

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

TRACKING NO.: 2024-099

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	April 24, 2024	Phone No.:	(416) 397-7481

Purpose	To obtain authority for the City of Toronto (the "City") to enter into a Licence Agreement (the "License Agreement") with City of Toronto Economic Development Corporation (the "Licensor"), with respect to the property municipally known as 1 Don Valley Parkway, Toronto for the purpose of entering upon a portion of the property to conduct subsurface utility investigations as part of the Inner Harbour West Tunnel project, shown in Appendix "B" (the "Licensed Area").
Property	A portion of the lands municipally known as 1 Don Valley Parkway, Toronto, Ontario, legally described as part of PIN 21077-0147 (LT), Part 150 Ft Wide Rd Plan 159E Toronto (Closed By ES7938); Part Block DC, V Plan 520E Toronto Part 1 & 2 64R14530; S/T ES62569; Subject to an Easement in Gross Over Parts 7-10 & 13, 66R30170 as in AT4955352; Subject to an Easement in Gross Over Part 3 on 66R30171 as in AT4955451; Subject to an Easement in Gross over Part 1 66R31773 as in AT5841162, City of Toronto, as shown approximately on the location map attached hereto as Appendix "A" (the "Lands").
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the License Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "C", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	There is no financial impact.
Comments	The City requires access to the Licensed Area, on behalf of itself and its consultants, contractors and other authorized representatives, to conduct subsurface utility investigations near the proposed tunnel alignment of the Inner Harbour West Tunnel. The Licensor is prepared to grant the City said access on the condition that the City works co-operatively with other stakeholders with prior rights and interests in the area.
Terms	Refer to Appendix "C" for the Terms and Conditions

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	19 04 071 140 006 00
	Approximate Size:	
	Approximate Area:	
	Other Information:	N/A

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/REOs:</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 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 checked="" 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/REOs.</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>

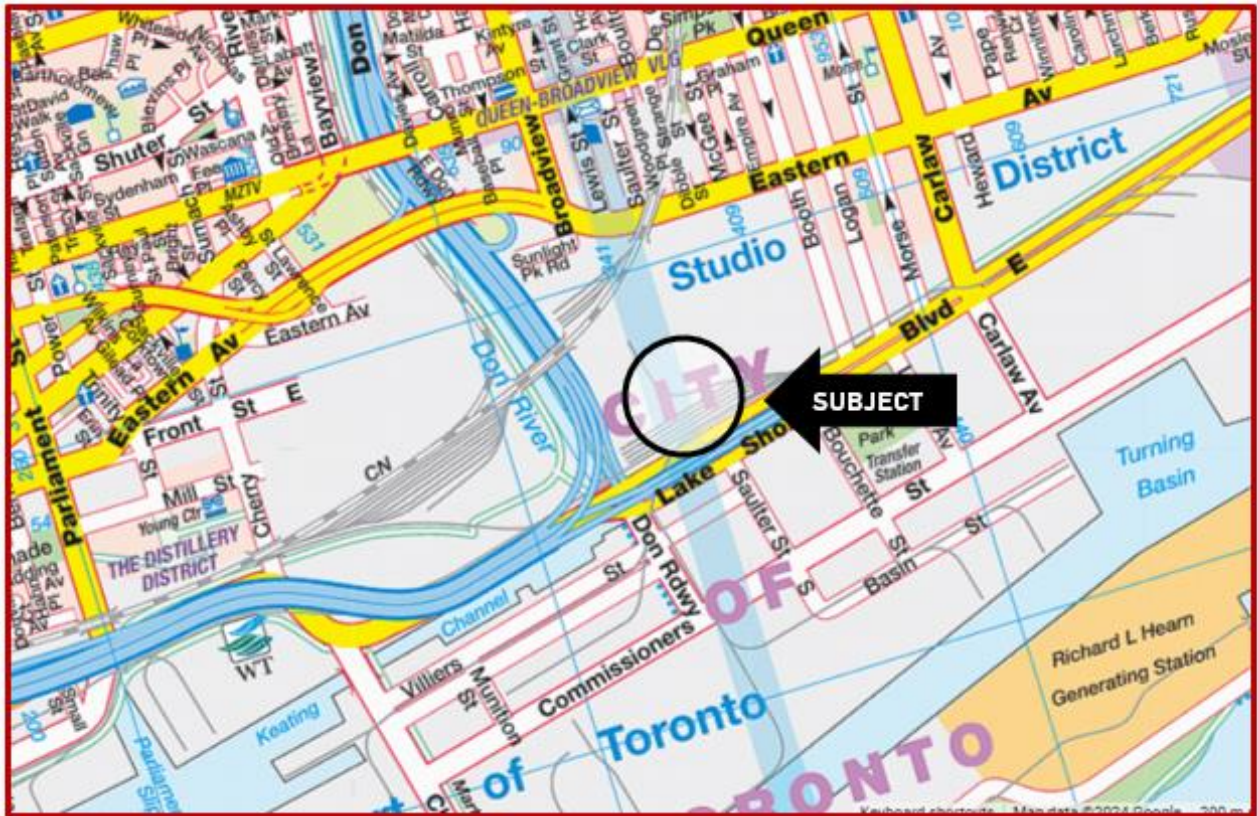
B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:	
<ul style="list-style-type: none"> Documents required to implement matters for which each position also has delegated approval authority. Expropriation Applications and Notices following 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:	Paula Fletcher	Councillor:	
Contact Name:	Tamara Thanaraja	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	Advised	Comments:	
Consultation with Divisions and/or Agencies			
Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Caroline Kaars Sijpesteijn	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	N/A
Legal Services Division Contact			
Contact Name:	Karen Pfuetzner		

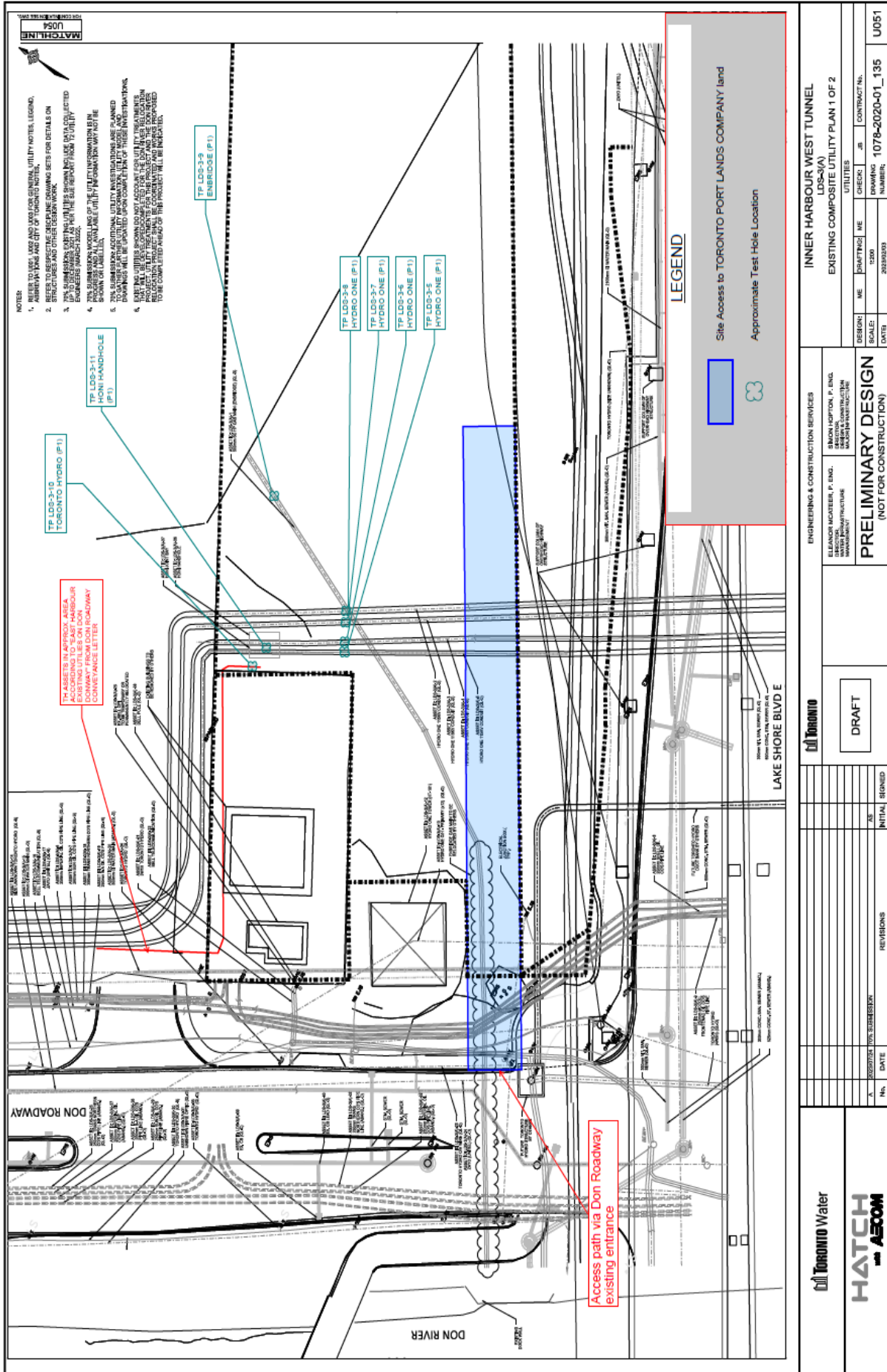
DAF Tracking No.: 2024-099	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	April 25, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 25, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"

Location Map



Appendix "B" – Licensed Area



Appendix "C"

Major Terms and Conditions

Licensor:	City of Toronto Economic Development Corporation
Licensee:	City of Toronto
Licensed Area:	A portion of the property municipally known as 1 Don Valley Parkway
Licence Fee:	Nominal
Term:	Thirty-Three (33) consecutive days, commencing on April 29, 2024 upon at least 72 hours prior written notice to the Licensor. Work within the Licensed Area shall occur between the hours of 7 a.m. and 7 p.m. on Mondays through Fridays during the Term.
Term Extension:	Upon at least 48 hours written notice to the Licensor, the Licensee may exercise an option to extend the Term on the same terms and conditions contained in the License Agreement.
Early Termination:	<p>During the Term, the Licensee shall have the right to terminate the License Agreement, at its sole discretion, upon giving at least 48 hours' written notice to the Licensor.</p> <p>During the Term, the Licensor shall have the right to terminate the License Agreement, in its sole discretion, upon giving at least ten (10) days' written notice thereof to the Licensee.</p>
Use:	Conducting subsurface utility investigations (vertical depth verification) through seven (7) utility test pits, and field surveying and pedestrian and vehicular access from the existing entrance abutting the public highway known municipally as Don Roadway.
Restoration:	Upon expiry of the Term, or termination of the License Agreement for any reason whatsoever, the Licensee shall forthwith remove all fixture(s), equipment, structures and debris from the Licensed Area and shall restore the Licensed Area to as close as is practicable to its original condition immediately prior to the Licensee's occupancy at the Licensee's sole cost and expense, all to the satisfaction of the Licensor, acting reasonably.