



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

TRACKING NO.: 2022-238

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:	October 21, 2022	Phone No.:	416-392-1857
Purpose	To obtain authority for the City to enter into a Permission to Enter/Licence Agreement (the "Licence") with the Tamil Community Centre ("TCC") to permit TCC and its consultants access to part of 311 Staines Road to carry out arborist, environmental, ecology, and natural heritage studies (the "Permitted Activities").		
Property	Part of 311 Staines Road shown as the South Parcel on Appendix "A", and particularly described as Parts 9 and 10 on 66R- 16352 as outlined in red on Appendix "B" (the "Property").		
Actions	1. Authority be granted to enter into a Licence with TCC for the use of the Property for a period commencing October 26, 2022 and ending November 30, 2022, or such later dates as the City may determine to be reasonable, provided that the total length of the term shall not exceed three (3) months, to conduct the Permitted Activities, substantially on the major terms and conditions set out in Appendix "C", 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 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 studies for its use. TCC will be responsible, at its sole expense, for all costs related to the use of the Property by TCC, 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 at 311 Staines Road, which consists of a North Parcel and a South Parcel (see Appendix A) was acquired by the City in 2007.</p> <p>In 2020 and 2021, City Council, by its adoption of Item Nos. 2020.GL16.8 and 2021.GL27.11, authorized the City to enter into a fair market-value Long Term Land Lease with the TCC, to design, build, finance and operate a new not-for-profit Community Recreation Facility on part of the South Parcel. The City entered into the Land Lease with the TCC on February 15th, 2022.</p> <p>In August, 2022, DAF 2022-189 authorized a licence agreement with TCC for its consultants and agents to conduct geotechnical, environmental and hydrogeological investigation on the Property.</p> <p>This Licence is for the purposes of gathering enough information to complete Environmental Impact Study, as well as other studies that might be required by the authorities on the submission of any permits related to completion of the construction of the Tamil Community Centre.</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/REOs:</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 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/REOs.</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>

Pre-Condition to Approval									
<input checked="" type="checkbox"/> 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 checked="" type="checkbox"/>	E-Mail		Memo		Other	
Comments:		no objection, October 19, 2022				Comments:			
Consultation with Divisions and/or Agencies									
Division:						Division:		Financial Planning	
Contact Name:						Contact Name:		Filisha Jenkins	
Comments:						Comments:		Concurred October 19, 2022	
Legal Services Division Contact									
Contact Name:		Soo Kim Lee concurred October 21, 2022							

DAF Tracking No.: 2022-238	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	Oct. 25, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Leila Valenzuela <input checked="" type="checkbox"/> Approved by:	Oct. 25, 2022	Signed by Leila Valenzuela
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix A: Location Map



Appendix C: Major Terms of the Licence

1. The Licence shall commence on October 26, 2022 and end on November 30, 2022, or such later dates as the City may determine to be reasonable, provided that the total length of the term shall not exceed three (3) months, to conduct the Permitted Activities.
2. 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;
3. TCC will be responsible, at its sole expense, for all costs related to the use of the Property TCC and its consultants, and for the costs of preparation of any study results or reports;
4. TCC 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;
5. TCC shall provide the City 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. 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 the Licence; and,
6. TCC shall provide the City with copies of any test results and reports regarding the Property.
7. TCC shall restore the Property, at its expense, and to the satisfaction of the City, acting reasonably.