

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-302

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

Prepared By:	Brian Majcenic	Division:	Corporate Real Estate Management
Date Prepared:	November 26, 2024	Phone No.:	416-392-1485
Purpose	To obtain authority to enter into two Permanent Easement Agreements (the "Easements") for the existing Coxwell Twin Sanitary Trunk Sewer from the respective owners, RC Ashbridge (Residential) Inc. and Toronto Community Housing Corporation (the "Transferors"), of redevelopment lands at 1555 Queen Street East and 1070 Eastern Avenue (the "Property").		
Property	Portion of lands municipally known and legally described as (a) 1555 Queen Street East, legally described as Parts 4, 5, 7, 9, 10, 11, 12, 15, 16, 19, 20, 22, 29, 30, 40, 41, 42, 43, and 45 on 66R-34263 PINs 21393-0017 (LT) and 21393-0119 ("RC Easement Lands") and (b) 1070 Eastern Avenue, legally described as Parts 8, 13, 14, and 18 on 66R-34263 PIN 21393-0018 (the "TCHC Easement Lands") (collectively the "Combined Easement Lands") shown on Appendix "A".		
Actions	1. Authority be granted to enter into the Agreements with the Transferors, 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	There is no financial impact. The Easements are required under development approvals for 1555 Queen Street East and 1070 Eastern Avenue, Toronto.		
Comments	<p>The City has existing easements for the Coxwell Twin Sanitary Trunk Sewer (the "Coxwell STS") infrastructure through the Property. As a result of planning permissions, the existing easements need to be replaced with new easements that acknowledge the use of the lands above the sewers for access, privately-owned publicly open space, and amenity space by the Transferors and their successors while still protecting the integrity and operation of the Coxwell STS. Further the Easements are wider than the existing easements allowing for greater access by Toronto Water.</p> <p>During the earlier phases of construction, the City provided consent to the Transferors to access the Combined Easement Lands for construction purposes, notwithstanding that such access constituted interference under the existing easements, through the execution of Consent agreement (DAF Tracking No. 2022-113). The Consent set out engineering protections and vibration monitoring to protect the Coxwell STS.</p> <p>These easement requirements are part of development approvals stipulated in TE16.5, adopted by City Council on July 28, 2020. The Combined Easement Lands have been determined to be contaminated but are exempt from the peer review process pursuant to the City's "Policy for Accepting Potentially Contaminated Land to be Conveyed to the City under the Planning Act", as amended from time to time.</p>		
Terms	<p>Transferor: (RC Easement Lands) RC Ashbridge (Residential) Inc.</p> <p>Transferor: (TCHC Easement Lands) Toronto Community Housing Corporation</p> <p>Property Rights: Permanent Easements over, under, and through the Combined Easement Lands being the right to continue to operate, construct, maintain, operate, repair the Coxwell STS and ancillary works.</p> <p>Property Obligations: The City to restore to Toronto Water standard in most portions of the Easements. Transferor owned elements and infrastructure largely not the City's responsibility. Per Recommendation 24 of TE16.5, the City is to restore the privately-owned publicly open space easement areas and amenities, including potential environmental remediation, through which the Coxwell STS is located.</p> <p>Consideration: n/a – required as part of development conditions; replacement of existing easements.</p> <p>Indemnity: City to indemnify for easement related claims excepting those caused by the Transferors' negligence through the overburdening of the City's infrastructure.</p> <p>Insurance: City standard for liability insurance</p>		
Property Details	Ward:	14 Toronto - Danforth	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	2322.58 m2 (25,000 ft2) +/-	
	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 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 checked="" 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:	Councillor Fletcher	Councillor:	
Contact Name:	Catherine LeBlanc-Miller, Executive Assistant	Contact Name:	
Contacted by:	<input checked="" 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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Water	Division:	Financial Planning
Contact Name:	Erin Pritchard	Contact Name:	
Comments:	Consulted	Comments:	N/A

Legal Services Division Contact

Contact Name: Jennifer Davidson

DAF Tracking No.: 2024-302	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Nov. 28, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 29, 2024	Signed by Alison Folosea

