

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-050

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management
Date Prepared:	February 14, 2024	Phone No.:	(416) 338-3207
<b>Purpose</b>	To obtain authority to enter into a non-exclusive licence agreement (the “ <b>Agreement</b> ” or “ <b>Licence</b> ”) with Build Toronto Inc. (the “ <b>Licensee</b> ”) with respect to the property municipally known as 1337 Queen Street West, Toronto, for the purposes of conducting environmental investigation activities, made retroactively effective as of February 1, 2024.		
<b>Property</b>	The lands municipally known as 1337 Queen Street West, Toronto, legally described as LOT 5 PLAN 382 PARKDALE, PART LOTS 4, 6, 92 PLAN 382 PARKDALE, PART 1 66R33321; City of Toronto, being all of PIN 21302-0043 (LT) (the “ <b>Property</b> ” and the “ <b>Licensed Area</b> ”), as shown on the Location Map attached hereto as Appendix “ <b>A</b> ”, to drill boreholes and install monitoring wells at the proposed locations within the Property as shown on the sketch attached hereto as Appendix “ <b>B</b> ”.		
<b>Actions</b>	1. Authority be granted to enter into the Agreement with the Licensee, substantially on the major terms and conditions set out below, and including such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
<b>Financial Impact</b>	This is a nominal Agreement. There is no financial impact. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.		
<b>Comments</b>	Build Toronto Inc., a City corporation, requires the Agreement to undertake the required environmental work as part of the Parkdale Hub redevelopment project. This project is part of the City’s larger Housing Now initiative. The Licensee is the lead project manager for the Parkdale Hub redevelopment project.  The proposed licence fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.		
<b>Terms</b>	<b>Term:</b> Three (3) months, between 7:00 am to 17:00 pm Mondays to Sundays. Any access shall be mutually arranged upon at least 48 hours of prior notice to the City. <b>Commencement Date:</b> February 1, 2024 <b>Termination Date:</b> April 30, 2024 <b>Use:</b> Environmental investigation and due diligence, including borehole drillings and monitoring wells installations <b>Licence Fee:</b> Nominal <b>Insurance:</b> Licensee’s consultant’s Commercial General Liability, in an amount of \$2,000,000 per occurrence and Professional Liability (Errors and Omissions) coverage in the amount of \$2,000,000 and includes professional services pollution liability insurance, if the consultant is an environmental specialist. The Commercial General Liability policy to be obtained shall name the City as an additional insured, provide cross-liability coverage and waiver of subrogation, and contain a clause providing that the insurance shall not be changed or cancelled during the Term of this Licence. <b>Early Termination:</b> Either the Licensee or the City shall have the right to terminate the Licence upon one (1) day of prior written notice to the other party. <b>Environmental Reports:</b> The Licensee shall provide the City with copies of any and all reports provided to it upon completion of the work contemplated by this Licence. The reports shall be addressed to the Licensee and the City and shall be accompanied by authorizations from the Licensee and from the preparer of the reports permitting the City to use the reports for any purpose. The City shall be entitled to utilize any such report(s) in any manner it sees fit and the Licensee shall ensure that any such report(s) remain confidential and are not disclosed to any other person or party for any purpose whatsoever, without the prior written consent of the City.		
<b>Property Details</b>	<b>Ward:</b>	4 – Parkdale-High Park	
	<b>Assessment Roll No.:</b>	1904021290037000000	
	<b>Approximate Size:</b>	N/A	
	<b>Approximate Area:</b>	1978 m <sup>2</sup> ± (21,296 ft <sup>2</sup> ±)	
	<b>Other Information:</b>	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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:	Gord Perks	Councillor:	
Contact Name:	Sky Pepin	Contact Name:	
Contacted by:	Phone <input 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:	No objections	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	CreateTO	Division:	<b>Financial Planning</b>
Contact Name:	Sameer Jain	Contact Name:	Ciro Tarantino
Comments:	No comments	Comments:	No comments

**Legal Services Division Contact**

Contact Name: Michelle Xu

DAF Tracking No.: 2024-050	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	February 15, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	February 15, 2024	Signed by Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X



# APPENDIX "A" – Location Map





# APPENDIX "B"

## BOREHOLE AND MONITORING WELL LOCATION SKETCH

