

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, CORPORATE SERVICES
EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT

TRACKING NO.: 2022-225

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

Prepared By:	Winnie Lam	Division:	Corporate Real Estate Management
Date Prepared:	November 2, 2022	Phone No.:	437-991-8040

Purpose	To confirm concurrence by the Deputy City Manager, Corporate Services, for Toronto Parking Authority ("TPA") to enter into an agreement for construction, repair and replacement of four (4) stairwells at City-owned 2 Church Street, in compliance with Section 179-9 of Toronto Municipal Code, Chapter 179.
Property	The City-owned property municipally known as 2 Church Street, Toronto, legally described as PIN 21397-0006(LT), (the "Property") as shown on the Location Map in Appendix "B".
Actions	1. The Deputy City Manager, Corporate Services, concurs that Toronto Parking Authority may to enter into agreements for construction, repair and replacement of four (4) stairwells at the Property, on the terms and conditions set out herein, 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>1. The total cost for the work is \$4,330,389.00 (plus HST) ("TPA Contractor Cost"). The cost to be incurred by the City for each fiscal year is as follows: 2022: \$1,000,000 (plus HST) 2023: \$3,330,389.00 (plus HST)</p> <p>TOTAL: \$4,330,389.00 (plus HST)</p> <p>Toronto Community Housing Corporation ("TCHC") will be responsible for TCHC's share of the TPA Contractor Cost, with an upset limit of \$191,727 (plus HST). TPA will be responsible for the balance of the TPA Contractor Cost.</p> <p>2. Funding is available in the 2022-2031 Council Approved Capital Budget and Plan for Toronto Parking Authority under capital project accounts CPK373-01, CPK374-02, and CPK451-01.</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>Section 179-9 of Toronto Municipal Code, Chapter 179 provides that TPA may, where the Deputy City Manager, Corporate Services has concurred, enter into agreements for the construction of parking facilities in, under, over or on land that is vested in the City for any purpose.</p> <p>Following an assessment from a structural consultant, it was concluded that four (4) stairwells at City-owned 2 Church Street require immediate repair as the current condition is consistent with the end-of-life for 40 year-old facility.</p>
Terms	<p>Stairwells 1 and 2 are used by TCHC for fire egress, and are subject to maintenance, repairs, replacement, and cost sharing obligations as set out in Instrument No. E121161 registered on October 16, 1997. Please refer to Appendix A for depiction of the stairwell locations.</p> <p>The City is the sole shareholder of TCHC. TPA operates and manages municipal parking facilities for the City. TPA will enter into a Letter Agreement with TCHC to share costs.</p>

Property Details	Ward:	10 – Spadina- Fort York
	Assessment Roll No.:	
	Approximate Size:	N/A
	Approximate Area:	N/A
	Other Information:	

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million. Request/waive hearings of necessity delegated to less senior positions.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million. Request/waive hearings of necessity delegated to less senior positions.
3. Issuance of RFPs/REOs:	<input type="checkbox"/> Issuance of RFPs/REOs.	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	<input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.	<input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$3 Million. <input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc. Delegated to a more senior position.	<input checked="" type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$5 Million. <input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc. <input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> (a) Where total compensation does not exceed \$3 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.	<input type="checkbox"/> (a) Where total compensation does not exceed \$5 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Ward 10 – Spadina-Fort York	Councillor:	
Contact Name:	Joe Mihevc	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections.- Sept 29, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Parking Authority	Division:	Financial Planning
Contact Name:	Patricia Pearsall-Mills	Contact Name:	Filisha Jenkins
Comments:	No objections- Nov 1, 2022	Comments:	Concurred- October 28, 2022

Legal Services Division Contact

Contact Name:	Soo Kim Lee
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DAF Tracking No.: 2020-225	Date	Signature
Recommended by: Ronald Ro, Manager, Real Estate Services	Nov. 3, 2022	Signed by Ronald Ro
Recommended by: Alison Folosea, Director, Real Estate Services	Nov. 10, 2022	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Patrick Matozzo, Executive Director, CREM	Nov. 10, 2022	Signed by Patrick Matozzo
<input type="checkbox"/> Approved by: David Jollimore, Delegate for Josie Scioli, Deputy City Manager	Nov. 14, 2022	Signed by David Jollimore
<input type="checkbox"/> Approved by: Tracy Cook, Interim City Manager	Nov. 15, 2022	Signed by Tracy Cook

Appendix A - Stairwells at 2 Church St.

