

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-191

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

Prepared By:	Jatinder Rahul	Division:	Corporate Real Estate Management																										
Date Prepared:	Aug 2, 2024	Phone No.:	(416) 392-7290																										
Purpose	To obtain authority to enter into a licence agreement with 2457182 Ontario Inc. and 1644137 Ontario Inc. (the "Licensor") with respect to the property municipally known as 22 Davisville Avenue, Toronto and 1941 Yonge Street, Toronto respectively for the purpose of construction staging and crane swing encroachment (the "Licence Agreement").																												
Property	The properties municipally known as 22 Davisville Ave., Toronto, legally described as Pcl 14-1 Sec A284; Pt Lt 14 Pl 284 Toronto; Pt Lt 15 Pl 284 Toronto Pt 1 R3010, t/w Pts 15, 14 and 13 Pl 284 being a strip of land 12 ft in width adjoining the west limit of Pt 1 R3010 and extending northerly from the north limit of Davisville Av 184 ft 4 inches as in EN101004; Toronto, City of Toronto, being all of PIN 211240064 (LT), and 1941 Yonge St., Toronto, legally described as Lt 12 Pl 284 Toronto; Pt Lt 13-14 Pl 284 Toronto as in CT302890; City of Toronto being all of PIN 211240296 (LT) (the "Property"), as shown on "Appendix C" and on the Location Maps in Appendix "B".																												
Actions	1. Authority be granted to enter into the Licence Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.																												
Financial Impact	<table border="1"> <thead> <tr> <th>Use</th><th>Fee/Month</th><th>months</th><th>Fee for Term</th><th>Total including Taxes</th></tr> </thead> <tbody> <tr> <td>Staging (Aug 1 2024 - Dec 31 2024)</td><td>\$72,000</td><td>5</td><td>\$360,000</td><td>\$406,800.00</td></tr> <tr> <td>crane while staging in use (Oct 1 2024- Dec 31 2024)</td><td>\$2,225</td><td>3</td><td>\$6,675</td><td>\$7,542.75</td></tr> <tr> <td>crane w/o staging (Jan 1 2025 - Sep 30 2025)</td><td>\$4,590</td><td>9</td><td>\$41,310</td><td>\$46,680.30</td></tr> <tr> <td></td><td></td><td>Total</td><td>\$407,985</td><td>\$461,023.05</td></tr> </tbody> </table>				Use	Fee/Month	months	Fee for Term	Total including Taxes	Staging (Aug 1 2024 - Dec 31 2024)	\$72,000	5	\$360,000	\$406,800.00	crane while staging in use (Oct 1 2024- Dec 31 2024)	\$2,225	3	\$6,675	\$7,542.75	crane w/o staging (Jan 1 2025 - Sep 30 2025)	\$4,590	9	\$41,310	\$46,680.30			Total	\$407,985	\$461,023.05
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Comments	<p>Funding is available in Parks, Forest and Recreation's 2024-2033 capital budget and plan under CPR120-52-01</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>City is constructing a Community and Aquatic Centre and has requested to use the Licensor's land for construction staging and crane swing encroachment as per the sketches shown in Appendix "C" (the "Licensed Area").</p> <p>The proposed licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>																												
Terms	See Appendix "A"																												
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A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
	<input type="checkbox"/> (b) Request Hearings of Necessity.	<input type="checkbox"/> (b) Request Hearings of Necessity.
	<input type="checkbox"/> (c) Waive Hearings of Necessity.	<input type="checkbox"/> (c) Waive Hearings of Necessity.
3. Issuance of RFPs/REOLs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOLs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$50,000.	<input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$1 Million.
	<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.	<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.
	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$50,000.	<input checked="" type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.
	Delegated to more senior positions.	<input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences
		<input type="checkbox"/> (b) Releases/Discharges
		<input type="checkbox"/> (c) Surrenders/Abandonments
		<input type="checkbox"/> (d) Enforcements/Terminations
		<input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates
		<input type="checkbox"/> (f) Objections/Waivers/Cautions
		<input type="checkbox"/> (g) Notices of Lease and Sublease
		<input type="checkbox"/> (h) Consent to regulatory applications by City, as owner
		<input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
		<input type="checkbox"/> (j) Documentation relating to Land Titles applications
		<input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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:	Josh Matlow	Councillor:	
Contact Name:	Andrew Athanasiu	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" 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:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks Forestry and Recreation	Division:	Financial Planning
Contact Name:	James Cho	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name: Amna Shakil

DAF Tracking No.: 2024-191	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	August 2, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	August 2, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions (Construction Staging)

Licensed Area:

Staging 798 m² as shown in Appendix C

Licence Fee:

\$360,000 + HST for the term

Term:

five (5) months

Use:

Construction staging including the following activities:

- i. construction hoarding;
- ii. vehicular and pedestrian access to the Construction Staging Area;
- iii. laying and storing construction materials and equipment;
- iv. temporarily stockpiling materials excavated from the City Project; and
- v. construction hoists.

Insurance:

City shall maintain liability insurance coverage (including property damage, bodily injury, and contractual liability) from a reputable, licensed insurer, in a minimum amount of \$10,000,000.00 per occurrence and the City shall name the Licensor as an additional insured

Major Terms and Conditions (Crane Swing)

Licensed Area:

Crane swing 1634 m² as shown in Appendix C

Licence Fee:

\$47,985 + HST for the term

Term:

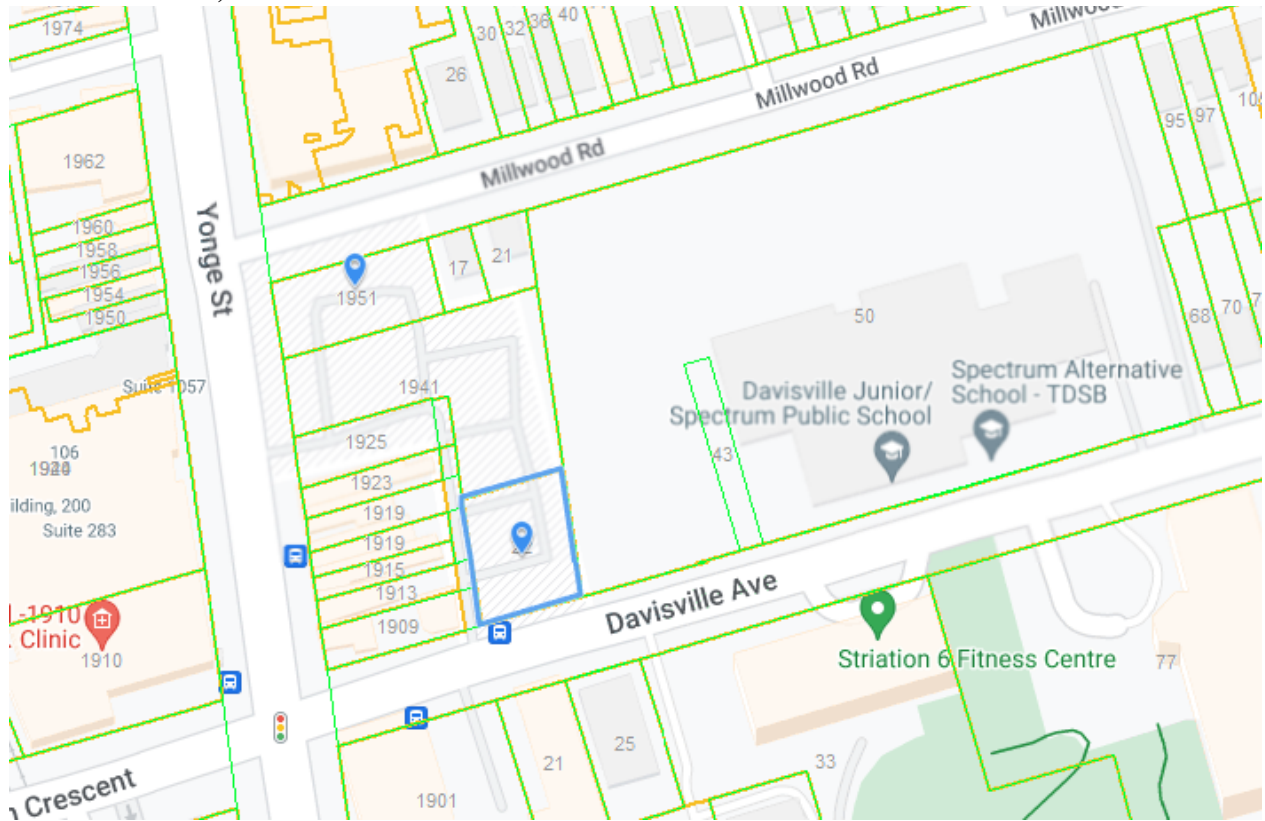
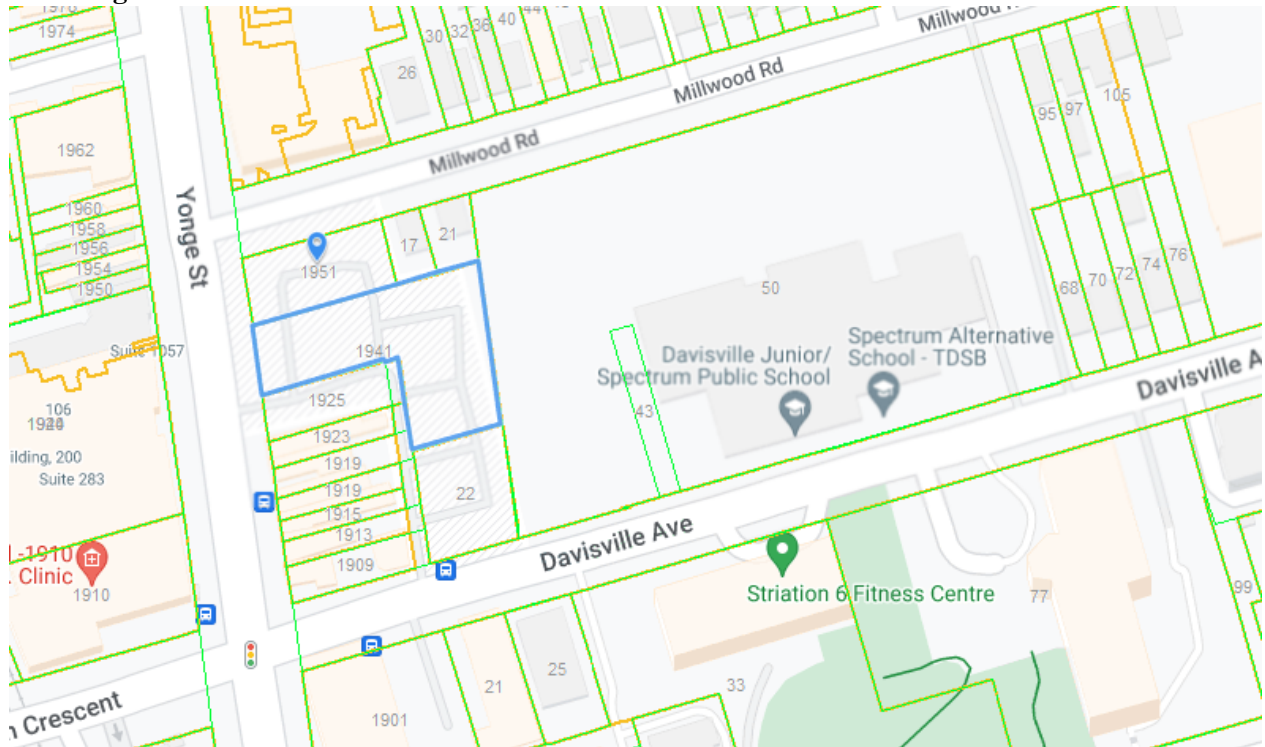
Twelve (12) months

Use:

Encroachment with the construction crane, including, without limitation, with the boom of the crane, counter weight, hoisting load, and any other materials, equipment, or loads.

Insurance:

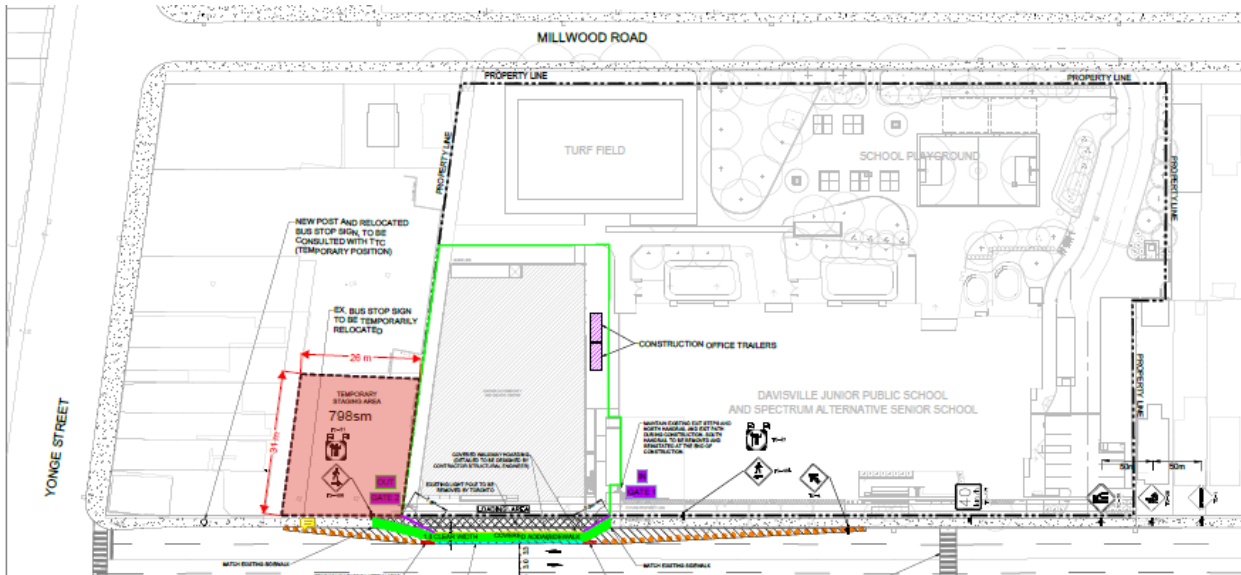
City shall maintain liability insurance coverage (including property damage, bodily injury, and contractual liability) from a reputable, licensed insurer, in a minimum amount of \$10,000.000.00 per occurrence and the City shall name the Licensor as an additional insured

Appendix "B"**Location Map****22 Davisville Ave., Toronto****1941 Yonge St. Toronto**

Appendix "C"

Licensed Area

Staging Area highlighted in pink



Crane Swing Area over Times Group Lands as shown highlighted in green and yellow below:

