

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-254

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

Prepared By:	Miles Argue	Division:	Corporate Real Estate Management										
Date Prepared:	October 2, 2024	Phone No.:	416-397-7522										
<b>Purpose</b>	To obtain authority to enter into a licence agreement] with Toronto Waterfront Revitalization Corporation c.o.b. Waterfront Toronto (the "Licensee") with respect to the property municipally known as 155 Bayview Avenue, Toronto for the purpose of the demolition and removal of the old eastern avenue bridge (the "Licence Agreement").												
<b>Property</b>	Part of those properties municipally known as 155 Bayview Ave, Toronto, also known as Corktown Common, the Lower Don Trail, and the Don Channel, being parts of PINs 21077-0206, 21077-0156, and 21077-0152 (collectively, the "Property"), as shown on the Location Map in Appendix "B".												
<b>Actions</b>	1. Authority be granted to enter into the Licence Agreement with the Licensee, 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.												
<b>Financial Impact</b>	<p>The City will receive revenues in the amount of \$20,831.24 during the 2024 fiscal year. In the event that the Licence is extended, the City shall receive additional revenues of up to \$16,451.34 during the 2025 fiscal year, to be directed to the Council Approved Operating Budget for Parks, Forestry &amp; Recreation under cost center P10227.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Comments</b>	<p>Pursuant to the Broadview Eastern Flood Protection (Scope B) Delivery Agreement, made between the City and the Licensee and dated August 30, 2024, Waterfront Toronto agreed to undertake the demolition of the Old Eastern Avenue Bridge (the "Work").</p> <p>The Old Eastern Avenue Bridge is located on the property, within the Don Channel. Additionally, in order to complete the Work, it will be necessary for the Licensee to enter onto the property on a non-exclusive basis for the purposes of access, construction staging, marshalling, storage of vehicles, equipment, materials and laydown in connection with the demolition and removal of the old eastern avenue bridge.</p> <p>In order to protect the Corktown Common meadow and the Lower Don Trail, the licensee is required to provide an irrevocable letter of credit in the amount of \$125,000.00, to be returned to the licensee upon completion by the Licensee of the restoration requirements contained in the Licence to the satisfaction of the General Manager, Parks Forestry and Recreation.</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> <p>Since this land is located in the Designated Waterfront Area, as defined in the Toronto Waterfront Revitalization Corporation Act, 2002, the approval of the Director, Waterfront Secretariat has been obtained.</p>												
<b>Terms</b>	See Appendix "A"												
<b>Property Details</b>	<table border="1"> <tr> <td><b>Ward:</b></td><td>Toronto Centre (13)</td></tr> <tr> <td><b>Assessment Roll No.:</b></td><td>1904071560038350000</td></tr> <tr> <td><b>Approximate Size:</b></td><td>irregular</td></tr> <tr> <td><b>Approximate Area:</b></td><td>4,788 m<sup>2</sup> ± (51,537 ft<sup>2</sup> ±)</td></tr> <tr> <td><b>Other Information:</b></td><td></td></tr> </table>			<b>Ward:</b>	Toronto Centre (13)	<b>Assessment Roll No.:</b>	1904071560038350000	<b>Approximate Size:</b>	irregular	<b>Approximate Area:</b>	4,788 m <sup>2</sup> ± (51,537 ft <sup>2</sup> ±)	<b>Other Information:</b>	
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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 checked="" 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 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:		Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone	Contacted by:	Phone
	E-Mail		E-mail
	Memo		Memo
	Other		Other
Comments:		Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Parks, Forestry & Recreation	Division:	<b>Financial Planning</b>
Contact Name:	Mark Gunaratnam	Contact Name:	Ciro Tarantino
Comments:	Comments incorporated	Comments:	Comments incorporated

**Legal Services Division Contact**

Contact Name:	Jay Gronk
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DAF Tracking No.: 2024-254	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	October 4, 2024	Signed By: Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	October 4, 2024	Signed By: Niall Robertson
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

## Appendix "A"

### Major Terms and Conditions

Licence Fee: \$20,831.24 for the Demolition and Restoration Terms, \$8,225.67 per month (to a maximum of \$16,451.34 for 2 months) for the Extension Term

Demolition Term: 45 days, commencing on October 7, 2024

Restoration Term: 30 days, commencing on April 1, 2025

Extension Term: a further period of up to 60 days following the Restoration Term.

Use: Access, construction staging, marshalling, storage of vehicles, equipment, materials and laydown in connection with the demolition and removal of the Old Eastern Avenue bridge

Insurance: CGL Insurance with inclusive limits of not less than \$5,000,000.00 per occurrence

Contractor's Pollution Liability with minimal limit of \$1,000,000.00

Standard Automobile Liability coverage with a limit of at least \$2,000,000.00

Restoration: Licensee to complete restoration works to the satisfaction of the General Manager, Parks Forestry & Recreation

License to provide an Irrevocable Letter of Credit in the amount of \$125,000.00 to be returned upon satisfactory completion of restoration requirements

Other Terms and Conditions: Work to be completed in accordance with Broadview & Eastern Avenue Flood Protection (Scope B) Delivery Agreement, Old Eastern Avenue Bridge Demolition Procedure & Work Permit issued by Toronto & Region Conservation Authority

Appendix "B"

Location Map

