule "A" (the "Property").
Actions	<ol style="list-style-type: none"> The City enter the Licence to permit Build Toronto and/or their consultants, EXP Services Inc., or such other consultant ("Representatives") entry onto the Property for a period of not more than three months for the purposes set out above The Manager of Real Estate Services, or her designate, shall administer and manage the Licence including the provision of any consents, approvals, waivers, notices and notices of termination, provided that the Director of Real Estate Services may, at any time, refer consideration of such matters to City Council for its determination and direction;
Financial Impact	There is no financial impact to the City. The Licence is to allow for environmental testing for nominal consideration. Build Toronto will be responsible for all costs related to the use of the Licensed Area and for the costs of preparation of any test results or reports, resulting in no cost to the City.
Comments	<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> <p>The Property is being redeveloped for a City long term care facility being led by CreateTO. This is part of a Seniors Services and Long-Term Care Capital Renewal Plan, which includes the redevelopment of Carefree Lodge. The Capital Renewal Plan was adopted by City of Toronto, Council in November 2015 and presented to Advisory Committee on Long-Term Care Homes & Services in December 2015. Funding for the redevelopment of Carefree Lodge (428 beds, 205 redeveloped and 223 new beds) was approved in the City's 2020 Capital budget.</p> <p>Build Toronto Requires access to the Property to conduct environmental testing in support of the redevelopment. The City previously provided Build Toronto with a licence for the same purpose ("Original Licence"). The Original Licence has now expired, and had no option to extend. As such, Build Toronto now requires a new licence to conduct additional Work.</p> <p>CreateTO, through Build Toronto, has retained EXP Services Inc. to perform the Work. Build Toronto requires access to the Property to permit its Representatives to undertake the Work.</p>
Terms	<p>The Licence will include the following terms and conditions, as appropriate and such other terms and conditions as may be approved by the Director of Real Estate Services (the "Director"):</p> <ol style="list-style-type: none"> Licence fee: nominal Term: Three months Insurance: \$2,000,000.00 for Commercial General Liability and \$1,000,000.00 for Professional Liability (Errors and Omissions). Use: Borehole drilling and monitoring well installation for environmental, geotechnical and hydrogeological investigation. Indemnity: Built Toronto will indemnify and save harmless the City from and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, directly or indirectly resulting from occupation of or use of the Licensed Area. Restoration: Build Toronto shall restore the Licensed Area, to the extent practicable, to its original condition prior to occupancy by Build Toronto or its Representatives, at Build Toronto's sole cost and expense. Reports: Build Toronto shall provide copies of the results of the testing to the City.

Property Details	Ward:	23 - Scarborough North
	Assessment Roll No.:	1901-12-4-010-00110
	Approximate Size:	83 m x 148 m ± (273 ft x 484 ft ±)
	Approximate Area:	6631 m ² ± (71377 ft ² ±)
	Other Information:	

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 (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers 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:	Cynthia Lai	Councillor:	
Contact Name:	Jim Murphy	Contact Name:	
Contacted by:	Phone	E-Mail	Memo
			Other
Comments:	Concurs (04/12/2022)		

Consultation with Divisions and/or Agencies

Division:	CreateTO	Division:	Financial Planning
Contact Name:	Julia Steegstra	Contact Name:	Marie Barcellos
Comments:	Concurs (04/12/2022)	Comments:	Concurred (03/16/2022)

Legal Services Division Contact

Contact Name:	Amna Shakil Concurs (03/17/2022)
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DAF Tracking No.: 2022-075	Date	Signature
Concurred with by: Manager, Real Estate Services Scott Delahunt	April 13, 2022	Signed by Scott Delahunt
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	April 13, 2022	Signed by Ronald Ro
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X