

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

TRACKING NO.: 2023-081

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:	March 20 th 2023	Phone No.:	416-392-1167

Purpose	To obtain authority to enter into a Licence Agreement (the "Agreement") with Bell Canada (the "Licensee") to allow for non-exclusive temporary access for the purposes of constructing, installing, operating, servicing, upgrading and relocating Bell telecommunications equipment to continue too to offer telecommunications services on the lands described below.
Property	The City is the registered owner of the property municipally known as 1390 Concession Road 3, Pickering, Ontario, Toronto, Ontario, as legally described in Appendix "A"
Actions	1. Authority be granted to enter into the License Agreement , substantially on the major terms and conditions set in Appendix "A" and including such other terms as deemed appropriate by the approving authority herein, , and in a form acceptable to the City Solicitor;
Financial Impact	The Licensee shall pay to the City a nominal fee of \$2.00 (exclusive of HST) for the five (5) days occupancy of the Licensed Area. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	This work is undertaken on behalf of the City, to accommodate the new Durham Region Peter Matthews Drive construction. The new regional road has required that existing electrical and Bell servicing to the Brock West closed landfill be re-located. The proposed licence fee and other major terms and conditions of the Agreement are considered to be fair and Reasonable.
Terms	See Appendix "A"

Property Details	Ward:	N/A
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	5 m ² ±
	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/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 type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input checked="" 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:	N/A				Councillor:				
Contact Name:	N/A				Contact Name:				
Contacted by:	Phone	E-Mail	Memo	Other	Contacted by:	Phone	E-mail	Memo	Other
Comments:					Comments:				

Consultation with Divisions and/or Agencies

Division:	Landfill Operations	Division:	Financial Planning
Contact Name:	Lynda Mulcahy	Contact Name:	Filisha Jenkins
Comments:	Concur	Comments:	Concur

Legal Services Division Contact

Contact Name:	Tammy Turner
---------------	--------------

DAF Tracking No.: 2023- 081	Date	Signature
Concurred with by: Manager, Real Estate Services Jennifer Kowalski	March 21, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	March 21, 2023	Signed by Ronald Ro
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		

1390 Concession Road 3, – DAF Tracking No.: 2023-081**Appendix "A" – Terms & Conditions****Licensee:** Bell Canada.**Licensor:** City of Toronto**Property:** PIN 26383-1414 (LT):

Pt lts 20, 21, 22, 23 & 24 con 3 Pickering; pt rdal btn lts 22 & 23 con 3 Pickering , as closed by bylaw pi22182; pt rdal btn lts 20 & 21 con 3 Pickering as closed by bylaw pi22182; t/w easement over pt lt 22, con 2, and rdal btn con 2 & 3 Pickering, being pts 1 & 2 40r12294, in favour of pt lts 20 to 24 con 3, and rdal btn con 2 & 3, and rdal btn lts 20 & 21 con 3, and rdal btn lts 22 & 23 con 3, Pickering, being pts 1 to 6 40r10979, as in d346775; together with an easement over part lots 21,22,23 and 24 concession 3, part lot 22 concession 2, part rdal between lots 22 and 23 concession 3 part rdal between concessions 2 and 3, parts 1 and 2 plan 40r29589 as in dr1622696; city of Pickering

Licensed Area: those areas shown in red dotted line on Appendix "B"**Use:**

Relocation of existing Bell servicing to the administration building at Brock West closed landfill; including new proposed underground Bell service installed in the existing underground duct.

Term:

five (5) Days, commencing on a day that is mutually agreed upon by the parties. If the term does not commence within 180 days after the Agreement is executed, the Licence will terminate.

License Fee: \$2.00**Acceptance:**

The Licensee accepts the Licensed Premises in its "as is" and "where is" condition, and acknowledges that the City makes no representation and gives no warranty with respect to the Licensed Area as to its fitness for the Licensee's purposes or the condition, quality, merchantability or utility thereof, except as set out herein.

Insurance:

Throughout the Term, the Licensee shall obtain and maintain, or cause to be obtained and maintained commercial general liability insurance which has inclusive limits of not less than \$5,000,000.00 per occurrence, for bodily injury and property damage, including personal injury, contractual liability and owners and contractors protective insurance coverage, with respect to this Licence and the Licensee's Use. The City shall be named as an additional insured. Prior to the commencement of the Term the Licensee shall provide the City with an original certificate of insurance in the City's standard form, signed by the insurer or an authorized agent of the insurer.

1390 Concession Road 3, – DAF Tracking No.: 2023-081

Appendix "B" Map and Area Sketch

