

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

**TRACKING NO.: 2023-030**

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

Prepared By:	Rutvik Pandya	Division:	Corporate Real Estate Management
Date Prepared:	January 6, 2023	Phone No.:	416-338-5812

<b>Purpose</b>	To amend Delegated Approval Form No. 2022-174 (" <b>DAF No. 2022-174</b> "), which authorizes the City to enter into a licence agreement with His Majesty the King in Right of Ontario as represented by the Minister of Infrastructure (the " <b>Licence Agreement</b> "), and a sublicense agreement with Toronto and Region Conservation Authority, by including the authority for the City to accept the letters setting out additional terms and conditions from Hydro One Networks Inc. (the " <b>T&amp;C Letters</b> "), and to amend the commencement date of the Licence Agreement.
<b>Property</b>	Lands legally described and shown outlined in red on the sketch attached to DAF No. 2022-174 as Appendix "A" (Section 3: Railway – Brimley Rd.), comprising an approximate area of 46 acres, and Appendix "B" (Section 6: Military Trail – Conlins Rd.), comprising an approximate area of 40 acres.
<b>Actions</b>	1. Authority be granted for the City to enter into the Licence Agreement, the Sublicence Agreement and the T&C Letters on the terms and conditions set out in DAF No. 2022-174 and the terms and conditions set out herein.
<b>Financial Impact</b>	No change to the financial impact outlined in DAF 2022-174.  The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
<b>Comments</b>	Since 2018, TRCA, Toronto and Region Conservation Foundation, City of Toronto and The W. Garfield Weston Foundation have been working in partnership to transform 16 kilometres of under-utilized hydro-corridor lands into one of Canada's largest urban linear parks (a.k.a. The Meadoway). The Meadoway is broken down into seven sections and this licence proposal is for Sections 3 and 6 within the Gatineau Hydro Corridor, managed by Hydro One Network Inc. and owned by the Province. The project will involve two phases, including (i) site preparation, shrub planning and meadow seeding and (ii) a period of monitoring. TRCA will be responsible for all regulatory approvals, environmental oversight, and be responsible to supply all the necessary equipment, goods and supplies in respect of the project, security, insurance and maintenance requirements of the Licensed Area.  On August 25, 26 and 27, 2010 Item GM33.6, City Council authorized a master licence agreement between the City (as Licensee) and Ontario Realty Corporation (now 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 Infrastructure, which agreement was fully executed on October 26, 2010 (the "Master License Agreement"). Staff are currently working with the Province to amend the Master License Agreement to include the Licensed Areas as a part of the Master License Agreement.  By the approval of DAF 2022-174 on December 22, 2022, the City was authorized to enter into a License Agreement with HONI and a subsequent Sub-License agreement with TRCA.
<b>Terms</b>	Amendments to the Terms of the Licence Agreement: Commencement Date: Nov. 7, 2022 or such other date as agreed upon between the parties Term: One (1) Year  Amendments to the Terms of the Sublicence Agreement: Commencement Date: Nov. 7, 2022 or such other date as agreed upon between the parties Term: Term of the Licence Agreement less a day Major terms and conditions of the T&C Letters set out in Appendix "A" attached hereto.

<b>Property Details</b>	<b>Ward:</b>	21, 24, 25
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	86 acres
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:	Councillor Thompson, Councillor Ainslie	Councillor:	Councillor McKelvie
Contact Name:		Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> X E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Notified	Comments:	Notified

**Consultation with Divisions and/or Agencies**

Division:	Park Forestry & Recreation	Division:	<b>Financial Planning</b>
Contact Name:	Brian Majcenic	Contact Name:	Filisha Jenkins
Comments:	Incorporated	Comments:	Concurred

**Legal Services Division Contact**

Contact Name: Gloria Lee – Comments Incorporated

DAF Tracking No.: 2023- 030	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	Jan. 11, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Leila Valenzuela	Jan. 11, 2023	Signed by Leila Valenzuela
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

**Appendix "A"**  
**Major Terms and Conditions – T & C Letters**

- Hydro One corridor lands are not to be used without express written permission from Hydro One. The use of the Hydro One corridor lands must be contained to the lands outlined in the approved Proposal and identified on site by installing temporary fencing to Hydro One's satisfaction.
- Any part of the trail that comes within 20m of a Hydro HV tower/pole should have post and paddle fencing (nonmetallic fence) along the length of the trail to keep pedestrians on the asphalt and away from the tower/pole. Signage should also be placed at the start and end points of these fences indicating that the towers/poles are high-voltage and that pedestrians must remain on the trail. If the fences are installed offset a certain distance from the trail, then crushed rock up to 4" thick must be placed between the trail and the fence to ensure pedestrians are not standing on native soil.
- For the pedestrian bridge, a 1m perimeter of crushed rock shall be placed around any part of the structure that is within 20m of a tower. In addition, the bridge must have signage displaying maximum load limits to avoid unsafe loading conditions.
- Site furniture such as benches, bicycle racks and signs shall be made of non-conductive material.
- All Bumble Bee and Bird Boxes shall be located as far away from towers and pedestrian trail as possible.
- Proponent and its constructor must ensure that safe working clearances as specified in the Occupational Health and Safety Act, R.S.O. 1990, c. O.1 ("OHSA") for workers and equipment for 230 kV from the lowest Hydro One overhead conductors are adhered to and maintained at all times during construction activities.
- All towers in the vicinity of the construction must have a temporary fence installed 3 m out from the base of the tower, this fencing must remain in an upright and good condition for the term of the construction and all fencing is to be removed upon completion. This would be anywhere where any equipment will be within the 15 m of the tower during construction.
- No grading/excavation work is to be carried out using heavy machinery within ten (10) metres of the tower footings. Hydro One may permit grading/excavation work within ten (10) meters of the tower footings, provided this work is carried out by hand or by using a vacuum truck (VAC) system. Proponent must seek prior written approval for work with ten (10) meters of the tower footings.
- There needs to be a 6m contiguous access for our crews along entire length of corridor.
- Proponent is not to use Hydro One's current access into corridor from road crossings as future Trail heads. These access points are strictly for Hydro One and any future Trail must have its own dedicated access.
- All plantings must follow Hydro One's approved species planting list.
- Once construction has been completed, the Proponent is to contact Hydro One's Real Estate Coordinator to arrange for a post-construction site inspection to ensure everything was built in accordance with the final approved Proposal.
- Upon termination of the land occupation agreement, the Proponent must restore lands to their original, pre-use condition.