

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

TRACKING NO.: 2023-129

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

Prepared By:	Desiree Picchiello	Division:	Corporate Real Estate Management
Date Prepared:	April 25 2023	Phone No.:	416-338-5028

Purpose	To obtain authority to enter into a licence agreement with the Toronto and Region Conservation Authority ("TRCA" or "Licensee") with respect to a portion of City-owned land municipally known as 201 Hudson Drive, Toronto (the "Licensed Area"), for the purposes of allowing temporarily access and occupation of the Licensed Area during the implementation of the Moore Park between 193-195 Hudson Drive Ravine Slope Stabilization Project (the "Licence") for a period of Five (5) Months (the "Term") for nominal consideration.
Property	The property municipally known as 201 Hudson Drive, Toronto, legally described as PT LT 428 PL 1042 TORONTO (MOORE PARK); PT LT 429 PL 1042 TORONTO (MOORE PARK) AS IN ET29092 (2NDLY & 3RDLY); TORONTO, CITY OF TORONTO, PIN 10393-0254 (LT) (the "Property"), as shown on the Location Map in Appendix "B"
Actions	1. Authority be granted to enter into the Licence with TRCA, 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	The licence agreement is for a nominal consideration. All expenditures associated with the work will be paid by the TRCA's Capital project under the Erosion Risk Management program, funded by City of Toronto, additional funding under Infrastructure Canada's Disaster Mitigation and Adaptation Fund. The licence is for nominal consideration as the City is providing capital funding contribution to the TRCA. The Chief Financial Officer and Treasurer have reviewed this DAF and agree with the financial impact information.
Comments	TRCA has request a licence from the City of Toronto to construct a temporary access route in the Licensed Area to allow for the passage of construction vehicles and equipment related to certain erosion control works being carried out by TRCA on its adjoining lands. This is a capital project funded by the TRCA's Erosion Risk Management program with the objective of mitigating erosion and reduce slope instability risk to private dwellings on 193 & 195 Hudson Drive, City of Toronto. Any alterations to the site while carrying out the work will be restored to like or improved conditions post-construction. City staff have reviewed this request and recommend granting TRCA the Licence on the terms and conditions outlined in Schedule "A".
Terms	Please see page 4: Appendix "A"

Property Details	Ward:	11 – University-Rosedale
	Assessment Roll No.:	
	Approximate Size:	Irregular
	Approximate Area:	350 m ²
	Other Information:	Ravine and Open Space

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 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 checked="" 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:	Dianne Saxe	Councillor:	
Contact Name:	Councillor.saxe@toronto.ca	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 Objections	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Jonathan Larkin	Contact Name:	Ciro Tarantino
Comments:	Approved	Comments:	Approved

Legal Services Division Contact

Contact Name:	Michelle Xu
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DAF Tracking No.: 2023-129	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	May 31, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	May 31, 2023	Signed by Alison Folosea

APPENDIX "A" - Terms and Conditions**Licensor:**

City of Toronto

Licensee:

Toronto and Region Conservation Authority ("TRCA")

Licensed Area:

A portion of the Property coloured in red as shown on the sketch attached as Appendix "C" – approximately 3,767.37 square feet

Licence Fee:

The license agreement is for a nominal consideration of \$2.00.

Term:

Five (5) months, commencing from June 1, 2023 and expiring on October 31, 2023.

Option to Extend:

Provided that the Licensee has not been in default beyond any applicable curing period and is not in default at the time of the request, the Licensee shall have one (1) option to extend the Term of the Licence for a period of Thirty (30) calendar days, upon thirty (30) days of prior written notice to the Licensor in advance of the expiry of the Licence.

Early Termination:

Each of the parties shall have the option to terminate this Licence upon 30 days of prior written notice to the other.

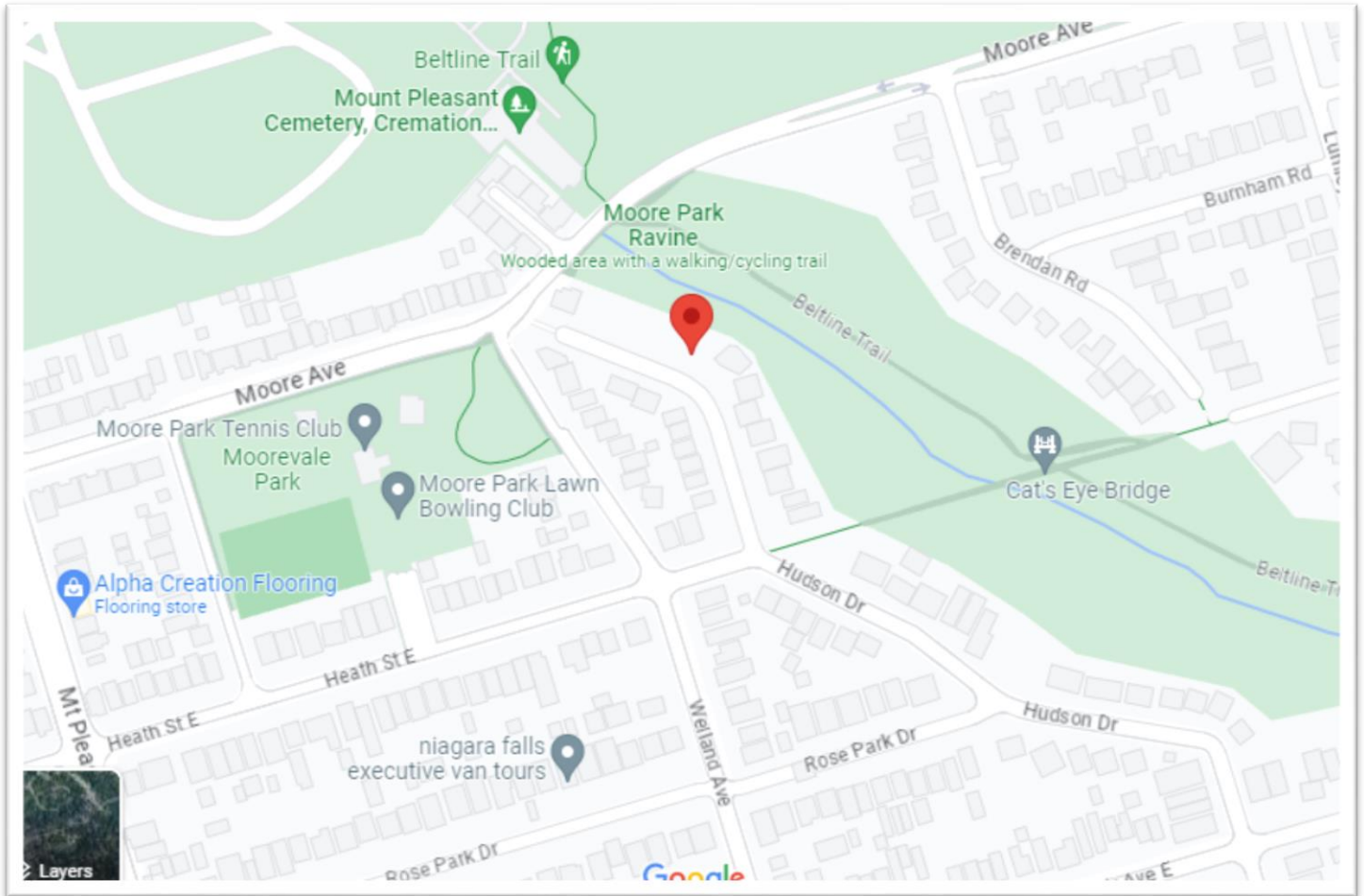
Permitted Use:

To construct temporary access routes on the ravine slope connecting to 193-199 Hudson Drive, and to allow for the occupation of the Licensed Area as a construction staging and stockpiling site for the Project, including the construction of retaining wall, performing slope re-grading and re-vegetation work to mitigate erosion and reduce slope instability hazard risk to dwellings on 193 & 195 Hudson Drive.

Insurance:

- (a) Commercial General Liability Insurance of not less than \$5,000,000.00 per occurrence, for bodily injury and property damage resulting from any one occurrence. The policy shall include a Cross Liability and Severability of Interest Clause and shall name the City as an additional insured;
- (b) Contractor's Pollution Liability with a minimum limit of \$1,000,000.00;
- (c) Standard Automobile Liability coverage with a limit of at least \$2,000,000.00 for all licensed motorized vehicles used on the Licensed Area; and
- (d) any such other insurance as the City, acting reasonably, may require.

Appendix B - Site Map and Property Sketch






APPENDIX "C" – LICENSED AREA - SHORING PLAN



Moore Park Ravine Slope Stabilization Project

193-195 Hudson Drive, Toronto

-  Works Access on CoT Land
-  Watercourse
-  Parcel Assessment - MNRF

Date: 3/29/2023

Created by: Erosion Risk Management

Orthophoto: First Base Solutions (2018)

Disclaimer: The data used to create this map was compiled from a variety of sources & dates. The TRCA takes no responsibility for errors or omissions in the data and retains the right to make changes & corrections at anytime without notice. For further information about the data on this map, please contact the TRCA Restoration and Infrastructure Division, (416) 661-6600.

