

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

**TRACKING NO.: 2023-120**

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

Prepared By:	Mike Saffran	Division:	CREM – Transaction Services
Date Prepared:	May 12, 2023	Phone No.:	(416) 392-7205

<b>Purpose</b>	To obtain authority to enter into a new permanent easement agreement (the "New Easement") with MLYM Inc. (the "Owner") over a portion of 740, 750 York Mills Road and 17 Farmstead Road for watermain purposes and to release an existing easement in favour of the City (the "Original Easement") registered as NY450130E.
<b>Property</b>	A portion of 740, 750 York Mills Road and 17 Farmstead Road, legally described as Part of PIN 10093-0440 (LT), Part of Block E on Plan 8094, formerly City of North York, City Toronto (the "Property"). The new easement is shown as Parts 4, 7, 10, 12, 15 and 16 on Plan 66R-32894, (the "New Easement Lands") attached as Appendix "A".
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the New Easement with the Owner for the New Easement Lands, on the terms and conditions set out below, and on such other or amended terms and conditions as may be satisfactory to the Director, Transaction Services and in a form acceptable to the City Solicitor.</li> <li>Authority be granted to release the Original Easement currently on title to the Property after the New Easement is registered on title.</li> </ol>
<b>Financial Impact</b>	<p>The cost associated with the release of the Original Easement and the New Easement is for nominal consideration. The Owner has agreed to cover any expenses related to this transaction such as land transfer tax and will provide an indemnity to the City for any costs related thereto as the original easement being released and the new easement being registered are of same area and same utility.</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>
<b>Comments</b>	Pursuant to the Site Plan Approval 16 269750 NNY 25 SA 12, section 20, the Owner has agreed to transfer a new easement to the City over the New Easement Lands as the City operates a 900 mm municipal trunk watermain and a 400 mm municipal watermain. Engineering and Construction Services have advised that section 12 of the Site Plan Approval, the removal of private catch basins and storm sewers, has been complied with by the Owner. Given the conveyance of the new easement of similar size and utility to the City through the Site Plan Agreement, ECS staff advised that the Original Easement can be released as the new easement will provide the City with the necessary rights to the municipal services over the Property.
<b>Terms</b>	<p>Major Terms of the New Easement - <b>Transferee</b> City of Toronto</p> <ol style="list-style-type: none"> <li>shall release the Original Easement after the New Easement is registered on title.</li> <li>shall provide 48 hours' prior written notice to the Owner for carrying out works on the New Easement Lands;</li> <li>shall repair the damage to any buildings, structures or facilities at the City's expense; and</li> <li>shall fully indemnify and save harmless the Owner's indemnified persons;</li> </ol> <p><b>Transferor</b> (MYLM Inc.)</p> <ol style="list-style-type: none"> <li>shall grant the New Easement in favour of the City for the operation and maintenance of 900 mm municipal trunk watermain and 400 mm municipal watermain;</li> <li>shall grant the right of ingress and egress over the New Easement Lands to the City and Bell, Rogers and Enbridge Gas to access their services; and</li> <li>shall fully indemnify the City against any rights or claims;</li> <li>Consideration: \$2.00</li> </ol>

<b>Property Details</b>	<b>Ward:</b>	15 – Don Valley West
	<b>Assessment Roll No.:</b>	A portion of 1908 082 012 05900
	<b>Approximate Size:</b>	Irregular shaped
	<b>Approximate Area:</b>	3532.4 m <sup>2</sup> ( 38,022.4 ft <sup>2</sup> )
	<b>Other Information:</b>	Existing City easement

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 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 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 checked="" 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 checked="" 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>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>Documents required to implement matters for which each position also has delegated approval authority.</li> <li>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).</li> </ul>
<b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul>

<b>Pre-Condition to Approval</b>			
<input type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
<b>Consultation with Councillor(s)</b>			
Councillor:	Jaye Robinson	Councillor:	
Contact Name:	Rachael Hillier	Contact Name:	
Contacted by:	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections	Comments:	
<b>Consultation with Divisions and/or Agencies</b>			
Division:	ECS	Division:	<b>Financial Planning</b>
Contact Name:	Matthew Mannella	Contact Name:	Ciro Tarantino
Comments:	Comments incorporated	Comments:	Concurs with FIS – April 26, 2023
<b>Legal Services Division Contact</b>			
Contact Name:	Karen Pfuetzner – April 25, 2023		

DAF Tracking No.: 2023-120	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Transaction Services</b> <b>Vinette Prescott-Brown</b>	May 16, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Transaction Services</b> <b>Alison Folosea</b>	May 18, 2023	Signed by Alison Folosea

### LOCATION MAPS



