

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

TRACKING NO.: 2024-051

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

Prepared By:	Jasmine Su	Division:	Corporate Real Estate Management
Date Prepared:	February 13, 2024	Phone No.:	416-392-6066

Purpose	To obtain authority to enter into a licence agreement with the Toronto District School Board (the "Licensor") for temporary access over a portion of its property located at 1633 Sheppard Avenue West, Toronto, for the purpose of facilitating the construction of the City's sewer rehabilitation program (the "Agreement").
Property	Approximately 389 square metres within the lands municipally known as 1633 Sheppard Avenue West, Toronto, legally described as Pt Lt 15 Con 4 Wys Twp of York Pt 15 - 28, 64R5878; S/T NY283309; Toronto (N York) , City of Toronto subject to an easement in gross as in AT4380640, City of Toronto, being part of PIN 10262-1399 (LT) (the " Property "), as shown on the Location Map attached hereto as Appendix "A" and shown outlined in blue and red on the sketch attached to Appendix "A" (the " Licensed Area ").
Actions	1. Authority be granted to enter into the Agreement with the Licensor, substantially on the major terms and conditions set out below, 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 City will pay the Licensor a licensed fee of \$6,000 plus HST for the term, which will be funded from Toronto Water capital account CWW465-09. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	The City is undertaking a sewer rehabilitation program at 1633 Sheppard Avenue West (the " Program "). There is an easement in favour of the City for the purpose of constructing and maintaining a sanitary sewer at the Property. As part of the Program, the City requires access to a portion of the Property adjacent to the easement for construction access and staging in association with the Program. The work is expected to occur between July 1, 2024 and August 31, 2024. Upon completion of the work, the Licensed Area will be restored to the approximate condition prior to the City's occupancy of the Licensed Area. The proposed licence fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.
Terms	Licensed Area: Approximately 389 square metres as outlined in blue and red on the sketch attached to Appendix "A-1" Term: 2 months commencing on July 1, 2024 and ending on August 31, 2024 Licensed Fee: \$6,000.00 plus HST Use/Purpose: to access the Licensed Area with its vehicles, equipment and materials to carry out sewer rehabilitation work. Insurance: Commercial General Liability Insurance or Wrap-lp insurance of not less than \$10,000,000.00 per occurrence and to name the TDSB and its agent Toronto Lands Corporation ("TLC") as additional insureds. The City may self-insure in accordance with its standard practice for a similar use for a similar premises within the area. Early Termination: The City may terminate the Licence upon 14 days of prior written notice to the Licensor. Collective Agreement: TDSB has a Collective Agreement with the Maintenance and Construction Skilled Trades Council (the " Council "), which requires, without limitation, that all construction, maintenance and repair work on the TDSB Lands to be performed by the members of the Council , or by contractors who have entered into an agreement with the Council. The City agrees to obtain TDSB's confirmation that the proposed work will satisfy TDSB's obligations to the Council prior to commencing its work on the Property. The City agrees to indemnify the TDSB and TLC in respect of any damages arising from a breach of this obligation.

Property Details	Ward:	6 – York Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	389 m ²
	Other Information:	

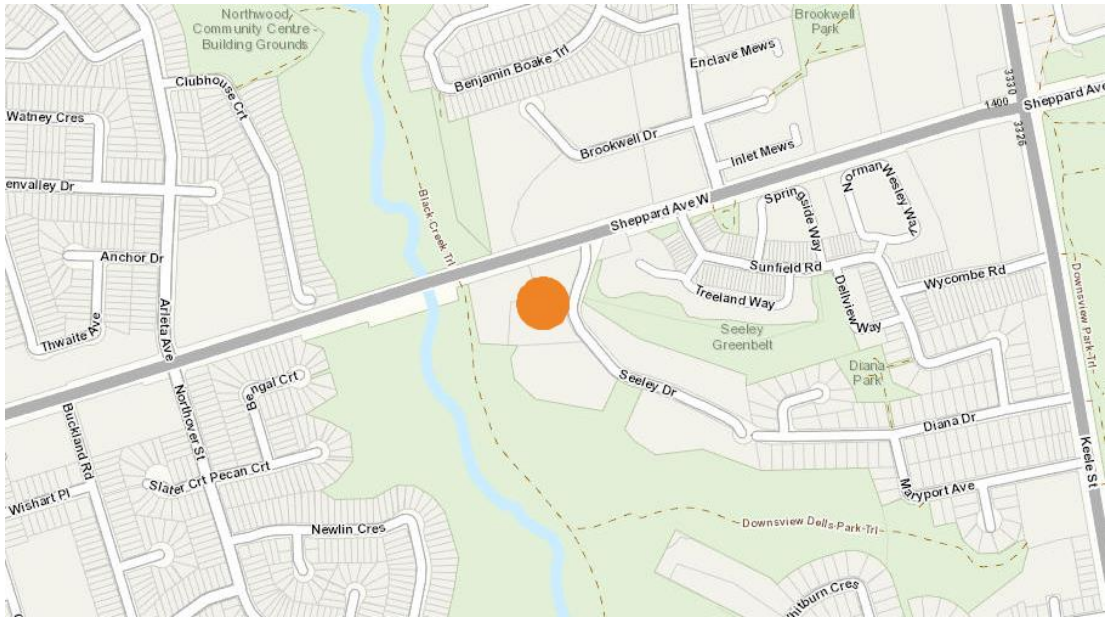
A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest 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 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:	
<ul style="list-style-type: none"> 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:	
<ul style="list-style-type: none"> 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. 	

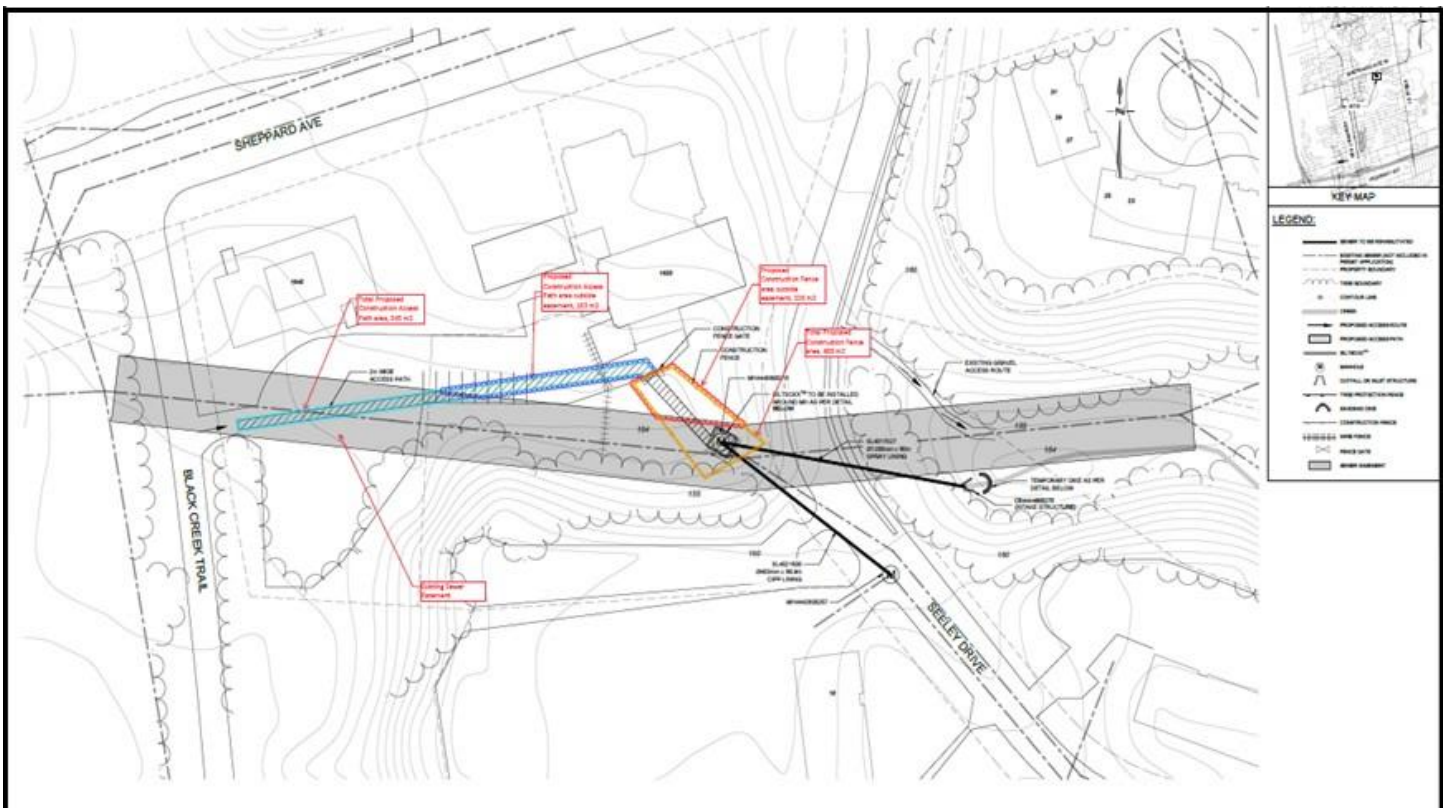
Pre-Condition to Approval			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Mike Colle	Councillor:	
Contact Name:	Andy Stein	Contact Name:	
Contacted by:	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	Comments:	
Consultation with Divisions and/or Agencies			
Division:	Toronto Water	Division:	Financial Planning
Contact Name:	Kristy Gibson	Contact Name:	Ciro Tarantino
Comments:	Consent	Comments:	No comments
Legal Services Division Contact			
Contact Name:	Michelle Xu		

DAF Tracking No.: 2024-051	Date	Signature
Concurred with by: Manager, Real Estate Services Jennifer Kowalski	Feb. 15, 2024	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vnette Prescott-Brown	Feb. 15, 2024	Signed by Vnette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

APPENDIX "A" LOCATION MAP



SKETCH OF THE LICENSED AREA



ACCESS ROUTE PLAN VIEW

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">DESIGNED: M.Y.</td> <td style="width: 50%;">APPROVED: M.Y.</td> </tr> <tr> <td>DRAWN: C.J.R.</td> <td>CHECKED: M.A.</td> </tr> <tr> <td>ISSUED FOR TOMB DELL CREST SCHOOL, BICK KIDS COMP, TRCA</td> <td>DATE: 17 MAY 2023</td> </tr> <tr> <td>ISSUED FOR TOMB DELL CREST SCHOOL, & BICK KIDS COMP</td> <td>SCALE: 1:500</td> </tr> </table>	DESIGNED: M.Y.	APPROVED: M.Y.	DRAWN: C.J.R.	CHECKED: M.A.	ISSUED FOR TOMB DELL CREST SCHOOL, BICK KIDS COMP, TRCA	DATE: 17 MAY 2023	ISSUED FOR TOMB DELL CREST SCHOOL, & BICK KIDS COMP	SCALE: 1:500	<p>No. 23 SEELEY DRIVE ACCESS ROUTE</p> <p>TORONTO WATER DIVISION SEWER REHABILITATION PROGRAM CONTRACT 23TW-CTS-08CWD</p>
DESIGNED: M.Y.	APPROVED: M.Y.									
DRAWN: C.J.R.	CHECKED: M.A.									
ISSUED FOR TOMB DELL CREST SCHOOL, BICK KIDS COMP, TRCA	DATE: 17 MAY 2023									
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