

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

TRACKING NO.: 2022-132

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

Prepared By:	Avery Carr	Division:	Corporate Real Estate Management
Date Prepared:	Oct 25, 2022	Phone No.:	647-458-1934
Purpose	To obtain authority for the City of Toronto (the " City ") to enter into an easement transfer agreement (the " Agreement ") with The Toronto and Region Conservation Authority (the " Owner "), to acquire permanent rights over a portion of their property municipally known as 1240 Sheppard Ave E, Toronto Ontario.		
Property	Portion of the property municipally known as 1240 Sheppard St E, legally described as part of Lot 16, Concession 2 East of Yonge Street, City of Toronto (the " Property ").		
Actions	1. Authority be granted to enter into the Agreement with the Owner to acquire a permanent easement over the Property, substantially on the major terms and conditions set out below, and including such other terms and conditions as may be deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
Financial Impact	The easement is being conveyed to the City for nominal consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.		
Comments	The Owner has agreed to transfer permanent easement rights over the Property to the City. The permanent easement will permit the City to construct, access, repair, maintain, and operate a dry weather storage tank and four related sewers (the "Works") on the Property, the Works being part of the Don River Central Waterfront Wet Weather Flow Project.		
Terms	Property and Easement Lands as more particularly depicted in Appendix A and as legally described in Appendix B Irrevocable Period: 30 days Closing Date: 30 days after the Acceptance Date Consideration: Nominal Indemnity: the City shall fully indemnify the Transferor from and against any liabilities, claims, liens damages, costs and expenses, including legal fees, arising in connection with any work, services or materials supplied to the City or the Owner in connection with the Agreement. Restoration: as a result of its entry upon the Property, the City shall restore all fixtures or landscaping as nearly as is reasonably possible to the state in which they existed prior to such disturbance, damage or removal and to complete such restoration within a reasonable time of completing the purpose of such entry Corporate Real Estate Management staff consider the major terms and conditions of the Agreement, including those noted above, to be fair and reasonable. For all terms please refer to the Agreement and permanent easement to be registered on title.		
Property Details	Ward:	17 – Don Valley North	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:		
	Other Information:	Easement area is approximately 3,582 m ²	

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 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 checked="" 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:	Councillor Carroll	Councillor:	
Contact Name:	Tom Gleason	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 concerns	Comments:	

Consultation with Divisions and/or Agencies

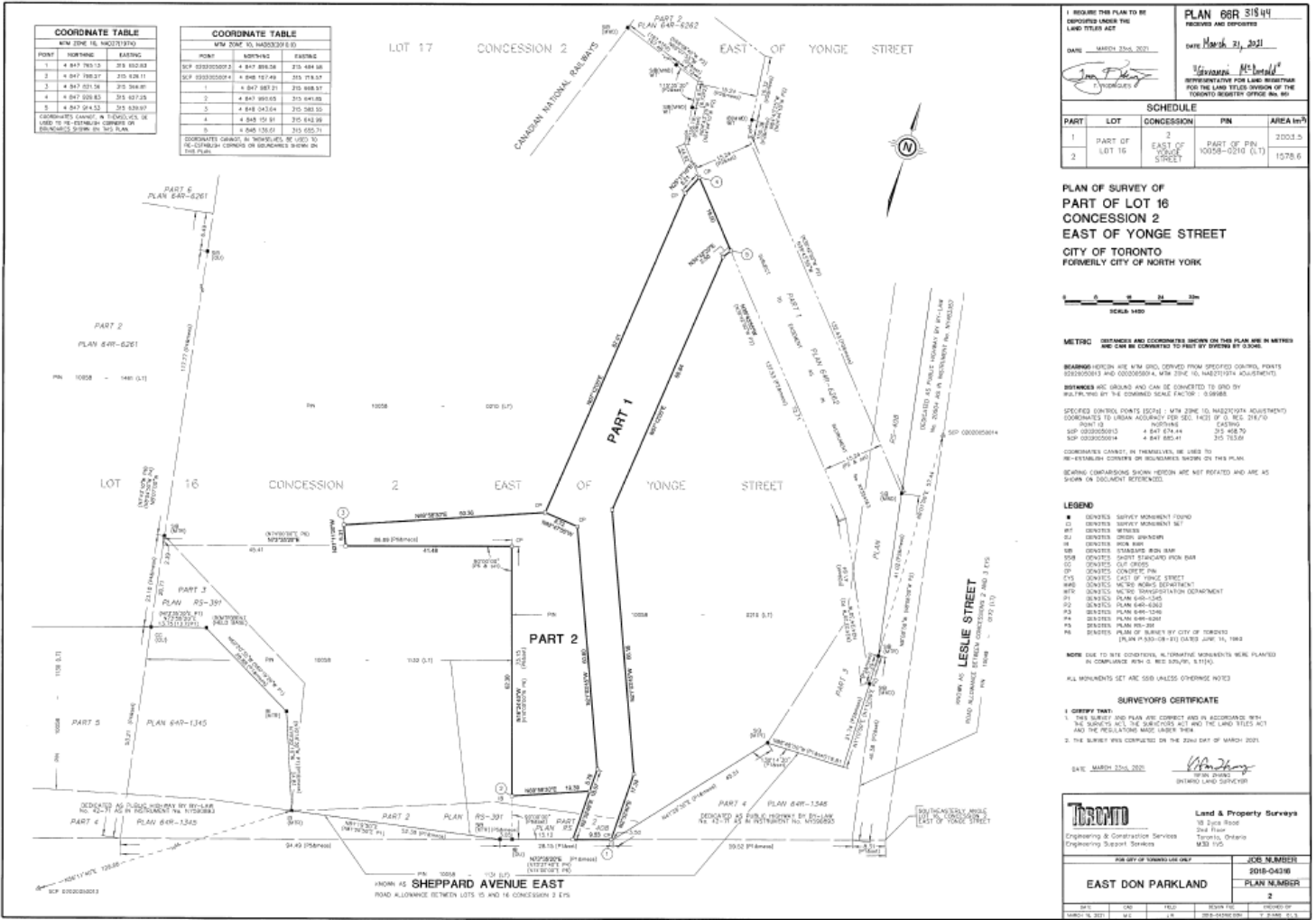
Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	George Theodorlis	Contact Name:	Filisha Jenkins
Comments:	Comments incorporated	Comments:	Comments incorporated

Legal Services Division Contact

Contact Name:	Jennifer Davidson
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DAF Tracking No.: 2022-132	Date	Signature
Concurred with by: Manager, Real Estate Services Vnette Prescott-Brown	Nov. 9, 2022	Signed by Vnette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Van Hua	Nov. 4, 2022	Signed by Van Hua
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A" Reference Plan



Appendix "B"
Legal Descriptions

For purposes of this Agreement the following legal descriptions shall apply:

1. PROPERTY

PIN 10058-0210 (LT)

PT LT 16 CON 2 EYS TWP OF YORK AS IN NY354163 EXCEPT NY398628 & PT 1 RS408; S/T NY470734, NY581757, NY656724, NY663596; TORONTO (N YORK) , CITY OF TORONTO

2. EASEMENT LANDS

(a) TANK LOCATION:

PART OF PIN 10058-0210(LT)

PT LT 16 CON 2 EYS TWP OF YORK AS IN NY354163 EXCEPT NY398628 & PT 1 RS408; S/T NY470734, NY581757, NY656724, NY663596; AS MORE PARTICULARLY DESCRIBED AS PART 2 ON 66R-31844, TORONTO (N YORK) , CITY OF TORONTO

(b) SEWER LOCATION

PART OF PIN 10058-0210(LT)

PT LT 16 CON 2 EYS TWP OF YORK AS IN NY354163 EXCEPT NY398628 & PT 1 RS408; S/T NY470734, NY581757, NY656724, NY663596; AS MORE PARTICULARLY DESCRIBED AS PART 1 ON 66R-31844; TORONTO (N YORK) , CITY OF TORONTO