

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

TRACKING NO.: 2022-194

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	August 22, 2022	Phone No.:	(416) 392-1167
Purpose	To obtain authority to grant a Licence Extension Agreement (the "Licence") in favour of Imperial Oil Limited (the "Licensee"), over the existing licensed area in PIN 07434-0524 (LT) that was identified as required for the Waterdown to Finch Pipeline Replacement project, for the purposes of access and construction staging, in order to facilitate the installation of an oil pipeline. The extension of the Licence over this specific property is required to facilitate restoration works,		
Property	The City property along the existing pipeline route required for the Waterdown to Finch Pipeline Replacement project, listed and shown coloured green on the sketch attached in Appendix "B" (the "Licensed Areas").		
Actions	1. Authority be granted to enter into the Licence Extension Agreement in favour of Imperial Oil Limited for the access, construction staging, storage of vehicles, equipment and materials in order to facilitate and carry out the installation of an oil pipeline (the "Works") further described in Appendix "C", on terms and conditions as set out herein and as deemed appropriate by the Director, Real Estate Services, or his or her designate, and in a form satisfactory to the City Solicitor.		
Financial Impact	<p>Total licence fee revenues to the City for the Licensed Area identified in Appendix "A" are \$20,784.00 (plus HST) which is considered fair market value. The proceeds will be directed to the 2022 Council Approved Operating Budget for Parks, Forestry & Recreation under cost centre P10229, upon the Licensee's execution of the Licence Agreement.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section .</p>		
Comments	<p>Imperial Oil operates the Waterdown to Finch pipeline which runs from the Waterdown pump station in rural Hamilton to the terminal storage facility at 1150 Finch Avenue West in North York. The existing pipeline has reached the end of its useful life and is planned to be decommissioned and replaced with 63 km of 12-inch diameter pipeline running parallel to the existing pipeline for the transportation of refined petroleum. In March 2020, Imperial Oil received 'Leave to Construct' approval from the Ontario Energy Board which is a Provincial regulatory body that regulates utilities in the public interest.</p> <p>Within Toronto, the pipeline crosses Wards 2, 1, 7 and 6 on the route to the terminal facility in North York as shown in Appendix "D" largely within the hydro corridor. In addition to the Licensed Areas, Hydro One owned lands that are licensed to the City for use as parks are also required for pipeline construction activities. The construction will cause disruptions to some Parks infrastructure and recreational trails and Imperial Oil has agreed to mitigate disruptions to recreational trails and provide alternate routes and signage as needed.</p>		
Terms	<p>The original terms were approved by Delegated Approval Form # 2021-217 and a previous extension was authorized by Delegated Approval Form # 2022-029.</p> <p>Continued on Page 4</p>		
Property Details	Ward: Assessment Roll No.: Approximate Size: Approximate Area: Other Information:	Licensed Areas on Appendix "B" – Wards 1, 2, 7	

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/REOs:</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><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 checked="" 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 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/REOs.</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:	A, Perruzza	Councillor:	S. Holiday
Contact Name:	A, Perruzza	Contact Name:	S. Holiday
Contacted by:	Phone <input 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 objections (meeting, July 27, 2020)	Comments:	(07/26/2020)

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	Simon Hewett	Contact Name:	Filisha Jenkins
Comments:	Concurs 07/25/22	Comments:	(08/18/2022)

Legal Services Division Contact

Contact Name: Dale Mellor

DAF Tracking No.: 2022- 194	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	August 26, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Van Hua	August 26, 2022	Signed by Van Hua
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		N/A

APPENDIX "A"**DAF # 2022-194****MAJOR TERMS**

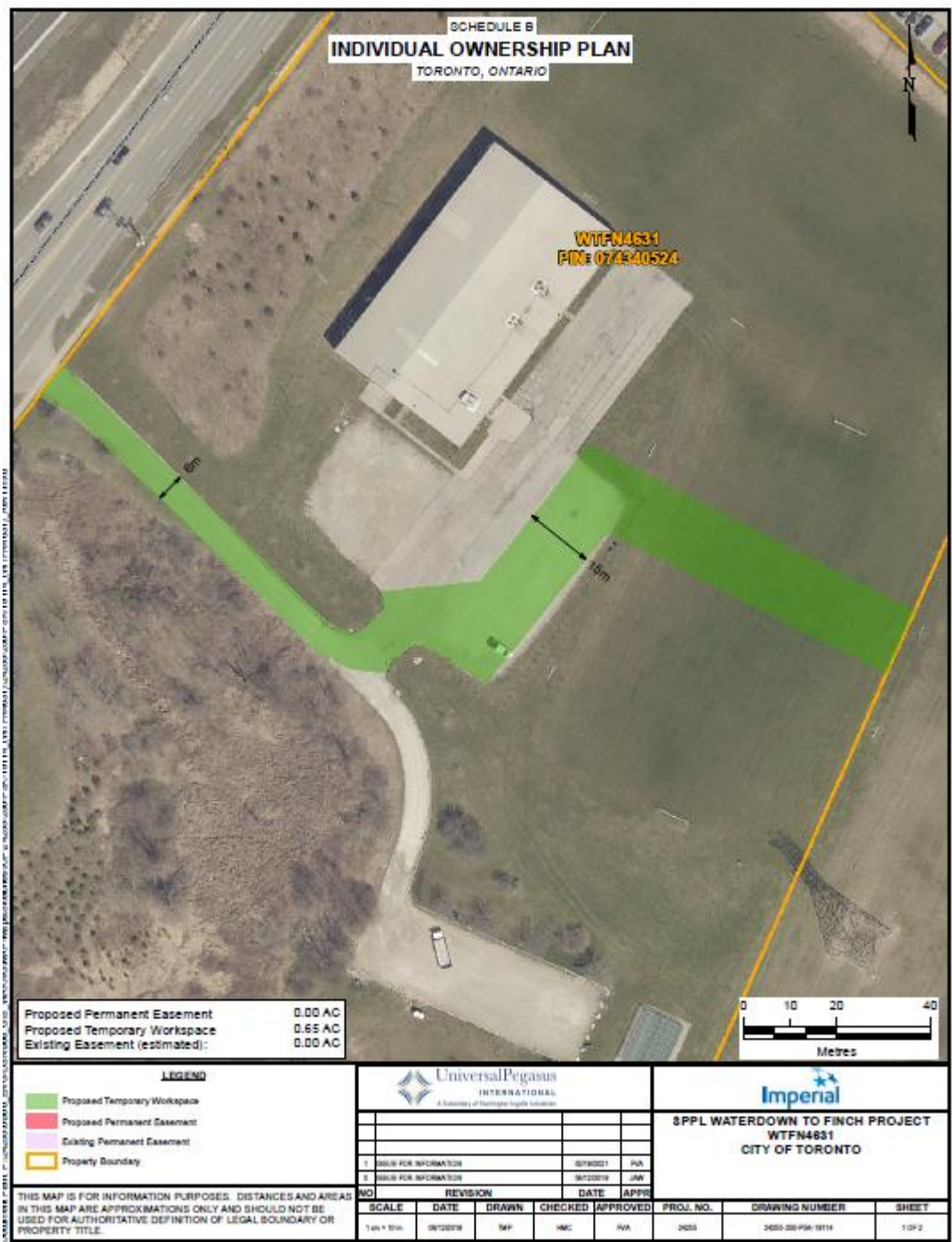
Licensee:	Imperial Oil Limited
Extended Licence Fee:	\$20,784.00 (plus HST) for total of the Licensed Area identified on Appendix "B"
Extended Term:	2 months, commencing on August 1st and ending on September 30, 2022.
Full Force and Effect:	Except as amended in the Licence, the terms and conditions of the original Licence and any amendments thereto shall continue in full force and effect and the original Licence (and any amendments thereto) as amended herein is hereby ratified and affirmed by each of the City and the Licensee.

APPENDIX "B"

LEGAL DESCRIPTION AND PINS OF THE PROPERTY

PIN 07434-0524 (LT)

PT LT B&C, CON RIVETS, AS IN EB277703 EXCEPT EB314056, PT 1 64R7446, PT 21 64R10480 AND LANDS LYING S OF EB57351; ETOBICOKE, CITY OF TORONTO



APPENDIX "C"

The "Works"

Access, construction staging, storage of vehicles, equipment and materials in order to facilitate and carry out the installation of an oil pipeline, with the right to remove any boulder or remove or control the growth of any roots, trees, stumps, brush or other vegetation in, on, above, or under the Licensed Area, and to install temporary gates and fences, including the stockpiling of construction spoil, materials and equipment.

APPENDIX "D"

The "Pipeline Route in Toronto"

