

# DELEGATED APPROVAL FORM CHIEF CORPORATE OFFICER DIRECTOR OF REAL ESTATE SERVICES

TRACKING NO.: 2017-080

- ☒ Approved pursuant to the Delegated Authority contained in Executive Committee Item EX43.7 entitled "Delegation of Authority in Certain Real Estate Matters" adopted by City Council on May 11 and 12, 2010 (Confirmatory By-law No. 532-2010, enacted on May 12, 2010), as amended by GM24.9 entitled "Minor Amendments to Delegation of Authority in Certain Real Estate Matters" adopted by City Council on October 8, 9, 10 and 11, 2013 (Confirmatory By-Law No. 1234-2013, enacted on October 11, 2013), as amended by DAF 2013-307 and DAF 2014-087; and further amended by EX44.22 entitled "Strategic Property Acquisitions" adopted by City Council on August 25, 26, 27 and 28, 2014 (Confirmatory By-law No. 1074-2014, enacted on August 28, 2014), and further amended by GM16.16 entitled "Transit Shelter Property Acquisitions" adopted by City Council on December 13, 14 and 15, 2016 (Confirmatory By-Law No. 1290-2016, enacted on December 15, 2016).
- ☐ Approved pursuant to the Delegated Authority contained in Executive Committee Item EX33.44 entitled "Union Station Revitalization Implementation and Head Lessee Selection" adopted by City Council on August 5 and 6, 2009. City Council confirmatory By-law No. 749-2009, enacted on August 6, 2009.

Prepared By:	Daran Somas	Division:	Real Estate Services										
Date Prepared:	March 14, 2017	Phone No.:	(416) 397-7671										
<b>Purpose</b>	To obtain authority to enter into a construction and temporary access agreement (the "Agreement") between the City of Toronto (the "City") and Hydro One Networks Inc. (the "Hydro One") to install a wheelchair accessible ramp/pedestrian pathway within HONI's lands to comply with the Accessibility for Ontarians with Disabilities Act ("AODA")												
<b>Property</b>	Located on the York Beltline Trail, west of Dufferin St. Lands described as Part of Lot 2, Concession 3 WYS, Township of York, City of Toronto, being part of PIN:10483-0052 shown delineated in red on Appendix "A" (the "Property").												
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the Agreement with HONI for a one (1) year term, commencing on October 1, 2016 substantially on the terms and conditions outlined herein, and any such other terms and conditions deemed appropriate by the Chief Corporate Officer, and in a form acceptable to the City Solicitor;</li> <li>The Chief Corporate Officer and her designate, administer and manage the Agreement including the provision of any amendments, consents, approvals, waivers, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters to City Council for its determination and direction; and</li> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>												
<b>Financial Impact</b>	<p>The City is required to pay a license fee of \$1,500.00 for the term of the agreement. Funding is available in the 2016 Council Approved Capital Budget for Parks, Forestry and Recreation under Capital Project account CPR122-45-12.</p> <p>The Deputy City Manager &amp; Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Comments</b>	<p>The Canadian National Railway ("CNR") owned the Property at the time that an easement was granted to Ontario Hydro on November 21, 1997 by Instrument No. CA509548 (the "Easement") for the installation of electrical transmission lines on the Property associated with HONI's business. CNR granted the City title of the Property on April 28, 2000 by Instrument No. CA662784. The title is presently subject to the Easement granted to Ontario Hydro by Instrument No. CA509548.</p> <p>The City requires access over the Easement located on the Property to undertake and complete the installation of a wheelchair accessible ramp/pedestrian pathway, as shown on the attached Appendix "B", at no cost to HONI.</p>												
<b>Terms</b>	<p><b>Licensor:</b> Hydro One Networks Inc.</p> <p><b>Term:</b> One year commencing on October 1, 2016 and expiring on September 31, 2017.</p> <p><b>Insurance:</b> General liability insurance in the amount of \$10 Million Dollars.</p> <p><b>Use:</b> To install on the Property, at the City's cost, a wheelchair accessible ramp/pedestrian pathway.</p> <p><b>Indemnity:</b> The City will indemnify Hydro One against all actions, proceedings, claims, demands and costs which may be brought against or suffered by Hydro One or which it may sustain, pay or incur by reason of any matter or thing arising out of or attributable to any act or omission of the City, its servants, agents, contractors or employee in respect of the City's use of the Property.</p> <p><b>Licence Fee:</b> \$1,500 for the term of the agreement.</p>												
<b>Property Details</b>	<table border="1"> <tr> <td>Ward:</td><td>15 - Eglinton Lawrence</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td></td></tr> <tr> <td>Approximate Area:</td><td></td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>	Ward:	15 - Eglinton Lawrence	Assessment Roll No.:		Approximate Size:		Approximate Area:		Other Information:			
Ward:	15 - Eglinton Lawrence												
Assessment Roll No.:													
Approximate Size:													
Approximate Area:													
Other Information:													

A.	Director of Real Estate Services has approval authority for:	Chief Corporate Officer has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
2. Expropriations:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.
3. Issuance of RFPs/REOs:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to ABCDs:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Transfer of Operational Management to ABCDs.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan: N/A	<b>Delegated to a more senior position.</b>	<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 \$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"/> (a) Where total compensation (including options/renewals) does not exceed \$3 Million; <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.
10. Leases/Licences (City as Tenant/Licensee):	<input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing road, easements to pre-existing utilities for nominal consideration.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million. <b>Delegated to a less senior position.</b>
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$500,000).	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$1 Million).
14. Miscellaneous:	<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/Estoppels/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.	<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/Estoppels/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>B. Chief Corporate Officer and Director of Real Estate Services each has signing authority on behalf of the City for:</b>		
<input type="checkbox"/> 1. Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval. <input type="checkbox"/> 2. Expropriation Applications and Notices following Council approval of expropriation. <input checked="" type="checkbox"/> 3. Documents required to implement the delegated approval exercised by him or her.		
<b>Chief Corporate Officer also has approval authority for:</b>		
<input type="checkbox"/> Leases/licences/permits at Union Station during the Revitalization Period, if the rent/fee is at market value.		

Consultation with Councillor(s)																	
Councillor:	Josh Colle						Councillor:										
Contact Name:	Amanda Penrice						Contact Name:										
Contacted by:	X	Phone		E-Mail		Memo		Other	Contacted by:		Phone		E-mail		Memo		Other
Comments:	Consent						Comments:										
Consultation with ABCDs																	
Division:	Parks, Forestry & Recreation						Division:	Financial Planning									
Contact Name:	Ryan Glenn						Contact Name:	Filisha Mohammed									
Comments:	Consent						Comments:	Consent									
Legal Division Contact																	
Contact Name:	Maria Vlahos/ Luxmen Aloysius																
DAF Tracking No.: 2017 - 080						Date		Signature									
Recommended by: Manager, Wayne Duong						Mar/16/2017		Sgd.\ Wayne Duong									
<input type="checkbox"/> Recommended by: Director of Real Estate Services <input checked="" type="checkbox"/> Approved by: Joe Casali						Mar/21/2017		Sgd.\ Joe Casali									
<input type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli								X									

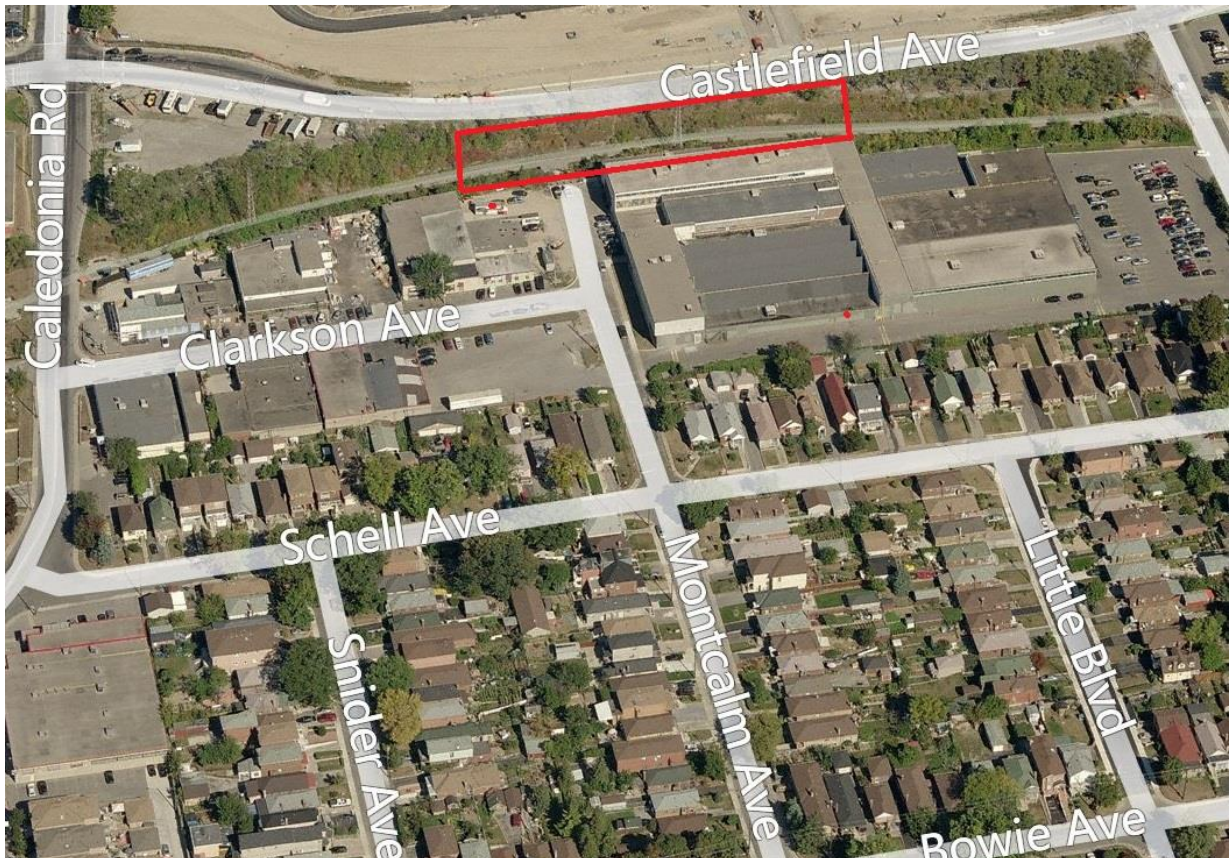
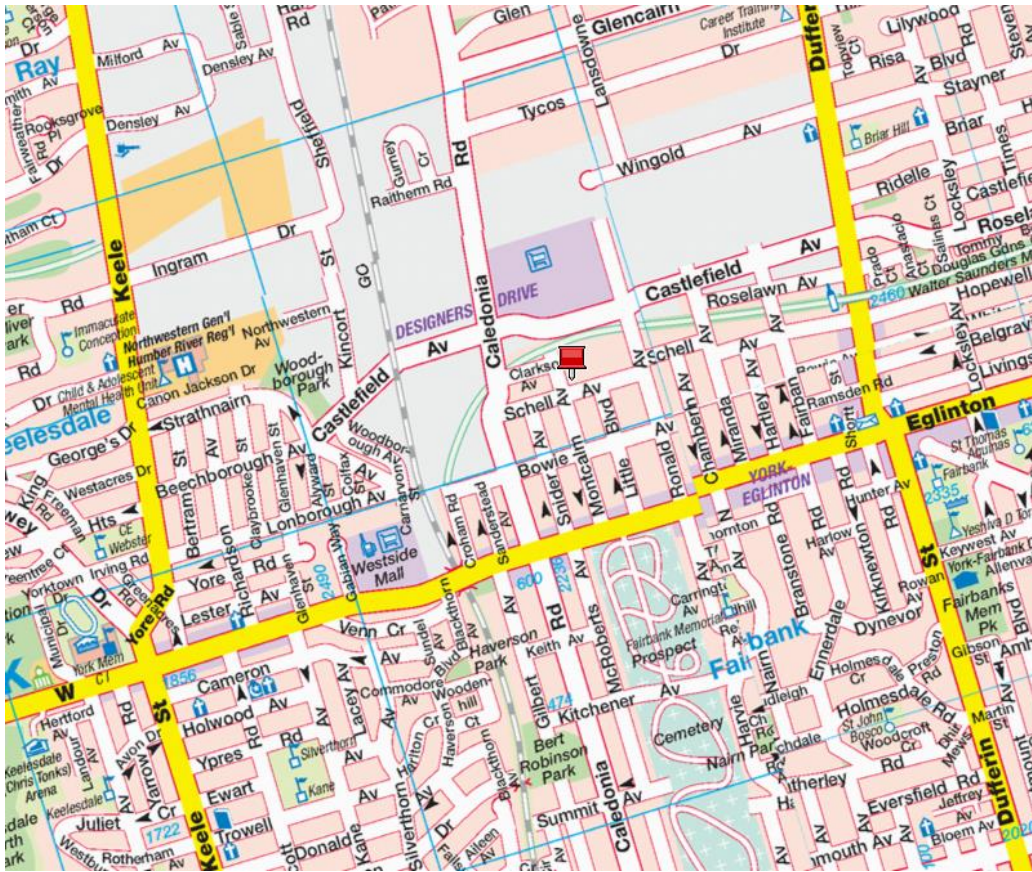
### General Conditions ("GC")

- (a) The local Councillor (or local Councillors if the subject property is located on a ward boundary or if the transaction involves an exchange of properties in more than one ward), will be consulted prior to the exercise of delegated Approving Authority by staff for all Acquisitions, Disposals, Land Exchanges and Leases.
- (b) Where approving power has been delegated to staff, the Chief Corporate Officer, in consultation with the applicable Deputy City Manager or the City Manager, may determine that such matter is of such special interest that same should be returned to the relevant Committee and Council for consideration and determination.
- (c) Exercise of delegated authority is subject to all applicable Council policies, statutes or other applicable law.
- (d) Authority to approve financial commitments/expenditures is subject to all amounts being available in an approved budget, or funding being available from third party sources, except for "Strategic Property Acquisitions" as set out in EX44.22 adopted by Council August 25, 26, 27 and 28, 2014, which identifies alternative funding mechanisms subject to additional approval requirements.
- (e) Property interests are to be based on appraised value, and no interest shall be granted at less than market value unless otherwise specifically authorized.
- (f) Authority to approve transactions at less than market value is subject to statutory anti-bonusing provisions.
- (g) Total compensation means the aggregate of all types of payments, including land value, estimated clean-up costs, potential arbitration awards, loss claims, etc, but exclusive of any applicable taxes and registration costs.
- (h) Authority to acquire property is conditional upon provision being made to bring the property into compliance with applicable MOE or other requirements such that it will be fit for its intended municipal purpose, except for property acquisitions of 50M<sup>2</sup> or less for transit shelter purposes.
- (i) Authority to initiate the permanent road closure process in **A.4** is conditional upon confirmation by the GM of Transportation Services that it is feasible to permanently close the highway.
- (j) Disposal authorities in **A.7** are subject to the property having been declared surplus, and the disposal policy complied with.
- (k) Land exchanges, except for those in **A.8**, may be authorized based on the delegated Approving Authority for Disposals in **A.7**.
- (l) Approving Authority with respect to land located in the Designated Waterfront Area is conditional upon the approval of the Director, Waterfront Secretariat.
- (m) Authority to approve an exchange of land in **A.8** is conditional upon confirmation by the Chief Planner and Executive Director, and the GM of Parks, Forestry & Recreation, that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.
- (n) Approving Authority in **A.9** Leases (City as Landlord) but not Licences (City as Licensor) is limited to periods (including options/renewals) of less than twenty-one (21) years.
- (o) Total compensation in leasing matters where the City is landlord (**A.9**) includes the value of tenant improvements if factored into tenant's rental payments.
- (p) Total compensation in leasing matters where the City is the tenant (**A.10**) includes the value of any tenant improvements to be paid by the City.
- (q) Where options/renewals are included in leases, if the renewal rent is to be determined at a date later than the original approval date, total compensation is to be calculated as though all options are exercised, estimating the renewal rent based on the highest rent payable in the first term of the lease.
- (r) Total compensation in leasing matters where the City is landlord (**A.9**) or tenant (**A.10**) is to be calculated from the date of approval pursuant to this delegation (ie. first allowing for the expiry of any prior approvals, whether by Council or a delegated authority).
- (s) Approving Authority in leasing matters includes authority to approve renewals/extensions within the parameters of the delegated Approving Authority.
- (t) Approving Authority includes authority for amendments within the parameters of the delegated Approving Authority, the cumulative total of which may not exceed the delegated financial limit.
- (u) Where proposed additional amounts in **A.13** exceed 10 per cent of the original decision, even if otherwise in compliance with all other conditions, then approving authority is transferred upwards to the next more senior level of approving authority having the relevant overall financial limit.
- (v) Approving Authority includes authority for all documents necessary to implement the authority, on terms and conditions satisfactory to the Approving Authority, in consultation with the relevant operating Division(s).
- (w) Staff positions referred to in this delegation include successors from time to time.
- (x) Documents are to be in a form satisfactory to the City Solicitor (including indemnity and insurance provisions).
- (y) Delegated signing authorities in **B** are conditional upon the documents having received the City Solicitor's prior "Approval as to Form".
- (z) This delegation does not affect sales, acquisitions and leases over which the Affordable Housing Committee has responsibility.
- (aa) Authority to use land acquired by the City for parking purposes by the Toronto Parking Authority is conditional upon Council enacting a by-law designating such use.
- (bb) All residential leasing documents shall adhere to the *Residential Tenancies Act* and any successor legislation.
- (cc) Despite GC(n), Approving Authority in residential leasing matters is not limited to periods of less than twenty-one (21) years.



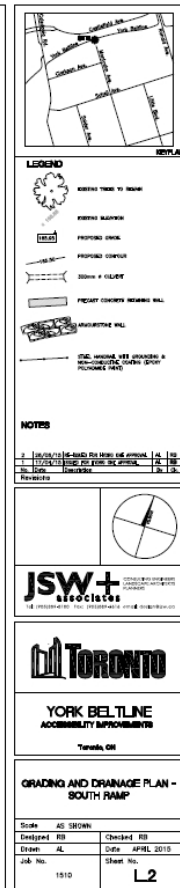
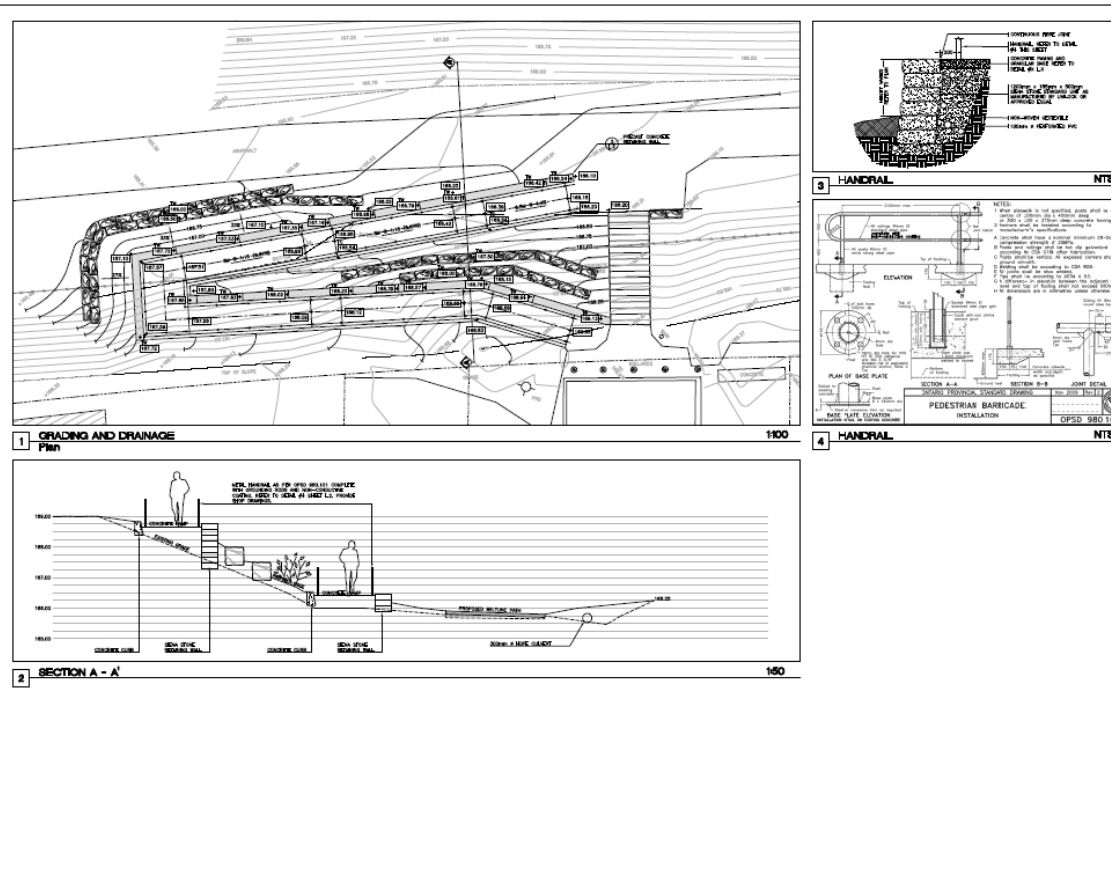
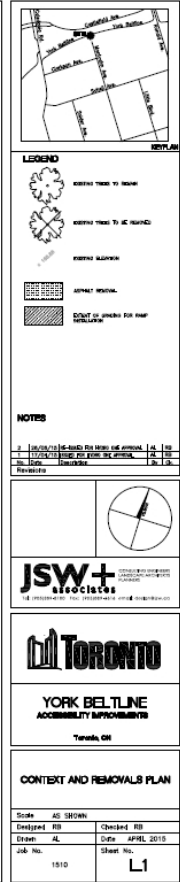
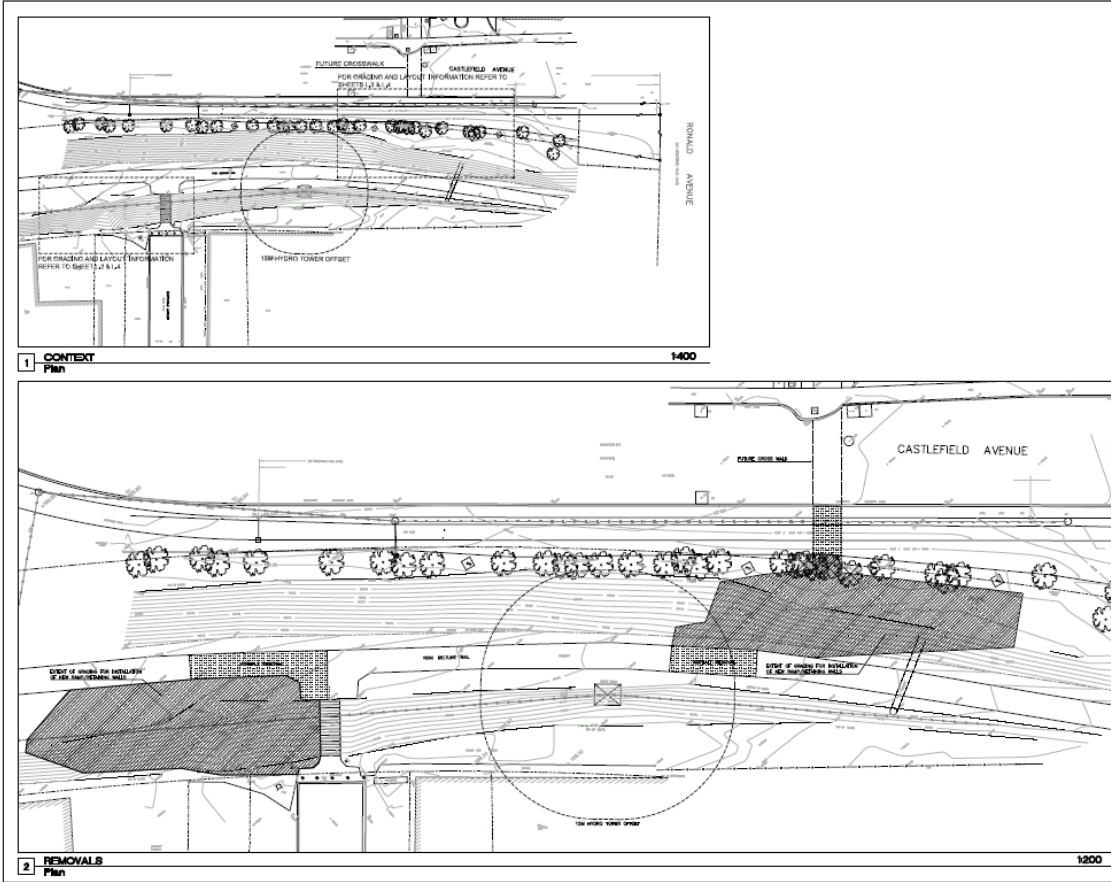
## APPENDIX "A"

### Location Map

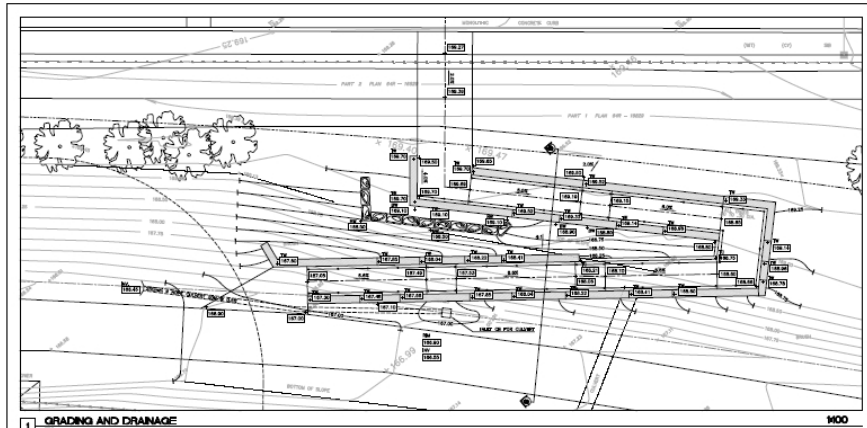




# APPENDIX "B" AODA EASEMENT

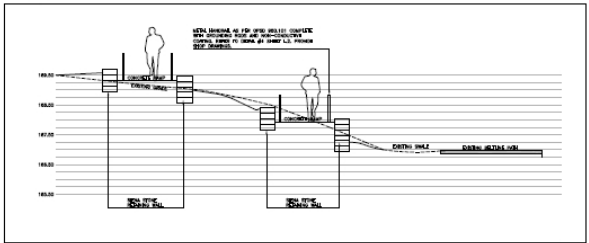


APPENDIX "B" (cont'd)



1 GRADING AND DRAINAGE Plan

100



2 SECTION B - B'

150



NOTES

1. EXISTING TREES TO REMAIN TO BE MAINTAINED AND PROTECTED. 10' 10'

2. EXISTING DRIVE TO BE MAINTAINED AND PROTECTED. 10' 10'

3. EXISTING CURB TO BE MAINTAINED AND PROTECTED. 10' 10'

4. EXISTING STONE & CULVERT TO BE MAINTAINED AND PROTECTED. 10' 10'

5. EXISTING PERIMETER CONCRETE RETAINING WALL TO BE MAINTAINED AND PROTECTED. 10' 10'

6. EXISTING LANDSCAPING WALL TO BE MAINTAINED AND PROTECTED. 10' 10'

7. EXISTING WALLING, SEE GRADING & DRAINAGE PLAN FOR FUTURE TREATMENT. 10' 10'



JSW+  
associates

1010

Toronto

YORK BELTLINE  
ACCESSIBILITY IMPROVEMENTS

Toronto, ON

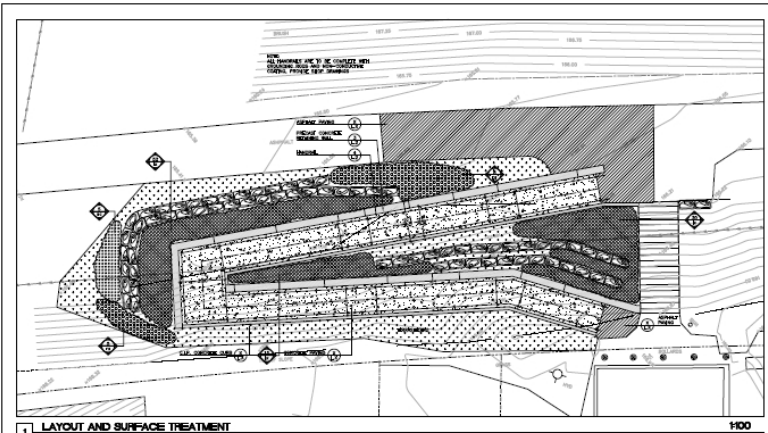
GRADING AND DRAINAGE PLAN -  
NORTH RAMP

Scale: AS SHOWN

Designed: RD Checked: RD

Drawn: AL Date: APRIL 2015

Job No. 1010 Sheet No. L3

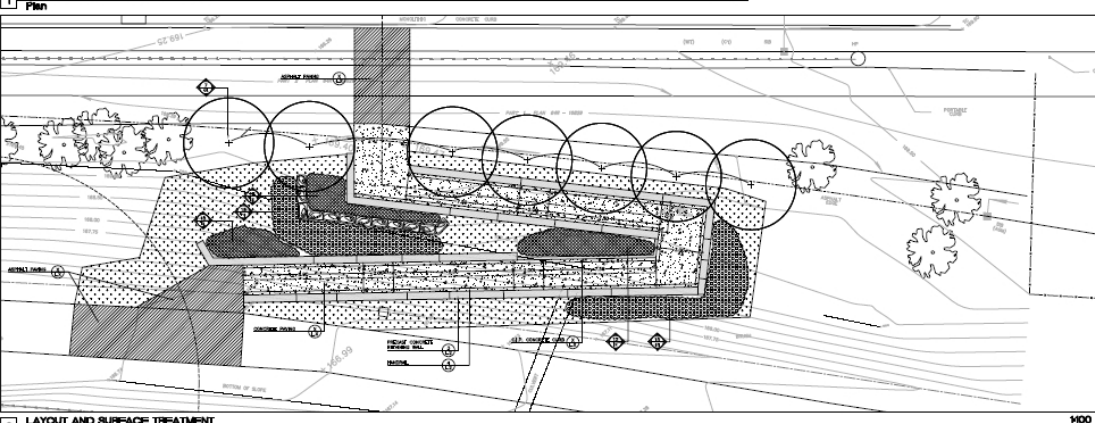


1 LAYOUT AND SURFACE TREATMENT Plan

100

PLANT LIST

NO.	PLANT NAME	LOCATION	SIZE	QUANTITY	REMARKS
1	SP. 101	EXISTING TREES TO REMAIN	10' 10'	1	
2	SP. 102	EXISTING DRIVE	10' 10'	1	
3	SP. 103	EXISTING CURB	10' 10'	1	
4	SP. 104	EXISTING STONE & CULVERT	10' 10'	1	
5	SP. 105	EXISTING PERIMETER CONCRETE RETAINING WALL	10' 10'	1	
6	SP. 106	EXISTING LANDSCAPING WALL	10' 10'	1	
7	SP. 107	EXISTING WALLING	10' 10'	1	



2 LAYOUT AND SURFACE TREATMENT Plan

100



NOTES

1. EXISTING TREES TO REMAIN TO BE MAINTAINED AND PROTECTED. 10' 10'

2. EXISTING DRIVE TO BE MAINTAINED AND PROTECTED. 10' 10'

3. EXISTING CURB TO BE MAINTAINED AND PROTECTED. 10' 10'

4. EXISTING PERIMETER CONCRETE RETAINING WALL TO BE MAINTAINED AND PROTECTED. 10' 10'

5. EXISTING CONCRETE PAVING TO BE MAINTAINED AND PROTECTED. 10' 10'

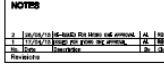
6. EXISTING ASPHALT PAVING TO BE MAINTAINED AND PROTECTED. 10' 10'

7. EXISTING LANDSCAPING TO BE MAINTAINED AND PROTECTED. 10' 10'

8. EXISTING CLAY CONCRETE CURB TO BE MAINTAINED AND PROTECTED. 10' 10'

9. EXISTING WALLING, SEE GRADING & DRAINAGE PLAN FOR FUTURE TREATMENT. 10' 10'

10. EXISTING PAVING TO BE MAINTAINED AND PROTECTED. 10' 10'



JSW+  
associates

1010

Toronto

YORK BELTLINE  
ACCESSIBILITY IMPROVEMENTS

Toronto, ON

LAYOUT AND SURFACE  
TREATMENT PLAN - NORTH AND  
SOUTH RAMP

Scale: AS SHOWN

Designed: RD Checked: RD

Drawn: AL Date: APRIL 2015

Job No. 1010 Sheet No. L4