

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

TRACKING NO.: 2022-316

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

Prepared By:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	December 16, 2022	Phone No.:	416-338-3586

Purpose	To obtain authority to enter into a licence agreement with the Toronto District School Board (the " Licensor "), with respect to the property municipally known as 629 Roselawn Avenue, Toronto also known as Memorial Park for the purpose of completing geotechnical and subsurface utility engineering investigations (the " Licence Agreement ")
Property	Part of Memorial Park located at 629 Roselawn Avenue, Toronto ON M5N1K7 and legally described as PT LT 27-30, 35-38 PL 491 NORTH TORONTO; PT LT 58 RANGE 1 PL 734 FOREST HILL AS IN FH18499, EN103102 & FH16195 (FIRSTLY & FOURTHLY DESCRIBED) LYING NE OF PLAN 3525 TORONTO; S/T CT580636, EN103102E; CITY OF TORONTO, being all of PIN No. 21167-0267 (LT).
Actions	1. Authority be granted to enter into the Licence 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 acceptable to the City Solicitor.
Financial Impact	There is no financial impact resulting from the approval of this DAF. The licence agreement is for nominal consideration. The Chief Financial Officer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	<p>The Basement Flooding Protection Program (the "Program") was originally established in 2006, when the City identified 31 chronic basement flooding study areas. Following an extreme storm event on July 8, 2013, City Council approved a further expansion of the Program to 41 study areas. Through public and private reinvestment, it provides for the replacement of all 1,208 existing social housing units along with 5,500 to 6,300 new market units. Combined with this is a doubling of public parkland, new schools, community facilities and retail opportunities. Over a multi-phase, twenty-year implementation period, order of magnitude costs for the public infrastructure of the plan are estimated at about \$240 million.</p> <p>In May 2017, CH2M HILL Canada Limited (CH2M) submitted a technical memorandum to the City, proposing to realign the Lawrence-Allen Revitalization Plan (LARP) sanitary sewers to follow the alignment of Phase 4 of the Program (BFPP4) Midtown Toronto Storm Sewer Relief Project (CH2M, 2017). This realignment was proposed to integrate the construction of the Midtown Toronto Storm Sewer Relief Project with the LARP sanitary sewers to mitigate impacts to the community. In June 2017, the City approved the proposed alignment and the preliminary design for the Midtown Toronto Storm Sewer Relief Project was initiated.</p> <p>The Program's scope of work includes investigating each area; designing feasible and cost-effective solutions to the basement flooding problem, including completing the required Class Environmental Assessments (EAs); and constructing the approved solutions.</p> <p>The Licence Agreement marks Phase 2 – Field Investigations of Memorial Park - of the High Level Schedule Milestones for Phase 4 of the Program. The Licence is only for localized areas as depicted in Appendix A for borehole drilling and monitoring.</p>
Terms	<i>Refer to Appendix A for details.</i>

Property Details	Ward:	8 – Eglinton-Lawrence
	Assessment Roll No.:	190411301005600
	Approximate Size:	
	Approximate Area:	7662.6 m ² ± (82,479.56 ft ² ±)
	Other Information:	Pin: 211670267

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:	Councillor Mike Colle	Councillor:	
Contact Name:	Caroline Duffy	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" 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 objections – Dec 16, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering & Construction Services	Division:	Financial Planning
Contact Name:	Jennifer Harris	Contact Name:	Filisha Jenkins
Comments:	Comments incorporated - Dec 16, 2022	Comments:	Comments incorporated - Dec 16, 2022

Legal Services Division Contact

Contact Name: Gloria Lee – Dec 16, 2022

DAF Tracking No.: 2022- 316	Date	Signature
Concurred with by: Manager, Portfolio Management Van Hua	Dec. 19, 2022	Signed by Van Hua
<input type="checkbox"/> Recommended by: Manager, Portfolio Management Ronald Ro	Dec. 16, 2022	Signed by Ronald Ro
<input checked="" type="checkbox"/> Approved by:		

Appendix "A" - Major Terms & Conditions

Licensed Area:

Approximately 82,479.56 square feet on the premises located at 629 Roselawn Avenue, Toronto, also known as Memorial Park.

Licensor:

Toronto District School Board (TDSB)

Term:

For the periods from:

- i. January 2, 2023 to January 8, 2023;
- ii. March 11, 2023 to March 19, 2023; and
- iii. June 18, 2023 to September 17, 2023,

Use:

To complete geotechnical and subsurface utility engineering investigations.

License Fee:

Nominal Consideration - \$2.00.

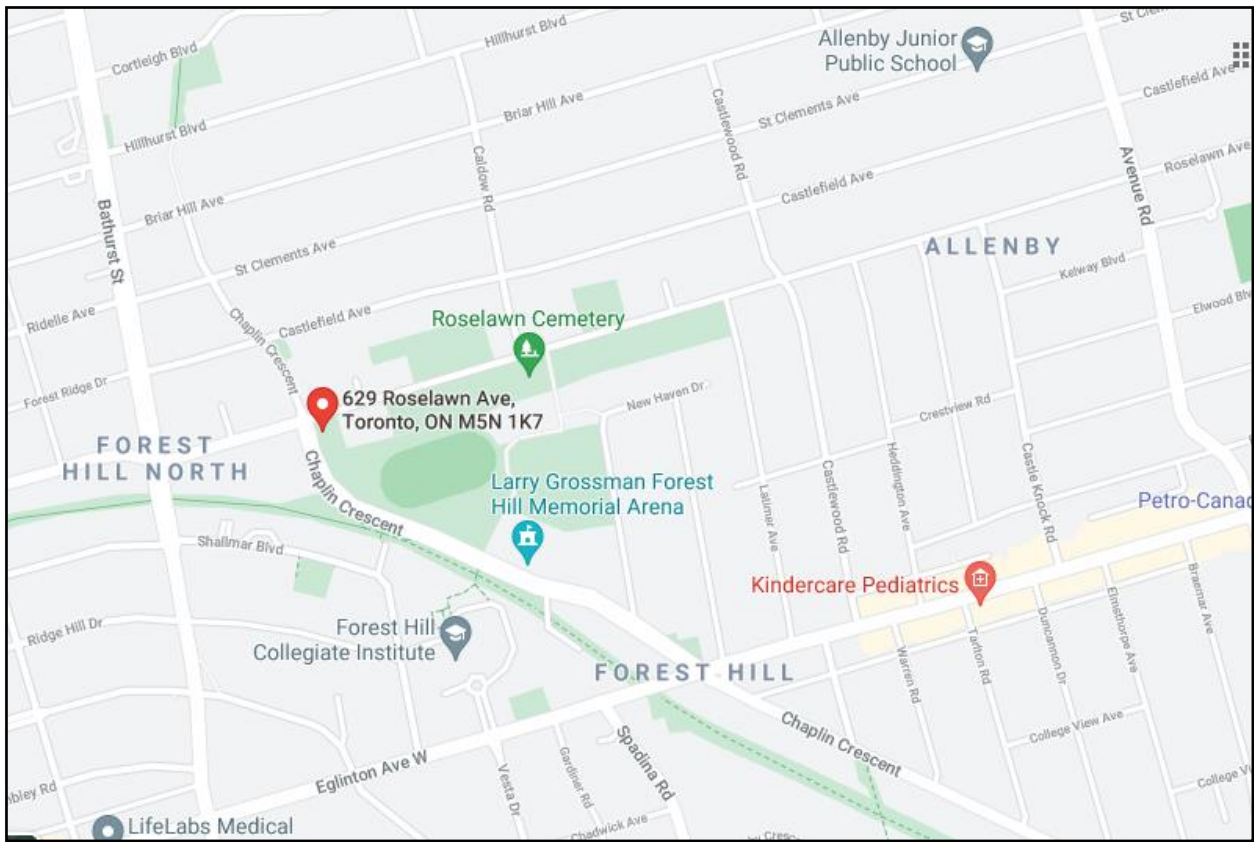
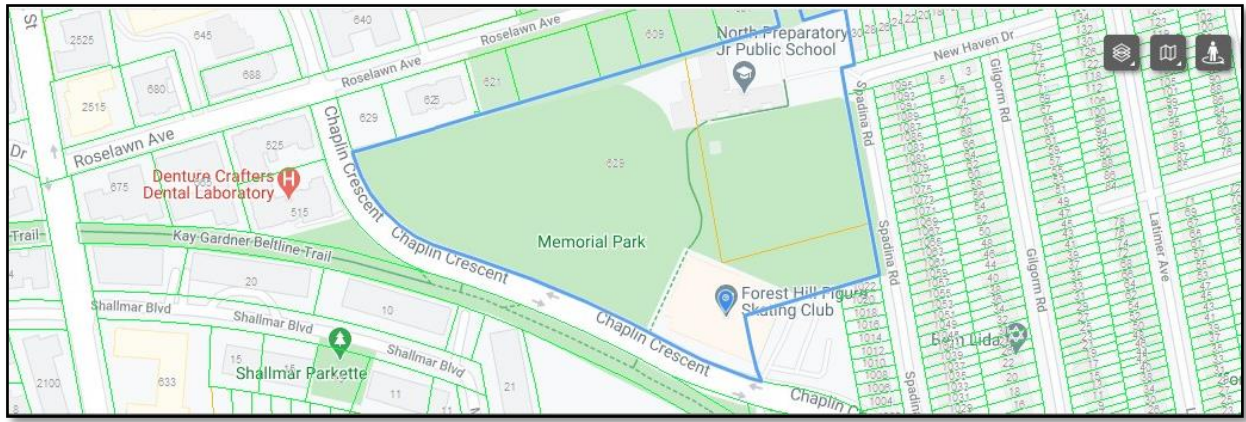
Insurance:

On an occurrence basis with limits of not less than ten million dollars (\$10,000,000.00) per occurrence, and an aggregate limit of not less than ten million dollars (\$10,000,000.00) within any policy year with respect to completed operations.

Restoration:

The licensed area shall be restored to its existing conditions immediately prior to the City's entry and to the satisfaction of the TDSB, save and except for monitoring wells which shall be capped with a flush mounted casing and remain on the licensed area, at the sole expense of the City.

Location Maps



Project Investigative Areas Plan

