

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

TRACKING NO.: 2024-028

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

| | | | |
|-----------------------|------------------|-------------------|----------------------------------|
| Prepared By: | Wendy Pearson | Division: | Corporate Real Estate Management |
| Date Prepared: | January 10, 2024 | Phone No.: | 416-338-1058 |

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|-------------------------|---|
| Purpose | To obtain authority to enter into a licence agreement (the "Agreement") with His Majesty The King In Right of Canada as represented by the Minister of the Environment , acting through Environment and Climate Change Canada ("ECCC") to establish temporary sampling locations at High Park (the "Site"), more particularly shown in Appendix A, to measure and monitor air pollutants and meteorological conditions (the "Project"). |
| Property | The property municipally known as 1873 Bloor Street West, Toronto, legally described in Appendix B. |
| Actions | 1. Authority be granted to City to enter into the Agreement between the City and ECCC substantially on the major terms and conditions set out in Appendix C, and including such other amended terms and conditions as deemed appropriate by the approving authority herein and in a form satisfactory to the City Solicitor. |
| Financial Impact | There is no financial impact to the City. The Agreement will be provided to ECCC for nominal consideration as the City, through Toronto Public Health, receives and benefits from the data collected under the Project. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information. |
| Comments | The Ministry of Environment and Climate Change Canada approached the City of Toronto to secure locations for temporary sampling sites within High Park to measure and monitor air pollutants and meteorological conditions. The sampling will occur from January to March. Parks, Forestry & Recreation Division is coordinating access to the park for the Project and has agreed to the terms and conditions of this Agreement. |
| Terms | See Appendix C. |

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| Property Details | Ward: | Ward 4 – Parkdale-High Park |
| | 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/Licensor):</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 checked="" 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 (Manager, Transaction Services is only Manager 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: | Gord Perks | Councillor: | |
| Contact Name: | Karen Duffy | Contact Name: | |
| Contacted by: | <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Email <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 | Comments: | |

Consultation with Divisions and/or Agencies

| | | | |
|---------------|------------------------------|---------------|---------------------------|
| Division: | Parks, Forestry & Recreation | Division: | Financial Planning |
| Contact Name: | Thomas Kakamousias | Contact Name: | Ciro Tarantino |
| Comments: | Concurred. | Comments: | No objections. |

Legal Services Division Contact

| | |
|---------------|------------|
| Contact Name: | Frank Weng |
|---------------|------------|

| DAF Tracking No.: 2020-028 | Date | Signature |
|---|------------------|-----------------------------|
| Concurred with by: Manager, Real Estate Services Niall Robertson | January 11, 2024 | Signed by Niall Robertson |
| <input checked="" type="checkbox"/> Approved by: Manager, Real Estate Services Jennifer Kowalski | January 11, 2024 | Signed by Jennifer Kowalski |
| <input type="checkbox"/> | | |

Appendix A

SITE LOCATION



1) Mobile Lab parked here for approximately 2 weeks (Jan 23 - Feb 7) with 24/7 on-site security provided by Logixx

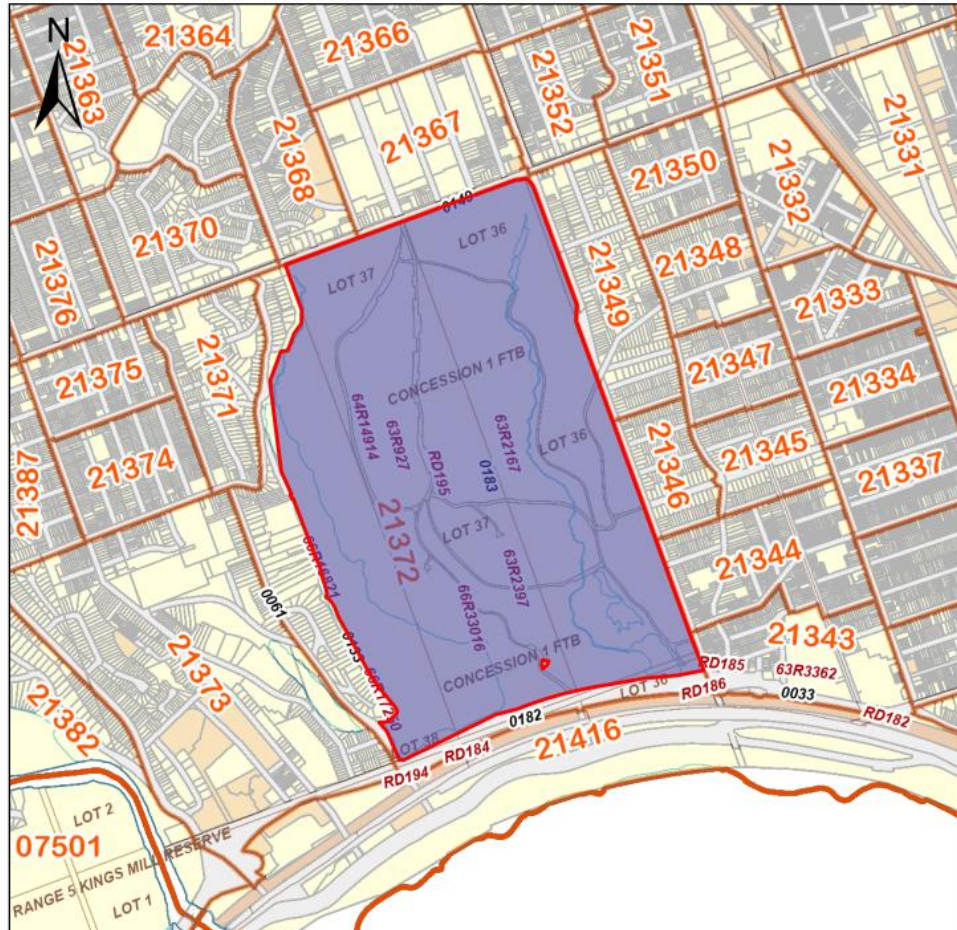
2) Air quality instruments located for approximately 6 weeks (Jan 23 - Mar 10) with 24/7 on-site security provided by Logixx

Note: Temporary fencing will be installed for duration of project to provide additional protection of instruments and air quality data

Appendix B

PIN 21372-0183 (LT)

PT RDAL BTN LOTS 35 & 36 CON 1 FTB TWP OF YORK (CLOSED BY UNREGISTERED BYLAW 310) AS IN TY6396; PT LT 36 CON BROKEN FRONT TWP OF YORK; PT LT 36-38 CON 1 FTB TWP OF YORK AS IN TY6396 EXCEPT WG102753 & PT 1 RD184, AS IN OH7066 EXCEPT PT 1 RD184 & PT 1 RD194, AS IN SS2588 EXCEPT PL M438 & PT 1 RD195; PT RDAL BTN CON 1 FTB & CON BROKEN FRONT TWP OF YORK (CLOSED BY ES70790) AS IN WF61545, PT 3 RD195 & THAT PART LYING E OF THE QUEENSWAY; S/T CT351381, CT527037; CITY OF TORONTO



ServiceOntario

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FOR FRANKWENG

SCALE

0 140 280 420 560 Meters

PROPERTY INDEX MAP
TORONTO(No. 80)

LEGEND

- FREEHOLD PROPERTY
- LEASEHOLD PROPERTY
- LIMITED INTEREST PROPERTY
- CONDOMINIUM PROPERTY
- RETIRED PIN (MAP UPDATE PENDING)
- PROPERTY NUMBER
- BLOCK NUMBER
- GEOGRAPHIC FABRIC
- EASEMENT

0449

08050

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED

Ontario

THIS IS NOT A PLAN OF SURVEY

Appendix C

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| <p>Term, Commencement and Expiry Date</p> | <p>Term: Seventy-six (76) days between 6 a.m. to 8 p.m. for the duration of the Term Commencement Date: January 15, 2024 End Date: March 31, 2024 unless terminated earlier</p> |
| <p>Insurance</p> | <p>ECCC's obligations regarding insurance may be satisfied in whole or in part by an adequately funded self-insurance program or self-insured retention, provided however, that this shall not in any way limit the liabilities assumed by ECCC under this Agreement and that ECCC shall provide the City with the same protection from liability and defense of claims as would be afforded by first dollar insurance.</p> |
| <p>Use</p> | <ul style="list-style-type: none"> • be responsible for the provision, installation, operation, maintenance and repair of the SWAPIT Equipment owned by ECCC and for overseeing the provision, installation, operation, maintenance and repair of the SWAPIT Equipment owned by the Scientific Collaborators • install necessary ancillary apparatus at the sampling location to allow ECCC, its servants, employees, agents, Scientific Collaborators and contractors to install and operate the SWAPIT Equipment; • ensure that required temporary security fencing is installed to secure the SWAPIT Equipment. |
| <p>Restoration</p> | <p>Prior to the expiry or at the termination of the Agreement, ECCC shall remove all chattels and materials from and about the Site; restore the Site to a condition as close as is practicable to its condition prior to occupation by ECCC; and leave the Site clean, tidy, and in good repair, all to the City's satisfaction.</p> |