

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

TRACKING NO.: 2020-201

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

Prepared By:	Elliott Baron	Division:	Corporate Real Estate Management
Date Prepared:	August 7, 2020	Phone No.:	416-338-3207
Purpose	To obtain authority to grant a permanent easement interest within a portion of City-owned land along Manitoba Drive at Exhibition Place, in favour of Toronto Hydro Electric System Limited ("Toronto Hydro").		
Property	A permanent easement interest in the land located at Exhibition Place along the east portion of Manitoba Drive, west of the General Services Building, north of the Enercare Centre east loading docks, being Part of Block 14, Plan Ordnance Reserve, shown as Part 1, 2 and 3 on plan 19-2444-R (2019-11-01) attached as Appendix "A", (the "Property"/ "Easement Lands").		
Actions	1. Authority be granted to transfer a permanent easement to Toronto Hydro for the purpose of installing on the Property, underground cabling duct structures to supply new Exhibition Place metering cabinets, as well as cabling for two Toronto Hydro feeders that service third-party customers, substantially on the terms and conditions set out on page 4 herein and such further and amended terms and conditions satisfactory to approving authority herein, and in a form satisfactory to the City Solicitor.		
Financial Impact	<p>This transaction will generate a revenue to the City in the amount of \$39,000.00 plus applicable taxes, paid by Toronto Hydro. This is considered to be the fair market value.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>Toronto Hydro requires the installation of new underground cabling duct structure to be able to connect the metering cabinets for an Exhibition Place capital project to be installed by Entera, Toronto Hydro's general contractor; as well as two feeders that belong to Toronto Hydro, which will be servicing their third party customers, hence the need for an easement. The underground distribution routing will run from the Toronto Hydro Strachan Station.</p> <p>The Property was declared surplus on August 4, 2020.</p>		
Terms	See Page 4		
Property Details	Ward:	10 – Spadina-Fort York	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	92.5 m ² ± (994 ft ² ±)	
	Other Information:		

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</p> <p>3. Issuance of RFPs/REOIs:</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>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 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 checked="" 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"/> Issuance of RFPs/REOIs.</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 (Manager, Transaction Services is only Manager 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			
<input type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Joe Cressy		Councillor:
Contact Name:	Anthony MacMahon		Contact Name:
Contacted by:	Phone	<input checked="" type="checkbox"/> E-Mail	Other
Comments:	No Objections – July 16, 2020		
Consultation with Divisions and/or Agencies			
Division:	Exhibition Place		Division:
Contact Name:	Hardat Persaud		Contact Name:
Comments:	Concurs – July 15, 2020		Comments:
Legal Services Division Contact			
Contact Name:	Jack Payne Comments Incorporated – July 23, 2020		

DAF Tracking No.: 2020-201	Date	Signature
Concurred with by: Acting Manager, Real Estate Services Daran Somas	Aug. 12, 2020	Signed by Daran Somas
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Melanie Hale-Carter	Aug. 12, 2020	Signed by Melanie Hale-Carter
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Major Terms

- I. Term – in perpetuity;
- II. Easement Fee – \$39,000.00 plus applicable taxes
- III. Toronto Hydro shall be responsible for any damage caused at any time by its agents, contractors or employees to the Easement Lands or adjoining lands and Toronto Hydro, after any of its activities, shall restore the Easement Lands and adjoining lands to their former state as soon as reasonably possible to the satisfaction of the City's DCM, Corporate Services, or his or her successor, acting reasonably.
- IV. Toronto Hydro shall, at all times, indemnify and save harmless the City, the Board of Governors of Exhibition Place, and their elected officials, directors, officers, employees, agents, representatives, successors and assigns against any and all claims, demands, damages, losses and costs (including legal costs) arising as a result of the acts or omissions of Toronto Hydro or those for whom it is responsible at law, Toronto Hydro's exercise of its rights under the Easement, or any breach of Toronto Hydro's obligations under the Easement, except to the extent arising from the wilful misconduct or negligence of the City or those for whom it is responsible at law. .
- V. The City may, upon twenty four (24) months' prior written notice to Toronto Hydro, require Toronto Hydro to release its interest in all or a portion of the Easement Lands and to relocate any works within such portion of the Easement Lands to other lands owned by the City provided that: (i) the City grants to Toronto Hydro, at no additional cost to Toronto Hydro, a registered easement in a suitable easement corridor for the purpose of accommodating such relocation; and (ii) all reasonable costs incurred by Toronto Hydro in relation to the relocation of the Works, shall be to the City's account.

Appendix A – Property Map



