

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

TRACKING NO.: 2024-032

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:	January 18, 2024	Phone No.:	416-338-0405

Purpose	To obtain authority to enter into a Licence of Land Renewal Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure for access to Emery Storm Water Quality Control Ponds in order to maintain them.
Property	<p>City of Toronto, former City of North York, described as Part of Lot19, Concession 6 WYS, Former Township of York, comprising an area of approximately 0.321 acre(s), (the "Licensed Lands")</p> <p>The Licensed Lands is an area is located within a portion of the Emery Creek Trail, shown as Schedule "A" which provides an access route to the Quality Control Ponds.</p>
Actions	1. Authority be granted to enter into a Licence of Land Renewal Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure ("IO") for the Maintenance Area substantially on the terms and conditions outlined herein, and any such other or amended the major terms and conditions deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>The total annual cost of the Licence is approximately \$33,696.00 plus HST (approximately \$34,289.05 net of HST recoveries) plus 50% of annual realty taxes, which will be funded from the 2024 Council Approved Operating Budget for Toronto Water under GL Code: 4565 Cost Centre TW2035</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>On March 30, 2011, by delegated authority (DAF No. 2010-160), lands were acquired in fee simple from Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Infrastructure to construct the storm water management ponds near the convergence of Emery Creek and the Humber River between St. Lucie Drive and Storer Drive, which have since been completed. Toronto Water staff require periodic access to the ponds through the hydro corridor for maintenance purposes. For that purpose, OI is requiring the City to renew its Agreement and enter into a new License with a term of a further five (5) years.</p> <p>The Agreement is considered fair, reasonable, and reflective of market value, and it is recommended for acceptance.</p>
Terms	<p>Term: Five (5) years, commencing on the 1st day of March 2023- April 30th, 2028.</p> <p>Licence Fee: \$33,696.00 plus HST per annum. Payment: is due in advance on the first day of March each and every year during the renewed term those dates are as follows March 1, 2023, March 1 2024, March 1 2025, March 1 2026, March 1 2027</p> <p>License Fee over 5-year term (net of HST Recoverable): \$171,445.25</p> <p>Realty Taxes: Licensee shall pay to the Licensor an amount equal to Fifty percent (50%) of the annual realty taxes or grants and/or payments in lieu thereof payable with respect to the Licence Lands, as owned by the Licensor and used by the Licensee pursuant to the Licence Agreement.</p>

Property Details	Ward:	07 – Anthony Perruzza
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	1299.04 m ² ± (0.321 ac ±)
	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 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 checked="" 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:	
Contact Name:	A. Perruzza	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"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objection	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Water	Division:	Financial Planning
Contact Name:	Lisa MacCumber	Contact Name:	Ciro Tarantiro
Comments:	Concurs	Comments:	No Objection

Legal Services Division Contact

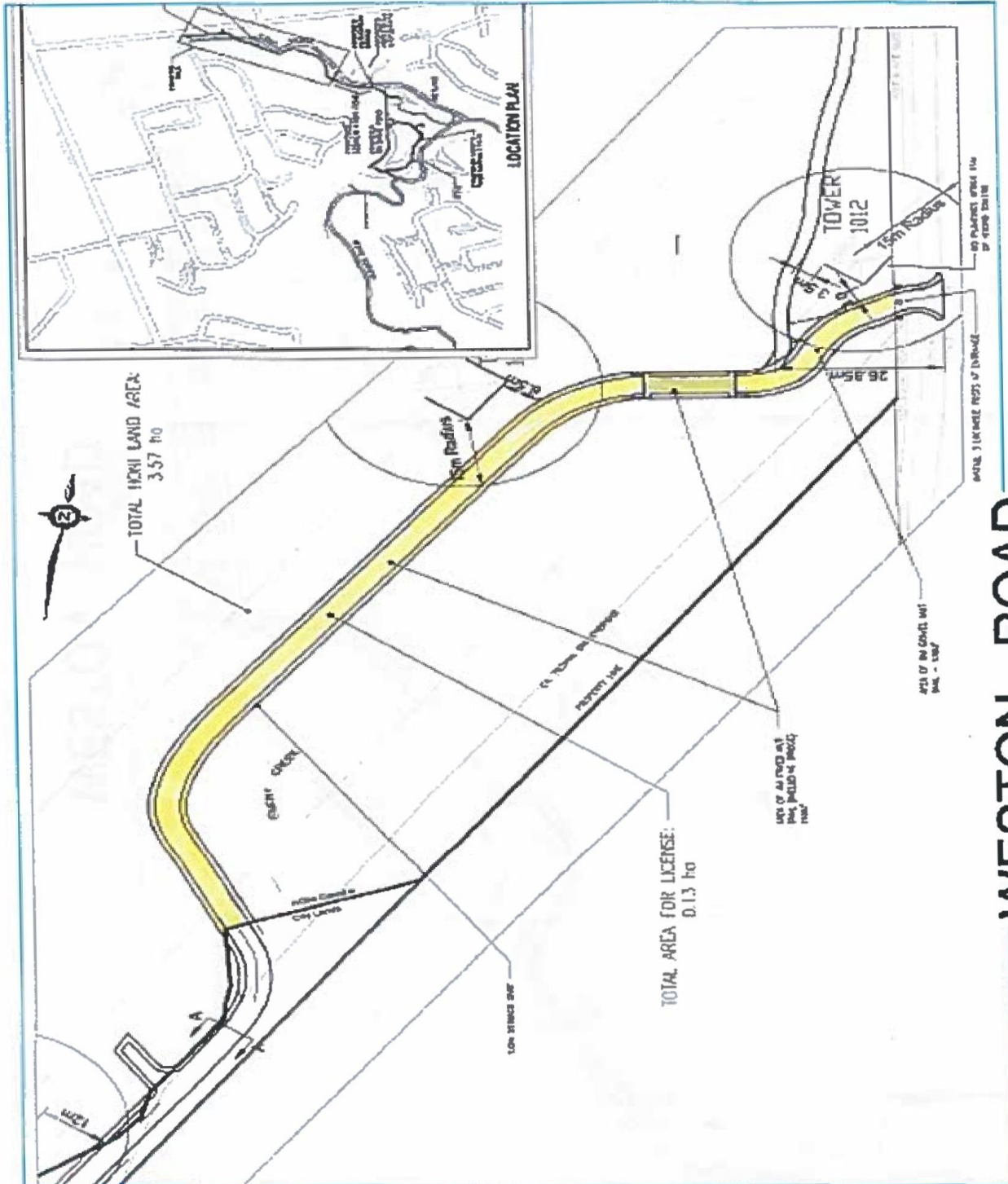
Contact Name:

DAF Tracking No.: 2024- 032	Date	Signature
Concurred with by: Manager, Real Estate Services		
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	Jan. 22, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Jan 22, 2024	Signed by Alison Folosea

SCHEDULE "A"

Finch Hydro Corridor: Maintenance
Part of Lot 19, Concession 6 WYS, Former York Twp
Former City of North York, now City of Toronto
HOM File: North York 632.1-6225

 Licensed Area (0.321 acres)



Location Map

