

DELEGATED APPROVAL FORM DIRECTOR, REAL ESTATE SERVICES MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-236

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	September 17, 2024	Phone No.:	(416) 397-7481
Purpose	To obtain authority to enter into a licence agreement (the " Licence Agreement ") with CGWIN GP Inc. (the " Licensee ") for the purpose of borehole drilling for environmental geotechnical investigation.		
Property	Part of the property municipally known as 2444 Eglinton Avenue East, Toronto, legally described as Pt Lt 15 Plan 1702 as in SC215571; Pts 2 & 4 Expropriation Plan 9510; SC370468; SC467520; SC458512, SC202197; SC259190 "Description in SC202197 & SC259190 may not be acceptable in future" Scarborough, City of Toronto, being part of PIN 06347-0371 (LT), as shown on the location map in Appendix "A" and shown shaded in red and labelled as Boreholes #101 and 103 on the site plan in Appendix "B" (the " Licensed Area ").		
Actions	1. Authority be granted to enter into the Licence Agreement with the Licensee, substantially on the terms and conditions set out herein, and such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
Financial Impact	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.		
Comments	<p>2444 Eglinton Avenue East is a Phase 2 Housing Now affordable housing site which will deliver 919 total residential units to the City of Toronto. 612 of these units will be long term affordable co-op rental housing which will help alleviate the housing crisis.</p> <p>CreateTO ("CTO") partners on this project are Civic Developments, Windmill Developments, and the Co-op Housing Federation of Toronto. The zoning by-law amendment for this project was approved in July 2024 and the partners are advancing towards the site plan application submission.</p> <p>This project is strongly supported by the Housing Secretariat's office, the local Councillor, and Mayor's office due to its ambitious affordable housing and environmental sustainability targets.</p> <p>As part of the pre-construction work, the CTO partners have retained an environmental consultant to carry out additional geotechnical work to support the pre-development work and advance on towards construction.</p> <p>The Licensed Area was previously leased to Crosslinx ("CTS"), a Metrolinx contractor for their office operation supporting their ECLRT project. The subject areas in this licence were carved out from the leased space with CTS consent.</p> <p>CTO and CTS have been consulted on the viability of this licence transaction and agrees that the grant of this licence for this duration does not impact their operations' plans.</p>		
Terms	<p>The Licence Agreement will include the following major terms and conditions:</p> <ol style="list-style-type: none"> Licence fee: nominal Term: Twelve (12) days from September 19, 2024 to September 29, 2024 Insurance: \$5,000,000.00 for Commercial General Liability and \$1,000,000.00 for Professional Liability (Errors and Omissions). Use: Borehole drilling for geotechnical investigations. Indemnity: The Licensee will indemnify and save harmless the City and CTS 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 testing results to the City. 		
Property Details	Ward:	21 – Scarborough Centre	
	Assessment Roll No.:		
	Approximate Size:	3 m x 3 m ± (10 ft x 10 ft ±) each borehole (2 in total)	
	Approximate Area:	18 m ² ± (194 ft ² ±)	
	Other Information:	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 & 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)

Councillor:	Michael Thompson	Councillor:	
Contact Name:	Keisha Francis	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	CreateTO	Division:	Financial Planning
Contact Name:	Jason Chen, Vice President, Development	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	N/A

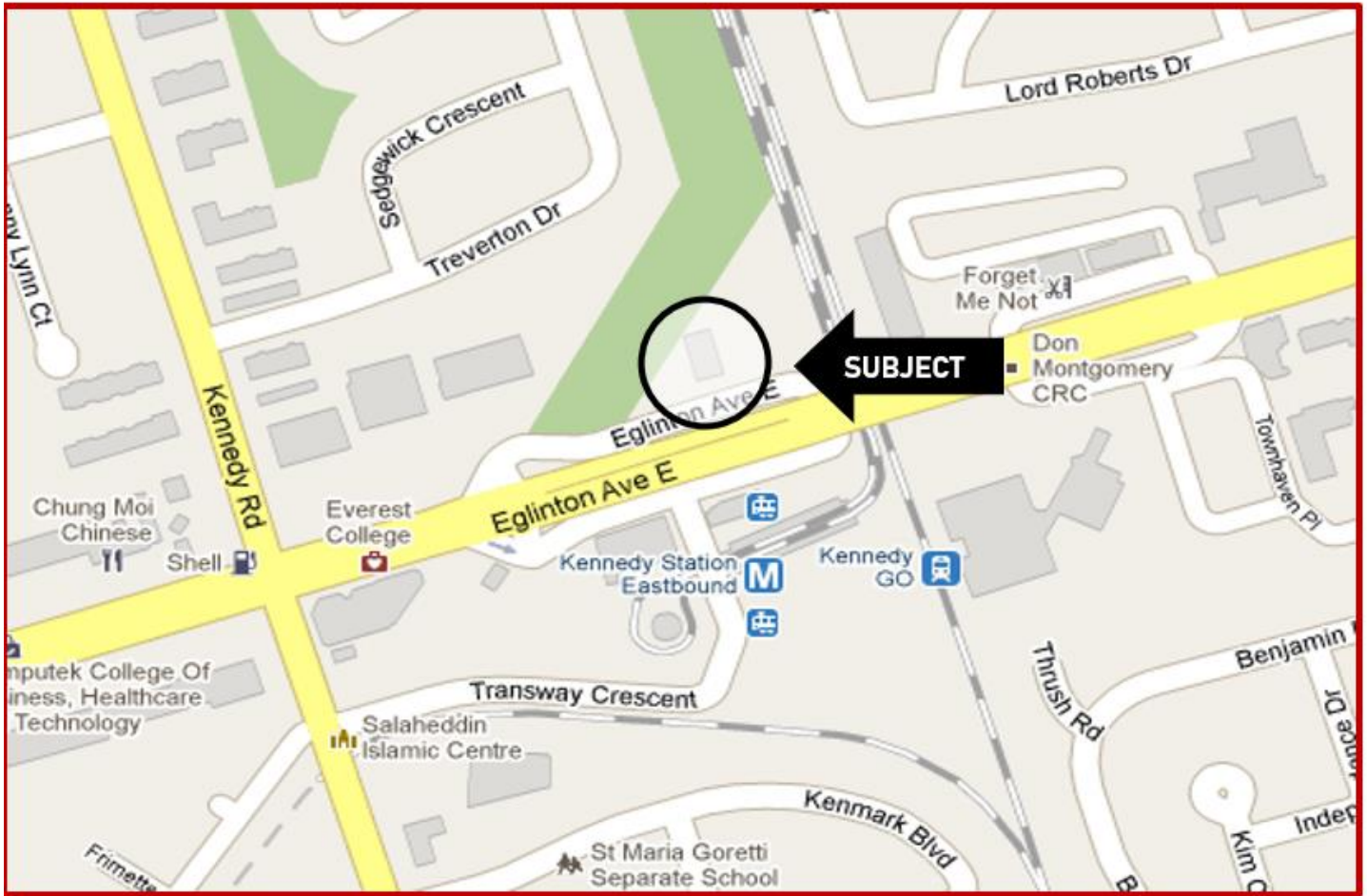
Legal Services Division Contact

Contact Name: Gloria Lee

DAF Tracking No.: 2024-236		Date	Signature
Concurred with by:	Manager, Real Estate Services Jennifer Kowalski	Sept. 17, 2024	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by:	Manager, Real Estate Services Niall Robertson	Sept. 17, 2024	Signed by Niall Robertson
<input checked="" type="checkbox"/> Approved by:			
<input type="checkbox"/> Approved by:	Director, Real Estate Services Alison Folosea		X

Appendix "A"

Location Map



Appendix "B"
Sketch of the Licensed Area

