

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

TRACKING NO.: 2022-146

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	August 2, 2022	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a License Agreement (the " Agreement ") with Woodbine Entertainment Group (the " Licensor ") with respect to a portion of the property municipally known as 555 Rexdale Boulevard, Toronto for the purpose of operating Toronto Transit Commission's bus service and installing stop poles.
Property	<p>A portion of the property municipally known as 555 Rexdale Boulevard, Toronto, legally described as :</p> <p>Part of Lots 26, 27, 28, 29, 30 & 31 Concession 3 fronting the Humber and part of Lots 27, 28, 29, 30 & 31 Concession 4 fronting the Humber and part of the road allowance between concessions 3 & 4 (closed by By-Law 9142 as in EB149090) Parts 2, 3, 5 & 6 Plan 66R-17003 save and except Parts 4 and 5 Plan 66R-26668, Part 1 Plan 66R-26664, Part 2 Plan 66R-26666 and Parts 12, 13, 14, 15, 16, 17, 18, 19, 20, 22 and 23 Plan 66R-26669; (By-Law changed To EB149090 from EB 149000 June 12, 1998 BY K. W.); City of Toronto, being all of PIN 07371-2076 (LT)</p> <p>And</p> <p>Pt Lt 31, Con 3 fronting the Humber, Part 30 , 64R4959 ; Pt Lt 32, Con 3 fronting the Humber, Part 28 , 64R-4959 ; Pt Rdal Btn Lts 31&32, Con 3 fronting the Humber, closed by TB943318 (By-Law 330) ; Pt 29 , 64R-4959 ; s/t easement over Pts 1 and 2 66R-17066 as in E1123. Etobicoke , City of Toronto, being all of PIN 07371-0627 (LT)</p> <p>As shown on the Location Map in Appendix "B" and shown on the sketch in Appendix "C" (the "Licensed Area").</p>
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "A" and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>There is no material financial implication resulting from the approval of this DAF. The cost to the Toronto Transit Commission (TTC) to enter into the license agreement is 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>The Licensed Area will be used by TTC to provide bus service on a temporary basis until the new road network covering this location is completed, and permanent routes are established.</p> <p>The proposed license fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.</p>
Terms	See Appendix "A".

Property Details	Ward:	1 – Etobicoke North
	Assessment Roll No.:	191904448000202 and 191904447001000
	Approximate Size:	
	Approximate Area:	
	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 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 (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:	n/a	Councillor:	
Contact Name:	Trent Jennett	Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> 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 concerns	Comments:	

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	Arno Van Dijk	Contact Name:	Filisha Jenkins
Comments:	Revisions incorporated	Comments:	Revisions incorporated

Legal Services Division Contact

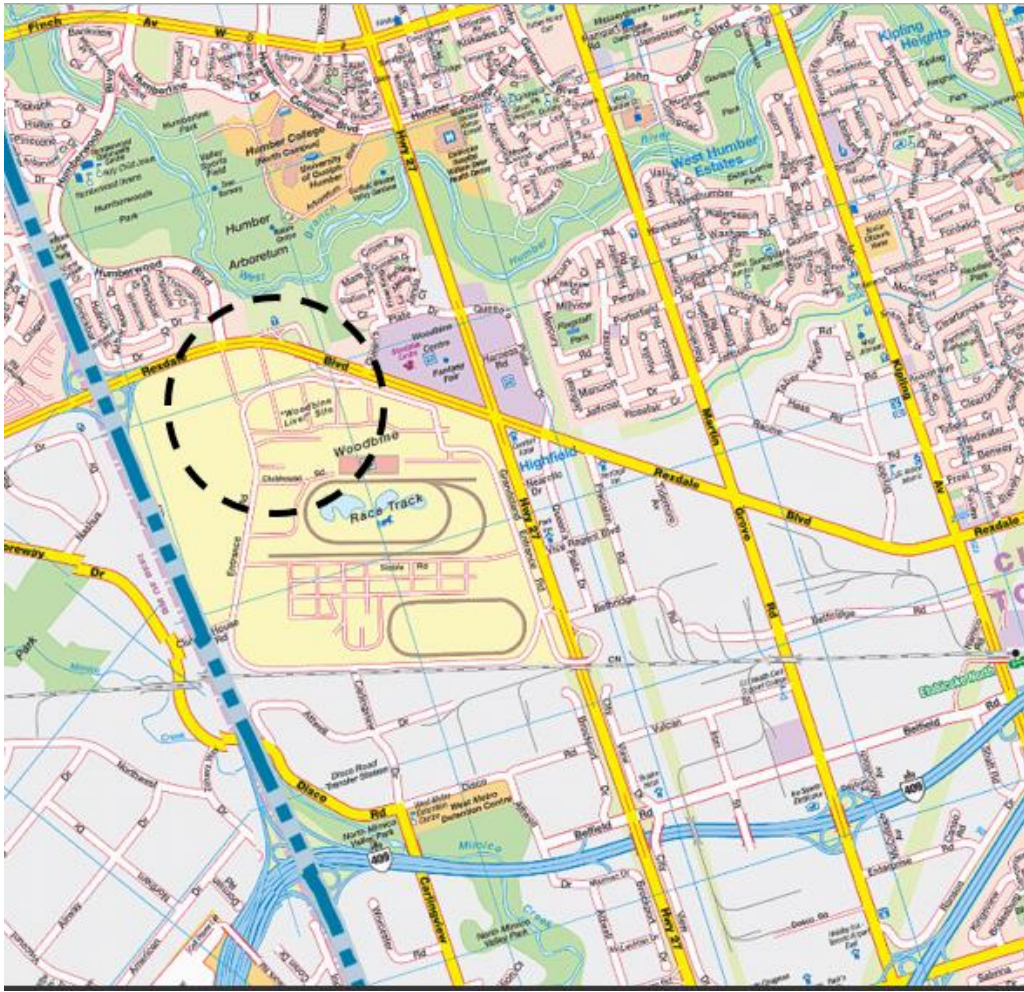
Contact Name:

DAF Tracking No.: 2022-146	Date	Signature
Concurred with by: Manager, Real Estate Services Susan Lin	August 2, 2022	Signed by Susan Lin
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vnette Prescott-Brown	August 2, 2022	Signed by Vnette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A" – Major Terms and Conditions

Licensed Area	Those portions of the Licensor's Property as shown as the red hatched area attached hereto as Appendix "C".
Use	Non-exclusive use for bus stops and bus routes and the installation and maintenance of TTC stop poles.
Term	The term of this Agreement shall be for a period of five (5) years, commencing on the 1 st day of August, 2022, and continuing until the earlier of, (a) the finalization of the TTC bus routing on the new road network to be constructed on the Licensor's Property, and (b) December 31, 2026, unless sooner terminated in the manner set forth in the Agreement. The Term may be extended by mutual written agreement of the parties
Termination	Either party may terminate this Agreement upon the default of the other upon giving written notice of such termination to the other party
License Fee	The Licensee shall, as consideration for the License, pay to the Licensor a licence fee of Two Dollars (\$2.00) plus HST to be paid as a lump sum on the first (1 st) day of the Term.
Extended Term Fee	If the Licence is mutually extended in accordance with Section 2(1) of the Agreement, the Licensee shall, as consideration for the License during the Extended Term, pay to the Licensor another licence fee of Two Dollars (\$2.00), plus HST, to be paid as a lump sum on the first (1 st) day of the Extended Term.

Appendix "B" – Location Map



Appendix "C" – Licensed Area

