

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

TRACKING NO.: 2023-189

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: | July 5, 2023 | Phone No.: | 647-458-1934 |

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|-------------------------|---|
| Purpose | To obtain authority to enter into a licence agreement (the "Agreement") with the Toronto District School Board (the "Licensee") to provide the Licensee with temporary access over a portion of City-owned property located at 635 Queens Quay West, Toronto Ontario (the "Property"), for the purposes of conducting geo-technical investigations, including borehole testing and field surveying of the licensed area. |
| Property | A portion of the lands municipally known as 635 Queens Quay West, Toronto, legally described as PT BLK D, E, F, G PL D1397 TORONTO AS IN CA304797, CA360600, CA360601, CA559870, PT 12, 13 & 14 63R4015; S/T CA571941, CT397311, WF54832; CITY OF TORONTO being all of the PIN: 21418-0115 (LT) (the "Property"), as shown on the Location Map in Appendix "B" |
| Actions | 1. Authority be granted to enter into the Agreement with the Licensee, substantially on the major terms and conditions set out in Appendix "A", 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 Owner will pay the City a licence fee of \$3,546.67, plus HST. 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 Licensee leases a portion of City-owned land at 635 Queens Quay West for public school purposes. The Licensee is undertaking a project to rebuild an existing pathway and conduct other due diligence improvements related to regular maintenance of the school building on site ("Project"). As part of the Project, the Licensee requires access to the Property to conduct geo-technical investigations, including borehole testing and field surveying. The work is expected to commence on July 10, 2023 and will take approximately two weeks to complete. Work will occur between the hours of 8 am and 6 pm, Monday to Saturday only. |
| Terms | See Appendix "A" |

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|-------------------------|-----------------------------|------------------------|
| Property Details | Ward: | 10 – Spadina Fort York |
| | Assessment Roll No.: | |
| | Approximate Size: | |
| | Approximate Area: | |
| | 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/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 checked="" 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 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: | Ausma Malik | Councillor: | |
| Contact Name: | Nora Cole | Contact Name: | |
| Contacted by: | Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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: | Notified | Comments: | |

Consultation with Divisions and/or Agencies

| | | | |
|---------------|---------------------------|---------------|---------------------------|
| Division: | Toronto Lands Corporation | Division: | Financial Planning |
| Contact Name: | Simon Hewett | Contact Name: | Ciro Tarantino |
| Comments: | No concerns | Comments: | No concerns |

Legal Services Division Contact

Contact Name: Michelle Xu

| DAF Tracking No.: 2023-189 | Date | Signature |
|--|--------------|-----------------------------|
| Concurred with by: Manager, Real Estate Services Jennifer Kowalski | July 5, 2023 | Signed by Jennifer Kowalski |
| <input type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro | July 5, 2023 | Signed by Ronald Ro |
| <input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea | | X |

APPENDIX "A"**Major Terms and Conditions**

Licence Fee: \$3,546.67 plus HST

Term: 14 Days, commencing on July 10, 2023 and ending on July 24, 2023, between the hours of 8 am to 6 pm Monday to Saturday only

Use: conducting geo-technical investigations, including borehole testing and field surveying of the Licensed Area (see below)

Insurance: the Licensee's environmental consultant to provide a policy of insurance covering not less than \$5,000,000.00 per occurrence to the City prior to the commencement of the Licence. The policy of insurance shall name the City and the Licensee as additional insureds.

Early Termination: Either party shall have the right to terminate this Licence upon giving seven (7) days' prior written notice to the other.

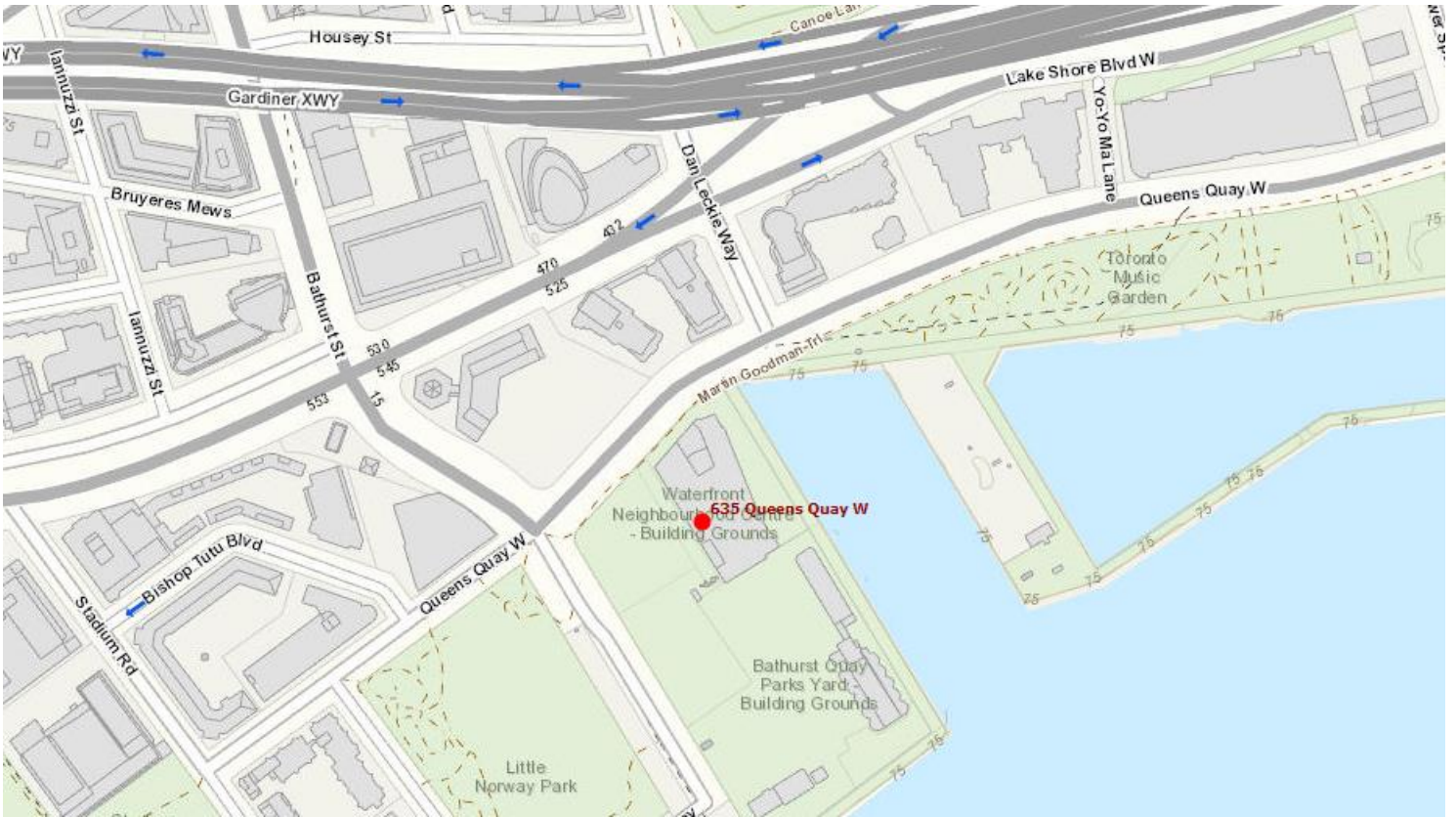
Licensed Area: See Appendix "B"

Reports: The Licensee shall bear all costs of the studies and make all reports prepared for the Licensed Area addressed to both the City and the Licensee, and make all reports prepared for the Licensed Area available to the City

Confidentiality: The Licensee shall keep all reports prepared for the Licensed Area confidential, and shall not disclose or release the same to any third party without the express written consent of the City

Appendix "B"

Location Map



Licensed Area

