

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-081

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

Prepared By:	Eric Allen	Division:	Corporate Real Estate Management
Date Prepared:	April 2, 2024	Phone No.:	416-392-1852
Purpose	To obtain authority to enter into a Permission to Enter/Licence Agreement (the "Licence") between the City of Toronto (the "City") and Build Toronto Inc. (the "Licensee") for the purposes of borehole drilling and monitoring well installations for environmental geotechnical and hydrogeological investigation (the "Work").		
Property	The property municipally known as 72 Amroth Avenue and legally described as all of PIN 21014-1022 (LT), PT BLK A PL 656 MIDWAY; PT LT 3-6 PL 656 MIDWAY AS IN CT552911 EXCEPT THE EASEMENT THEREIN, EX56157, EX50521, EX49078, EX49203, EX49583, EX50208, EX50331, EX51248; CITY OF TORONTO, and as shown on the sketches attached hereto in Appendix "A" (the "Property").		
Actions	<ol style="list-style-type: none"> The City enter into the Licence to permit the Licensee and/or their consultants, EXP Services Inc., or such other consultant (the "Representatives") entry onto the Property for a period of not more than three months for the purposes set out above. The Manager of Real Estate Services, or his designate, shall administer and manage the Licence including the provision of any consents, approvals, waivers, notices and notices of termination, provided that the Deputy City Manager, Corporate Services may, at any time, refer consideration of such matters to City Council for its determination and direction; and The appropriate City Officials to be authorized and directed to take the necessary action to give effect thereto. 		
Financial Impact	<p>There is no financial impact. The Licence is to allow for environmental testing for nominal consideration. The Licensee will be responsible for all costs related to the use of the Licensed Area and for the costs of preparation of any test results or reports, resulting in no cost to the City.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
Comments	<p>CreateTO is endeavouring to design and construct a missing middle demonstration project on a City-owned site in Ward 19 for the Expanding Housing Options in Neighbourhoods – Beaches-East York (EHON BEY) Pilot Project. The EHON BEY Pilot Project aims to build missing middle demonstration projects on other sites, both publicly and privately owned, within the City. The Pilot Project may also help to identify regulatory, process, and financial opportunities and barriers that can help or impede missing middle initiatives.</p> <p>CreateTO, through the Licensee, has retained EXP Services Inc. to perform the Work. The Licensee requires access to the Property to permit its Representatives to undertake the Work at locations indicated in Appendix "B".</p>		
Terms	<p>The Licence will include the following terms and conditions, as appropriate and such other terms and conditions as may be approved by the Manager of Real Estate Services (the "Manager"):</p> <ol style="list-style-type: none"> Licence fee: nominal Term: Three months Insurance: \$5,000,000.00 for Commercial General Liability and \$1,000,000.00 for Professional Liability (Errors and Omissions); named insured to include Toronto Parking Authority. Use: Borehole drilling and monitoring well installation for environmental, geotechnical and hydrogeological investigation. Indemnity: The Licensee will indemnify and save harmless the City from and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, directly or indirectly resulting from occupation of or use of the Licensed Area. Restoration: The Licensee shall restore the Licensed Area to its original condition prior to occupancy by the Licensee or its Authorized Users, at the Licensee's sole cost and expense. Reports: The Licensee will provide copies of the results of the testing to the City. 		
Property Details	Ward:	19 – Beaches East York	
	Assessment Roll No.:	1904095340030000000	
	Approximate Size:	30.7m.± (100.61ft.±) x 7.6m.± (25.04ft.±) x 15.3m.± (50.06ft.±) x 45.8m.± (150.19ft.±) x 18.3m.± (60.08ft.±) x 21.4m.± (70.16ft.±) x 27.7m.± (90.93ft.±) x 16.8m.± (54.99ft.±)	
	Approximate Area:	1,277.998 sq.m ± (13,756.26 sq.ft ±)	
	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/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 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/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:

- 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)

Consultation with Councillor(s)																
Councillor:	Brad Bradford						Councillor:									
Contact Name:	Craig Ruttan						Contact Name:									
Contacted by:		Phone	X	E-Mail		Memo		Contacted by:		Phone		E-mail		Memo		Other
Comments:							Comments:									

Consultation with Divisions and/or Agencies

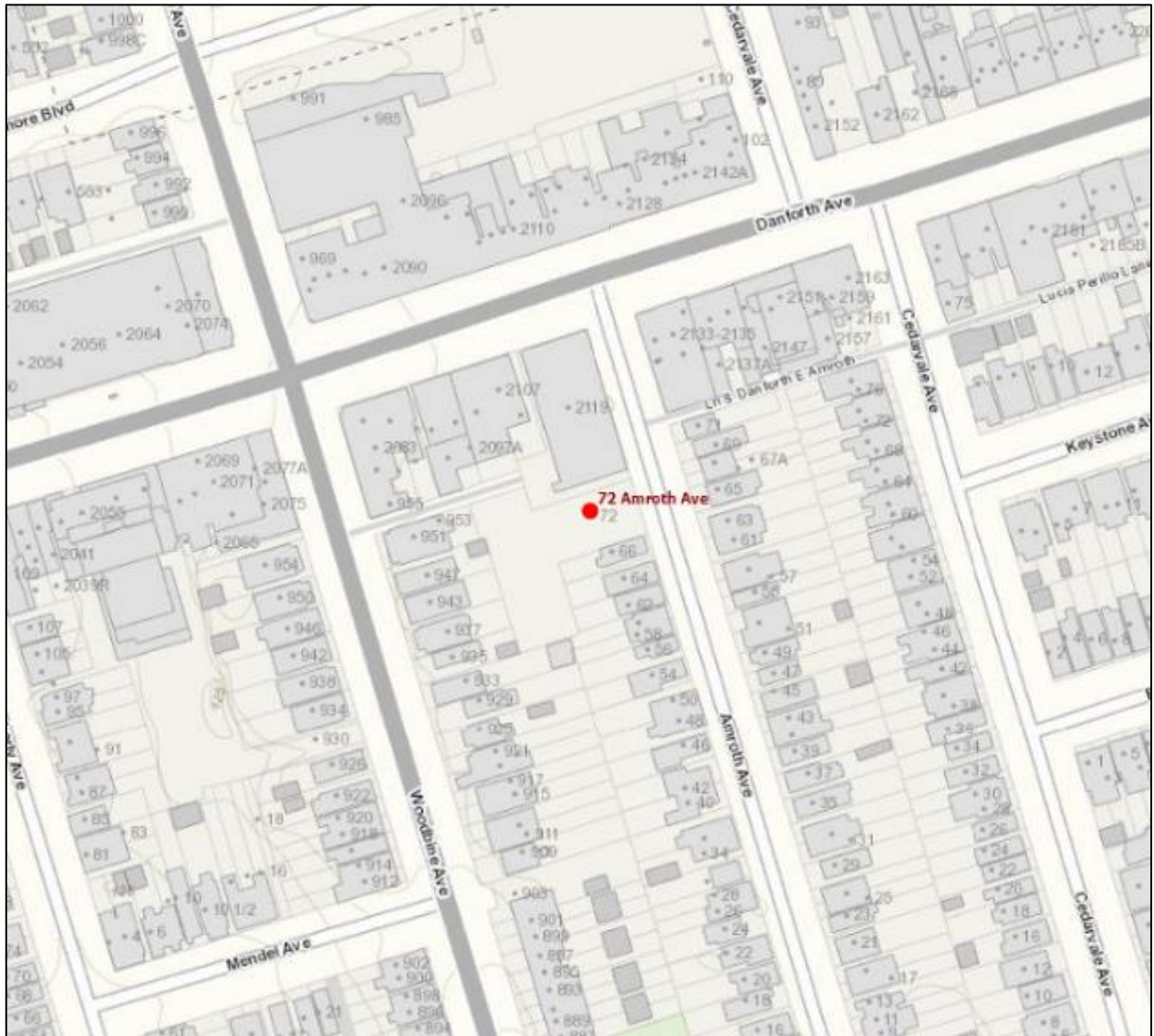
Division:	Toronto Parking Authority				Division:	Financial Planning			
Contact Name:	Aviva Levy				Contact Name:	Ciro Tarantino			
Comments:	Comments received.				Comments:	No comments			

Legal Services Division Contact

Contact Name:	Karen Pfuetzner			
---------------	-----------------	--	--	--

DAF Tracking No.: 2024-081		Date	Signature
Concurred with by:	Manager, Real Estate Services Jennifer Kowalski	April 3, 2024	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by:	Manager, Real Estate Services Niall Robertson	April 3, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:			

APPENDIX "A"
Property Map



APPENDIX "B"
Location of Proposed Monitoring Wells



○ Approximate Borehole and Monitoring well locations