

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

TRACKING NO.: 2015-108

- 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 (City Council 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 (City Council confirmatory By-Law No. 1234-2013 enacted October 11, 2013), as amended by DAF 2013-307 and DAF 2014-087.
- 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:	Susan Lin	Division:	Real Estate Services
Date Prepared:	May 12, 2015	Phone No.:	392-4135

Purpose	To obtain authority to extend the licence granted to Hydro One Networks Inc. respecting portions of closed Pottery Road and the laydown area west of Bayview Avenue and east of closed Pottery Road.																						
Property	Portions of closed Pottery Road, which portions are shown as Parts 4 and 7 on Appendix "A", Drawing No. 2010360-0031 ("Old Pottery Road Area") and the laydown area west of Bayview Avenue and east of closed Pottery Road shown as Part 1 on Appendix "A", Drawing No. 2010360-0014 (the "Laydown Area").																						
Actions	1. Authority be granted to extend the term of the licences granted to Hydro One Networks Inc. ("HONI") for the Old Pottery Road Area to December 24, 2015 at a fee of \$47,099.96 plus HST and for the Laydown Area to December 24, 2015 at a fee of \$96,017.70 plus HST and on such further and other terms as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.																						
Financial Impact	<p>The approval of these licence extensions will generate revenue of \$47,099.96 for a further five (5) month term relating to the Old Pottery Road Area and \$96,017.70 for a further five (5) month term relating to the Laydown Area, for a total of \$143,117.66 exclusive of HST, to be paid in advance to the City. Rates remain unchanged under these licence extensions. Should HONI require further extensions, the City may exercise its authority to increase the rate for both locations.</p> <p>The Deputy City Manager and Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>																						
Comments	By Delegated Authority Form No. 2011-187, authority was granted to provide HONI with a temporary licence for the Laydown Area for a one-year period from July 25, 2011 to July 24, 2012 and for Old Pottery Road for a three-year period from July 25, 2011 to July 24, 2014. Subsequently, by Delegated Authority Form No. 2014-098 both licences were extended to July 24, 2015. HONI now wishes to extend both of these licences for a further five-month period.																						
Property Details	<table border="1" style="width: 100%;"> <tr> <td>Ward:</td> <td colspan="3">26 – Don Valley West</td> </tr> <tr> <td>Part No.:</td> <td>Part 1 – Sketch No. 1</td> <td>Part 4 – Sketch No. 2</td> <td>Part 7 – Sketch No. 2</td> </tr> <tr> <td>Approximate Size:</td> <td>Irregular</td> <td>173m x 6m± (240 ft x 19.7 ft ±)</td> <td>Irregular</td> </tr> <tr> <td>Approximate Area:</td> <td>1,437.0m² ± (15,467.74ft² ±)</td> <td>1050.9m² ± (11,311.79 ft² ±)</td> <td>149.3m² ± (1,607.05 ft² ±)</td> </tr> <tr> <td>Other Information:</td> <td colspan="3">Temporary Licence Extension – 5 Months</td> </tr> </table>			Ward:	26 – Don Valley West			Part No.:	Part 1 – Sketch No. 1	Part 4 – Sketch No. 2	Part 7 – Sketch No. 2	Approximate Size:	Irregular	173m x 6m± (240 ft x 19.7 ft ±)	Irregular	Approximate Area:	1,437.0m ² ± (15,467.74ft ² ±)	1050.9m ² ± (11,311.79 ft ² ±)	149.3m ² ± (1,607.05 ft ² ±)	Other Information:	Temporary Licence Extension – 5 Months		
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Other Information:	Temporary Licence Extension – 5 Months																						

A.	Director of Real Estate Services has approval authority for:	Chief Corporate Officer has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</p> <p>3. Issuance of RFPs/REOs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to ABCDs:</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 \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p>Delegated to a more senior position.</p> <p>Delegated to a more senior position.</p> <p>Delegated to a more senior position.</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>Delegated to a more senior position.</p> <p><input checked="" 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 three (3) months, including licences for environmental assessments and/or testing, etc.</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 road, 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 may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$500,000).</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/Estoppels/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>	<p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</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><input type="checkbox"/> Transfer of Operational Management to ABCDs.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 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><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p>Delegated to a less senior position.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><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).</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/Estoppels/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. 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:

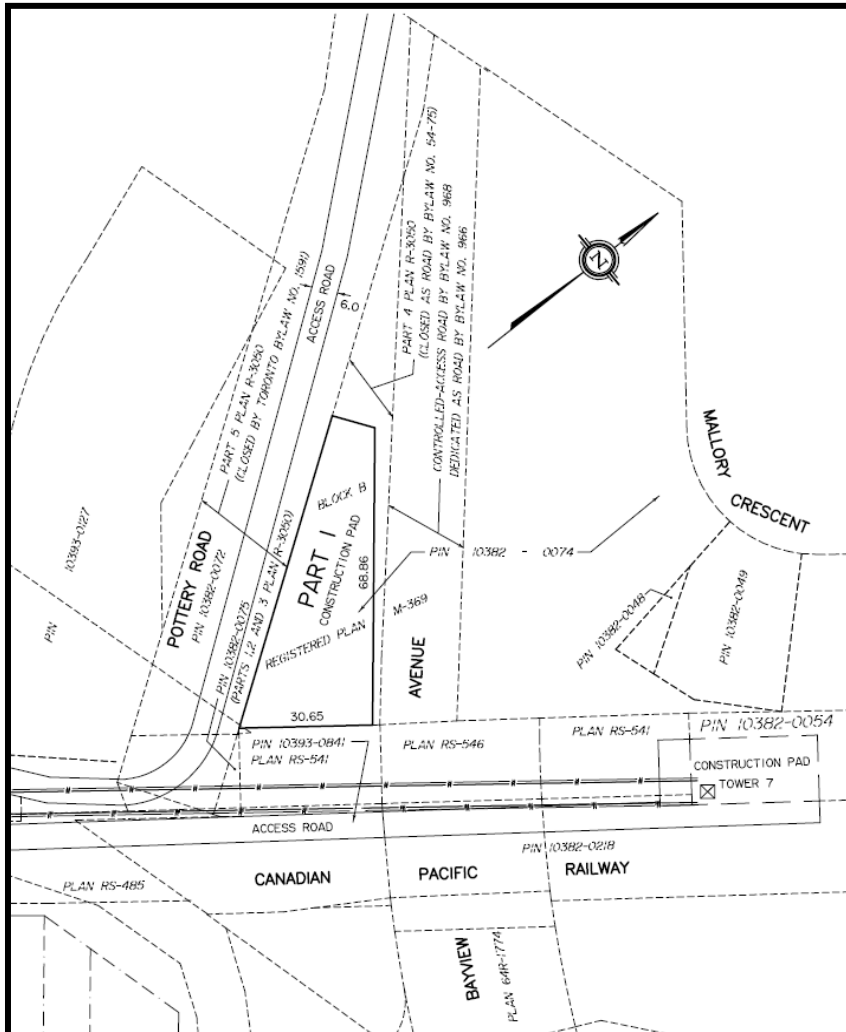
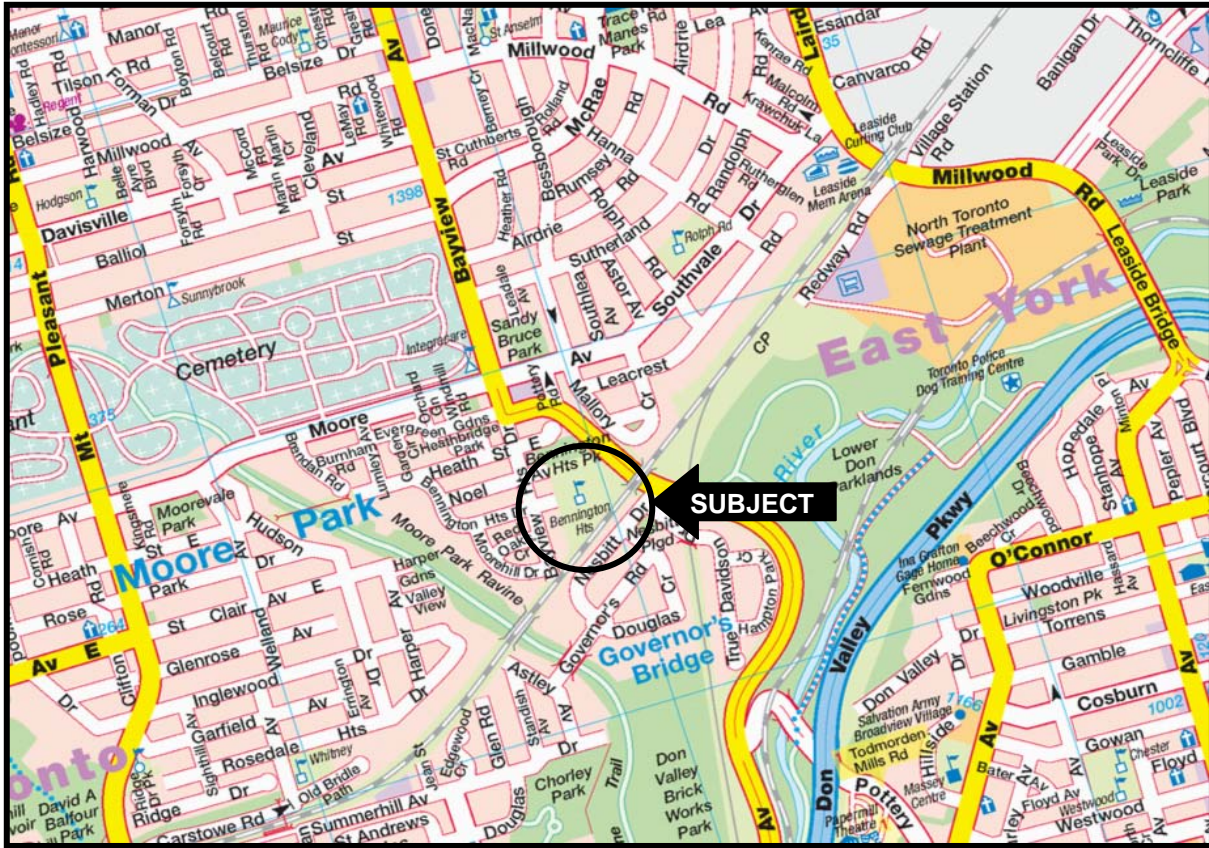
- Leases/licences/permits at Union Station during the Revitalization Period, if the rent/fee is at market value.

Consultation with Councillor(s)										
Councillor:	Jon Burnside					Councillor:				
Contact Name:	Jon Burnside					Contact Name:				
Contacted by:		Phone	X	E-Mail		Memo		Other		
Comments:						Comments:				
Consultation with ABCDs										
Division:	Parks, Forestry & Recreation					Division:	Financial Planning			
Contact Name:	David Douglas & Jim McKay					Contact Name:	Anthony Ng			
Comments:						Comments:	Comments Incorporated			
Legal Division Contact										
Contact Name:	Michele Desimone 2-8162									
DAF Tracking No.: 2015-108					Date		Signature			
Recommended by: Manager										
<input type="checkbox"/>	Recommended by: Director of Real Estate Services				May 14, 2015		Joe Casali			
<input checked="" type="checkbox"/>	Approved by: Joe Casali									
<input type="checkbox"/>	Approved by: Chief Corporate Officer						X			
	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.

Appendix "A" – Map & Sketch



PART	PART OF PIN	OWNER	EASEMENT TYPE
1	10382-0074	CITY OF TORONTO	CONSTRUCTION PAD

SUMMARY OF AREAS: PART 1 1437.0 m²

SKETCH SHOWING
**TEMPORARY EASEMENT
 REQUIREMENTS OF
 PART OF BLOCK B
 REGISTERED PLAN M-369
 CITY OF TORONTO**

SCALE 1: 1000

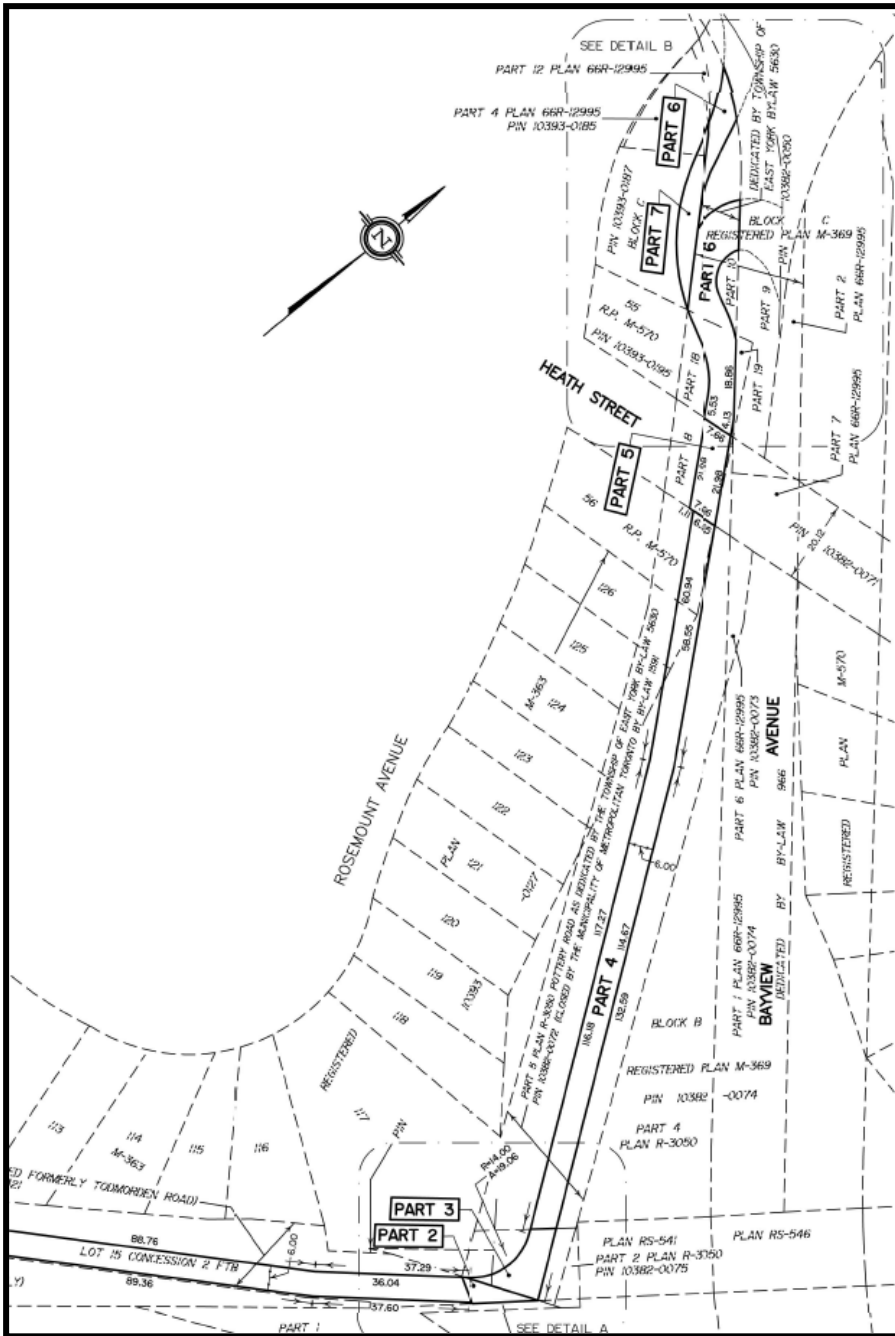


MMM GEOMATICS ONTARIO LIMITED
 ONTARIO LAND SURVEYORS
 2011

MMM Geomatics Ontario Limited Ontario Land Surveyors	Drawing Number : 2010360-0014	
	100 Commerce Valley Drive West, Thornhill, Ontario, L3T 0A1 Ph (905) 882-4211 Fax 905-882-7275 email geomatc@mmm.ca	
P.Chief: R.A.	Dwg. By: D.H.G.	Chk'd by: P.J.G.
Job Number: 2010360-000-000	File Name: 10360_SK-10.DWG	

Hydro One Networks Inc.

Appendix "A" – Map & Sketch



PART	PART OF PIN	OWNER	EASEMENT TYPE	REMARKS	AREA m ²	
1	10393-1421	CITY OF TORONTO	ACCESS ROAD	POTTERY ROAD NOT TRAVELLED	1395.4	
2						53.3
3	10382-0072			POTTERY ROAD CLOSED BY METRO TORONTO BYLAW 1591	146.7	
4	10382-0071			HEATH STREET BY REG PLAN M-570	1050.9	
5	10382-0050			POTTERY ROAD DEDICATED BY BYLAW No. 5630 (537617)	154.3	
6	10393-0185 10393-0187 10393-0195			PART OF BLK C RP M-369 AND PART OF LOT 55 RP M-570	517.7	
7					149.3	

PART 2 – SUBJECT TO EASEMENT AS IN INSTRUMENT No. EY 234170
 PART 3 – SUBJECT TO EASEMENT AS IN INSTRUMENT No. A781715

SKETCH SHOWING
TEMPORARY EASEMENT REQUIREMENT OF
 PART OF LOTS 125 AND 126
 PART OF BLOCKS B AND C
 REGISTERED PLAN M-369
 AND PART OF LOTS 55 AND 56
 AND PART OF HEATH STREET
 REGISTERED PLAN M-570
 AND PART OF LOT 15
 CONCESSION 2 FROM THE BAY
 GEOGRAPHIC TOWNSHIP OF YORK
 CITY OF TORONTO

SCALE 1: 1000



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 ONTARIO LAND SURVEYORS
 2011

METRIC :
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PREPARED MARCH 29, 2011 / REVISED APRIL 28, 2011

	MMM Geomatics Ontario Limited Ontario Land Surveyors	Drawing Number : 2010360-0031
	100 Commerce Valley Drive West, Thornhill, Ontario, L3T 0A1 Ph (905) 882-4211 Fax 905-882-7275 email geomat@mmm.ca	P.Chief: S.C. Dwg. By: D.H.G./R.C.O. Crk'd by: P.J.G.
Job Number: 2010360-000-000	File Name: 10360_SK-22.dwg	