

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

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property			
Prepared By:	Joseph Sergnese	Division:	Corporate Real Estate Management
Date Prepared:	August 10, 2022	Phone No.:	416-392-1857
Purpose	To obtain authority to enter into a Permission to Enter/Licence Agreement (the "Licence") with Tamil Community Centre ("TCC") to permit their consultants, Turner & Townsend, or such other consultant ("Representatives") as may be approved by the City in writing, to carry out Geotechnical, Environmental and Hydrogeological investigation, testing and monitoring, including drilling boreholes and monitoring well development and sampling and geotechnical investigations (the "Permitted Activities")		
Property	Part of 311 Staines Road described as the South Parcel, as shown on Appendix A. Parts 9 and 10 as shown on Appendix B.		
Actions	<ol style="list-style-type: none"> The City enter into the Licence to permit Tamil Community Centre and/or their Representatives entry onto the Property for a period commencing September 12, 2022 and ending October 31, 2022, or such later dates as the City may determine to be reasonable, provided that the total length of the term shall not exceed six months, to conduct the Permitted Activities. The Director 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; and, The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto. 		
Financial Impact	<p>There are no financial implications resulting from this approval. TCC is not required to pay a licence fee; however the City will be compensated for this access by receiving the results of the investigation for its use. TCC will be responsible, at its sole expense, for all costs related to the use of the Property by TCC and its Representatives, and for the costs of preparation of any findings or studies.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>The Property was acquired by the City in 2007. It is part of 311 Staines Road which consists of a North Parcel and a South Parcel (see Appendix A). Given that the Property abuts the Rouge River Valley, it is considered an important piece of Toronto's cultural and Indigenous history.</p> <p>The Council of the Landlord, by its adoption of Item No. GL16.8 of its General Government and Licensing Committee at its meeting held on October 27, 2020 and Item No. GL27.11 of its Government and Licensing Committee at its meeting held on December 15 and 16, authorized the City to enter into a fair market-value Land Lease with the Tamil Community Centre, to design, build, finance and operate a new not-for-profit Community Recreation Facility on the South Parcel of the City-owned property at 311 Staines Road.</p> <p>The City entered into Land Lease with the TCC on February 15th, 2022.</p>		
Terms	See Appendix C.		
Property Details	Ward:	23 - Scarborough North	
	Assessment Roll No.:	1901-12-6-330-001202 (south parcel)	
	Approximate Size:	Irregular	
	Approximate Area:	6.62 acres (south parcel)	
	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/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 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 checked="" 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"/></p>

- (j) Documentation relating to Land Titles applications
- (k) Correcting/Quit Claim Transfer/Deeds

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:	Councillor Jennifer McKelvie	Councillor:	
Contact Name:	Daniella Marchese	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 objection, August 9, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	concurring August 8, 2022

Legal Services Division Contact

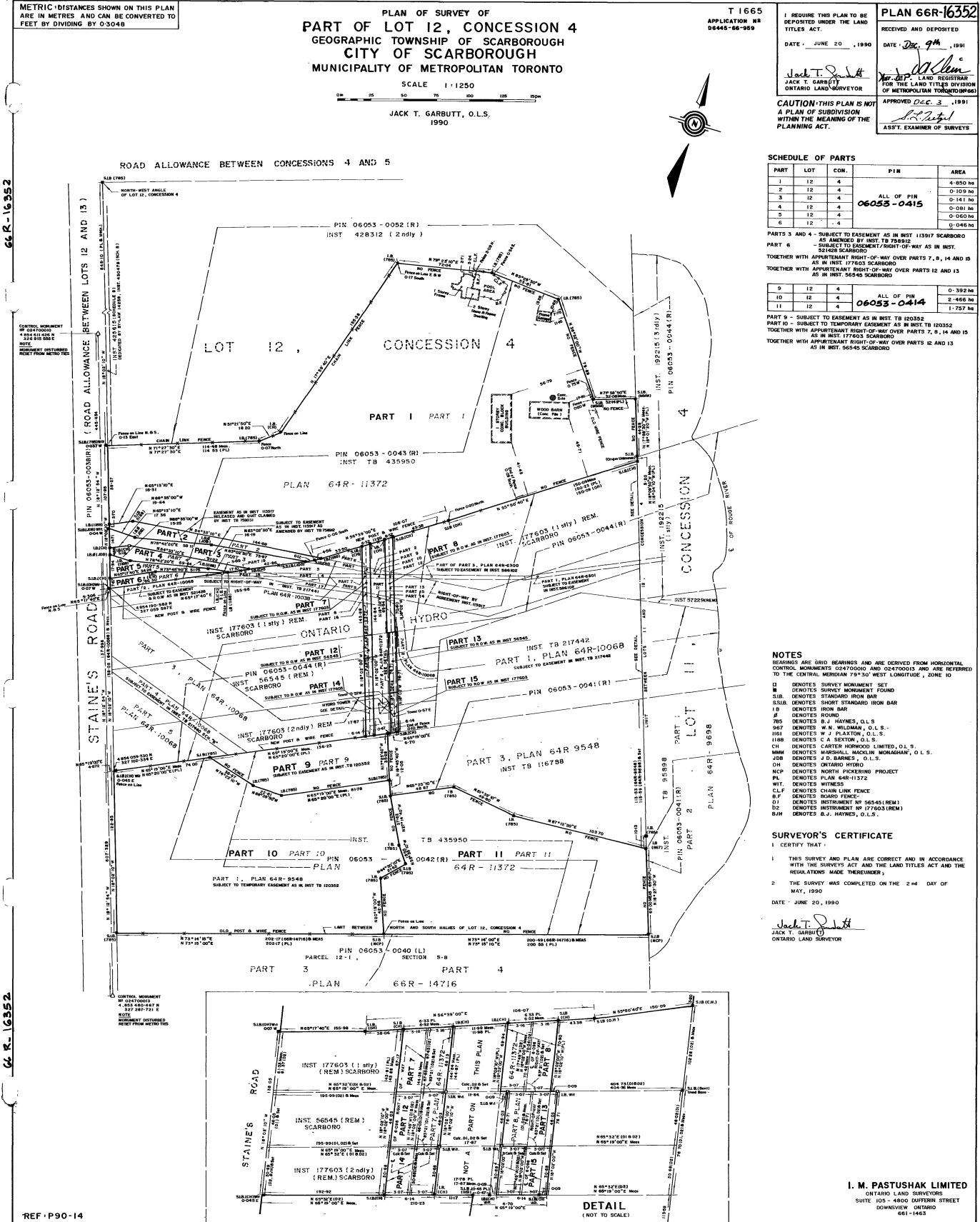
Contact Name: Soo Kim Lee (concurring August 5, 2022)

DAF Tracking No.: 2022-189	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Susan Lin <input type="checkbox"/> Approved by:	August 10, 2022	Signed by Susan Lin
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	August 18, 2022	Signed by Alison Folosea

Appendix A: Location Map



Appendix B: Reference Plan 66R-16352



66R-16352

66R-16352

Appendix C: Terms

The Licence will include the following terms and conditions, as appropriate and such other terms and conditions as may be approved by the Manager of Real Estate Services (the "Manager"):

1. Any access during the term of the Licence shall be mutually arranged upon at least 48 hours' notice, and the investigations shall be undertaken in such time and manner to minimize disruptions to the adjacent City operations;
2. Tamil Community Centre will be responsible, at its sole expense, for all costs related to the use of the Property by Tamil Community Centre and its Representatives, and for the costs of preparation of any test results or reports;
3. Tamil Community Centre shall at all times indemnify and save harmless the City, from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, made or brought against, suffered by or imposed on the City or its property in respect of any loss, damage or injury (including fatal injury) to any person or property;
4. Prior to the start of the Work, a certificate of insurance evidencing that it or its Representatives have obtained a policy of insurance for the conduct of the proposed investigations on the Property providing coverage including but not limited to environmental liability in an amount of not less than \$5,000,000.00 per occurrence shall be provided to the City. The policy of insurance shall name the City as an insured, provide cross-liability coverage and waiver of subrogation and contain a clause providing the insurance shall not be changed or cancelled during the term of this Licence; and,
5. Tamil Community Centre shall provide the City with copies of any test results and reports regarding the Property. The test results and reports shall be addressed to the City and shall be accompanied by authorization from Tamil Community Centre and the qualified professional preparing the test results and reports permitting the City to use them for any purpose. The City shall be entitled to utilize the findings and study in any manner it sees fit; and Tamil Community Centre shall restore the Property, at its expense, and to the satisfaction of the Manager, acting reasonably.