

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

TRACKING NO.: 2022-136

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

Prepared By:	Mike Saffran	Division:	Corporate Real Estate Management														
Date Prepared:	June 22, 2022	Phone No.:	(416) 392-7205														
Purpose	To obtain authority for the City of Toronto (the "City") to enter into a licence agreement (the "Agreement") with Scout Condos GP Inc. as general partner of and on behalf of Scout Condos Limited Partnership (the "Licensee") on a portion of City-owned property adjacent to 1779 St Clair Avenue West, for the purposes of construction staging.																
Property	City-owned lands adjacent to 1779 St Clair Avenue West designated as Part 1 on 66R-30869 (the "Licenced Area") and shown on Schedule "A" attached.																
Actions	1. Authority be granted to enter into the Agreement with the Licensee for the Licensed Area, substantially on the terms and conditions set out below and on any other or amended terms and conditions as may be determined by the Director, Transaction Services and in a form acceptable to the City Solicitor.																
Financial Impact	<p>1. The following costs will be incurred by the Licensee during the term of the Licence:</p> <p>(a) Licence Fee payable to the City, \$3,585.00 per month (exclusive of HST) to the licence expiry;</p> <p>(b) Licence Fee (first extended term), payable to City, \$14,340.00 (exclusive of HST);</p> <p>(c) Licence Fee (second extended term), payable to City, \$14,340.00 (exclusive of HST);</p> <p>It is anticipated the City will receive total revenues of \$21,510.00 (exclusive of HST) in 2022, with the potential to receive an additional \$28,680.00 (exclusive of HST) for the two extended terms in 2023,</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>In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the Land Exchange was authorized on November 22, 2019 (DAF 2019-337).</p> <p>The first phase closing of the land exchange has taken place wherein, the Licensee acquired ownership of a City-owned lane, constructed a replacement east-west lane and upon the second phase closing will be providing lands to the City for a road widening in accordance with the St. Clair Transportation Master Plan designated as Part 1 on 66R-30869. The Licensee has requested use of the Licenced area for construction staging.</p> <p>The terms and conditions are deemed to be reflective of market value and are considered fair and reasonable.</p>																
Terms	<p>The Major Terms and Conditions are as follows:</p> <table border="1"> <tr> <td>Owner:</td><td>City of Toronto</td></tr> <tr> <td>Licensee:</td><td>Scout Condos GP Inc. as general partner of and on behalf of Scout Condos Limited Partnership</td></tr> <tr> <td>Licensed Area:</td><td>Part 1 on 66R-30869 shown on Schedule "A"</td></tr> <tr> <td>Licence Commencement Date:</td><td>To be determined as amended and agreed upon by both the City and Licensee when the Second Closing has been determined</td></tr> <tr> <td>Licence Expiry:</td><td>December 31, 2022</td></tr> <tr> <td>Permitted Use:</td><td>Construction Staging</td></tr> <tr> <td>Indemnity & Insurance:</td><td> <p>The Licensee indemnifies and holds the City harmless from and against liability and damage to the property, personal injury or death incurred by the City arising out of or due to the activities of the Licensee and its agents, including regulatory liability.</p> <p>The Licensee must maintain Commercial General Liability Insurance of \$10 million dollars, Contractor's Pollution Liability of \$1 million dollars and Standard Automobile Insurance of \$2 million dollars.</p> </td></tr> </table>			Owner:	City of Toronto	Licensee:	Scout Condos GP Inc. as general partner of and on behalf of Scout Condos Limited Partnership	Licensed Area:	Part 1 on 66R-30869 shown on Schedule "A"	Licence Commencement Date:	To be determined as amended and agreed upon by both the City and Licensee when the Second Closing has been determined	Licence Expiry:	December 31, 2022	Permitted Use:	Construction Staging	Indemnity & Insurance:	<p>The Licensee indemnifies and holds the City harmless from and against liability and damage to the property, personal injury or death incurred by the City arising out of or due to the activities of the Licensee and its agents, including regulatory liability.</p> <p>The Licensee must maintain Commercial General Liability Insurance of \$10 million dollars, Contractor's Pollution Liability of \$1 million dollars and Standard Automobile Insurance of \$2 million dollars.</p>
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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/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>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 checked="" 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 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:	Ana Bailao	Councillor:	
Contact Name:	Michael Giles	Contact Name:	
Contacted by:	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections – June 22, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Garvin Tom	Contact Name:	Filisha Jenkins
Comments:	Concurs with submission of DAF – June 21, 2022	Comments:	Concurs with FIS - June 16, 2022

Legal Services Division Contact

Contact Name: Rebecca Hartley – June 9, 2022

DAF Tracking No.: 2022-136	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Portfolio Management Ronald Ro	June 23, 2022	Signed by Ronald Ro
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Manager, Portfolio Management Vinette Prescott-Brown	June 23, 2022	Signed by Vinette Prescott-Brown

Appendix "A" – aerial map and Plan 66R-30869

