

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

TRACKING NO.: 2023-268

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

Prepared By:	Sami Aljundi	Division:	Corporate Real Estate Management
Date Prepared:	October 4, 2023	Phone No.:	416-338-4862

Purpose To obtain authority to enter into a licence agreement (the "Agreement") with the owners (collectively, the "Licensor") for the purpose of installing, operating and maintaining one (1) gas probe and accessing the Licensed Area to monitor soil gas conditions (hereinafter the "Works").

Property The property municipally known as 81 Riverwood Parkway, Etobicoke, Ontario, legally described as Plan 5131 PT Lot 17 Plan 4275 Pt outlined on the aerial map hereto as Appendix "B".

Actions 1. Authority be granted to enter into the Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "A", including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.

Financial Impact The City will pay a total sum of \$3,000.00 (plus HST), or \$3,052.80 (net of HST recoveries), for the three (3) year term, payable in equal annual instalments of \$1,000.00 (plus HST) or \$1,017.60 (net of HST recoveries). Payments will commence in 2023 and continue each subsequent year, ending in 2025. The below table reflects the total licence expenditures to the City for each fiscal year.

				Excluding HST	Net of HST recoveries (additional 1.76% before taxes)
Fiscal Year Payment is Made	Period	No. of Years	Annual Rate	Total (per period)	Total (per period)
2023	Aug. 10, 2023 to Aug. 9, 2024	1	\$1,000.00	\$1,000.00	\$ 1,017.60
2024	Aug. 10, 2024 to Aug. 9, 2025	1	\$1,000.00	\$1,000.00	\$ 1,017.60
2025	Aug. 10, 2025 to Aug. 9, 2026	1	\$1,000.00	\$1,000.00	\$ 1,017.60
	Total			\$3,000.00	\$ 3,052.80

Comments Funding is available in the 2020-2029 Council Approved Capital Budget and Plan for Solid Waste Management under the capital project account for Solid Waste Management Services-Salary, Benefit & Other Recovery (CSW-930-04-03). The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

The Licensed Area is located near the closed Lower Riverwood Landfill Site. There are engineered landfill controls at the site to mitigate potential environmental impacts, one of which is the possible presence of methane gas in the landfill.

The City is required to conduct certain long term environmental monitoring programs of adjacent lands in connection with the closed Lower Riverwood Landfill Site, as required by the Ministry of Environment Conservation and Parks. Gas monitoring is done through the installation of gas probes, which are installed eight (8) metres into the ground, with no significant extrusion above ground level.

The City requires access to the property for regular monthly monitoring, however monitoring could be as frequent as weekly depending on the data collected. Solid Waste Management Services will be responsible for any repairs and maintenance costs in connection with the gas probe.

The proposed licence fee and other major terms and conditions of the Licence are considered to be fair, reasonable and reflective of market rates.

Terms See Page 4

Property Details	Ward:	3 – Etobicoke-Lakeshore
	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:	Amber Morley	Councillor:	
Contact Name:	Lisa Brody Hoffman	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" 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:	Concurred	Comments:	

Consultation with Divisions and/or Agencies

Division:	Solid Waste Management Services	Division:	Financial Planning
Contact Name:	Bernie Chau	Contact Name:	Ciro Tarantino
Comments:	No Comments	Comments:	Concurred

Legal Services Division Contact

Contact Name:	Gloria Lee
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DAF Tracking No.: 2023- 268	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	Oct. 11, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	Oct. 11, 2023	Signed by Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by:		

APPENDIX "A"
Major Terms and Conditions

Licensor: Marilyn Mae Friesen and Mark Maybank

Licensee: City of Toronto

Licensed Area: Property located at 81 Riverwood Parkway, Etobicoke, ON

Commencement Date: August 10, 2023

Expiry Date: August 9, 2026

Permitted Use: To install a gas probe in the Licensed Area and access the same to monitor soil gas conditions.

Annual Fee: \$1,000.00 (plus HST).

Termination: Both parties can early terminate the Agreement upon providing thirty (30) days' prior written notice to the other and the City will decommission the gas probe and restore the lands to its original condition prior to the installation of the gas probe.

Insurance: Comprehensive General Liability insurance with a limit of not less than Five Million Dollars (\$5,000,000.00).

Appendix "B"
Site Map, Aerial Map
81 Riverwood Parkway

