

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

TRACKING NO.: 2016-196

<input checked="" type="checkbox"/> 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 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).			
<input type="checkbox"/> 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:	September 22, 2016	Phone No.:	(416) 397 - 7671
<b>Purpose</b>	To obtain authority to enter into a renewal licence renewal agreement with Ontario Realty Corporation (now called Ontario Infrastructure and Lands Corporation (now called Ontario Infrastructure and Lands Corporation), acting as agent on behalf of Her Majesty the Queen in right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure (the "Licensor"), for the use of lands on various hydro corridors for various parks and recreation uses by the City of Toronto (the "City"), as Licensee. The proposed licence agreement is for a five (5) year term, commencing January 1, 2016.		
<b>Property</b>	Hydro Corridors as shown more particularly in Schedule A and referenced in Schedule B Location Map and described through Schedules B1-B58.		
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Authority is granted to enter into the Renewal Licence Agreement 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>2. The Chief Corporate Officer, or her designate, shall administer and manage the Renewal Licence Agreement including the provision of any 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 determination and direction; and,</li> <li>3. The appropriate City Officials are authorized to take the necessary action to give effect to the foregoing.</li> </ol>		
<b>Financial Impact</b>	<p>Pursuant to the Master Licence Agreement, the City must pay the taxes or payment in lieu of taxes (PILT) portion of the licensed areas. The total one time estimated PILT for all licensed areas in the existing Master Licence Agreement, expired on December 31, 2015 was \$458,676.64. For the five year Jan 1, 2016 to Dec 31, 2020 renewal the total estimated PILT will be \$2,293,383.22 based on an annual PILT payment of \$458,676.64. Funding is available for the described payments in the 2016 Council Approved Operating Budget for Parks, Forestry &amp; Recreation under cost center P06827 and will be included in future budget submissions in the year's after.</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>By way of adoption of GM 33.6, City Council at its meeting on August 25, 26 and 27, 2010 authorized a Master Parks License Agreement (the "Master Licence Agreement") between the City of Toronto (as Licensee) and the predecessor to OILC for use of lands on hydro corridors for various parks uses. The proposed multi-use paths are considered 'Parks' use. By way of adoption of GM 20.8, City Council at its Meeting on April 3 and 4, 2013 authorized Staff to enter into agreements with the Licensor using the Licensor's form of indemnity and release language.</p> <p>Pursuant to Section 2 of the Master Licence Agreement OILC agrees to the amendment by adding the Added Lands to the Lands as described in the Master Licence Agreement, subject to the terms and conditions of the Master Licence Agreement. Through DAF 2011-224, 2014-219, 2014-220, 2016-184 Staff added 23 new parcels (B-37-B-58) since the 2010 Master Licence Renewal.</p>		
<b>Terms</b>	The term of the Renewal Licence shall commence on the 1 <sup>st</sup> day of January, 2016. The term of the Added Lands shall terminate on the 31 <sup>st</sup> day of December 2020.		
<b>Property Details</b>	<b>Ward:</b>	Various	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>	Approximately 449 acres	
	<b>Approximate Area:</b>		
	<b>Other Information:</b>		

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:	<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"/> (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 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.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.	<input checked="" 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"/> Where total compensation does not exceed \$3 Million.
	<input type="checkbox"/> (b) When closing road, easements to pre-existing utilities for nominal consideration.	<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. Chief Corporate Officer and Director of Real Estate Services each has signing authority on behalf of the City for:**

- 1. Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- 2. Expropriation Applications and Notices following Council approval of expropriation.
- 3. Documents required to implement the delegated approval exercised by him.

**Chief Corporate Officer also has approval authority for:**

- Leases/licences/permits at Union Station during the Revitalization Period, if the rent/fee is at market value.

Consultation with Councillor(s)											
Councillor:	Various					Councillor:	Various				
Contact Name:						Contact Name:					
Contacted by:	Phone	E-Mail	Memo	Other		Contacted by:	Phone	E-mail	Memo	Other	
Comments:						Comments:					
Consultation with ABCDs											
Division:	Parks, Forestry & Recreation Transportation Services					Division:	Financial Planning				
Contact Name:	Ryan Glenn & Jacquelyn Hayward Gulati					Contact Name:	Filisha Mohammed				
Comments:	Consent					Comments:	Consent				
Legal Division Contact											
Contact Name:	Rebecca Hartley										
DAF Tracking No.: 2016 - 196			Date			Signature					
Recommended by: Manager, Wayne Duong			Sept/22/2016			Sgd.\ Wayne Duong					
<input checked="" type="checkbox"/>	Recommended by: Director of Real Estate Services Joe Casali		Sept/26/2016			Sgd.\ Joe Casali					
<input type="checkbox"/>	Approved by:										
<input checked="" type="checkbox"/>	Approved by: Chief Corporate Officer Josie Scioli		Sept/30/2016			Sgd.\ Josie Scioli					

**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 is available from alternative sources].
- (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.
- (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.

Schedule A  
Master Mark List

	Site	Schedule No.	Park/Location	Ward	Area	Use	
Licence Agreement (2010)	1	B1	Thorncliffe Park Community Garden Plots	26	2	Garden Plots	
	2	B2	Dentonia Park	31	3.46	Recreational	
	3	B3	Thorncliffe Park Community Garden Plots	26	0.248	Garden Plots	
	4	B4	Central Park/Tom Riley Park	5	4.84	Recreational	
	5	B5	Centennial Park	3	70	Recreational	
	6	B6	Valley Drive	5	6.445	Recreational	
	7	B7	Echo Valley/Hampshire Heights Park	3	7.25	Recreational	
	8	B8	Tamarisk Park	1	1.48	Recreational	
	9	B9	Softel Road (Garden Allotment Plots)	2	3.95	Garden Plots	
	10	B10	North Humber Bicycle Trail	1	0.138	Bike Path	
	11	B11	Bathurst/Finch Soccer Fields	10	36.1	Recreational	
	12	B12	Fourwinds Allotment Gardens	8	5.51	Garden Plots	
	13	B13	G. Ross Lord Park	10	1.797	Recreational	
	14	B14	Jonesville Park & Garden Allotments	24	2.987	Garden Plots	
	15	B15	Bishop Avenue (Allotment Gardens)	24	2.37	Garden Plots	
	16	B16	Norfinch Sports Fields	8	20	Recreational	
	17	B17	Jonesville Sports Fields	34	13.7	Recreational	
	18	B18	Sentinel Road	8	12.294	Recreational	
	20	B19	Wexford Hydro Park	37	23.23	Recreational	
	21	B20	Davenport Garden Plots	41	3.21	Garden Plots	
	22	B21	Wexford Trail	37	2.376	Bike Path	
	23	B22	Woodsworth Park	38	5.683	Recreational	
	24	B23	Silverdale Garden Plots	37	2.065	Garden Plots	
	25	B24	Thomson Park	38	47.48	Recreational	
	26	B25	Brandon Ave. Parkette	17	3.12	Recreational	
	29	B26	Shaw Street & Christie Street	17	1.829	Recreational	
	30	B27	S.A.D.R.A. Park	17	0.88	Garden Plots	
	31	B28	Silverthorn Avenue Parkette	17	2.18	Recreational	
	32	B29	St. Clarens Ave. & Primrose Ave.	17	0.775	Recreational	
	33	B30	Garry Avenue Parkette - East Section	17	1.212	Recreational	
	35	B31	Prescott Avenue Parkette	17	0.823	Recreational	
	37	B32	Bartlett Parkette	17	1.044	Recreational	
	40	B33	Woolner Park	11	2.339	Recreational	
	41	B34	Eileen Ave.	11	8.1	Recreational	
	42	B35	Scarlett Rd. & Eileen Ave.	11	0.083	Walkway	
	43	B36	Lavender Creek/Terry Drive Trail	11	13.065	Recreational	
				<b>TOTAL ACERAGE</b>		<b>316.084</b>	
	1st Amendment (2011)	44	B37	McCowan Rd. To Scarborough Golf Club Rd* (103)	38	7.65	Trail
		45	B38	Mooregate Ave. To Eglington Ave. E* (10.70)	37	2.4	Trail
		46	B39	Conlins Rd to Meadowdale Rd* (51)	42/44	4.26	Trail
		47	B40	Silver Star Blvd to Middlefield Rd* (89)	41	7	Trail
		48	B41	Bathurst St to Talbot Rd* (46)	23	4.2	Trail
		49	B42	York Gate Blvd to Pedestrian Path* (12.30)	8	1.62	Trail
50		B43	Sentinel Rd to Keel St* (15)	8	1.12	Trail	
51		B44	Tanglers Rd Extension to Dufferin St* (13.80)	8	4.55	Trail	
52		B45	Barnburgh Circle Park	39	4	Recreational	
53	B46	Huntsmill Park Extension	39	16.8	Recreational		
			<b>TOTAL ACERAGE</b>		<b>63.800</b>		
2nd Amendment (2012)	54	B47	West Humber Park Trail, West of Albion	2	0.17	Trail	
	55	B48	East Flemingdon Park	26	33.14	Recreational	
	56	B49	Black Creek to Sentinel* (13.3)	8	1.72	Trail	
			<b>TOTAL ACERAGE</b>		<b>36.030</b>		
3rd Amendment (2013)	57	B50	Lumsden Ave to Taylor Creek Trail	31	0.026	Pedestrian Walkway	
	58	B51	Blw Highway 27 & Alicewood Court	1	0.04	Pedestrian Walkway	
	59	B52	Birchmount Berms, Birchmount Rd	35	8.16	Recreational	
	60	B53	L'Amoreaux Park, Michicoll/Kennedy/Birchmount	39	24.475	Recreational	
			<b>TOTAL ACERAGE</b>		<b>32.701</b>		
4th Amendment (2014)	61	B54	Taylor Creek Park	31	4	Park	
	62	B55	Linkwood Park Dog Off Leash Area	24	0.66	Dog Off Leash Area	
	63	B56	Bristol Avenue Parkette	17	1.148	Parkette	
	64	B57	Lower Don River Trail	28	0.45	Path	
	65	B58	Willowdale Ave to Pineway Blvd* (73.502)	24	6.44	Path	
			<b>TOTAL ACERAGE</b>		<b>12.698</b>		
To date			<b>TOTAL ACERAGE</b>		<b>448.083</b>		

Schedule B

Location Map



