

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

TRACKING NO.: 2022-080

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

Prepared By:	Avery Carr	Division:	Corporate Real Estate Management
Date Prepared:	March 8, 2022	Phone No.:	647-458-1934

Purpose	To obtain authority for the City of Toronto (the " Licensee " or " City ") to enter into a Licence Agreement (the " License Agreement ") with the Minister of Government and Consumer Services (the " Licensor ") for the purpose of water main repair and rehabilitation.
Property	A portion of the property legally described as part of PIN 06333-0497, PT LT 33 CON D SCARBOROUGH AS IN SC57874; N OF N LIMIT CLEARFIELD GT EXCEPT PT 2 64R3858, as shown on the Location Map in Appendix " B " (the " Property ").
Actions	1. Authority be granted to enter into the License Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix " A ", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	Total cost to the City is \$1,500 for the one (1) year term, plus any applicable HST or other taxes (the " Licence Fee "). A Security Bond of \$10,000 will also be provided by the City to the Licensor and will be drawn on only if the Lands are not restored to the satisfaction of the Licensor. Funding is available in the 2022 Council Approved Capital Budget and 2023-2031 Council Approved Capital Plan for Toronto Water under project CPW543-04. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	The City has reached an agreement with the Licensor to licence the Property for the purpose of water main repair and rehabilitation. The Licensor will grant permission to the City to use the lands on a non-exclusive basis for a term of (1) one year for a licence fee of \$1,500, which is within market value. The City will also provide a Security Bond of \$10,000 to the Licensor as security for the City's restoration obligations under the Licence Agreement.
Terms	Refer to Appendix " A " for the Terms and Conditions

Property Details	Ward:	21 – Scarborough Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	
	Other Information:	

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/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/Licensors):</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 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 checked="" 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/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 (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:	Debbie Gedz	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No concerns (Mar 28, 2022)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering and Construction Services	Division:	Financial Planning
Contact Name:	Matthew Coleman	Contact Name:	Ciro Tarantino
Comments:	Comments incorporated (Mar 15, 2022)	Comments:	Comments incorporated (Mar 21, 2022)

Legal Services Division Contact

Contact Name: Amna Shakil (Mar 10, 2022)

DAF Tracking No.: 2022-080	Date	Signature
Concurred with by: Manager, Real Estate Services	March 28, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Scott Delahunt	March 28, 2022	Signed by Scott Delahunt
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"
Major Terms and Conditions

Licensor:	Her Majesty the Queen in right of Ontario, as represented by the Minister of Government and
Licensee:	City of Toronto
Licensed Area:	Part of PIN 06333-0497, PT LT 33 CON D SCARBOROUGH AS IN SC57874; N OF N LIMIT CLEARFIELD GT EXCEPT PT 2 64R3858, as shown in the sketch in Appendix "B".
Licence Fee:	\$1,500 plus HST
Security Deposit:	\$10,000
Term:	One (1) year, commencing on March 1, 2022 and expiring on February 28, 2023
Early Termination:	During the Term, the Licensor shall have the right to terminate the License, at its sole discretion, upon giving at least seven (7) days written notice to the Licensee
Use:	The Licensor has first priority to use the Property for the purpose of transmission and/or distribution and the Licence is subordinate to that prior and primary right of the Licensor.
Restoration:	The Licensee shall remove all of its materials, equipment, installations and all debris, trash and other waste from the Property and to restore the Property to its original condition, and to the satisfaction of the Licensor prior to February 28, 2023. If the Property has not been restored by February 28, 2023, the Security Bond will be forfeited to the Licensor, who shall restore the Property to the Licensor's satisfaction.

Appendix "B"

Licensed Area



Licensed area (Hatched/Shaded Yellow)



Yellow hatched/shaded area is approximate, and intended to overlap the Dashed black line representing the approx location of water main pipe needing repair (according to the City). City to acquire permanent easement right within one (1) year of license for the subject water main pipe.