

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

TRACKING NO.: 2024-052

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

Prepared By:	Miles Argue	Division:	Corporate Real Estate Management
Date Prepared:	February 16, 2024	Phone No.:	416-397-7522

Purpose	To obtain authority to enter into a license agreement (the "Agreement") with Enbridge Gas Inc. (the "Licensee") to permit the Licensee to conduct soil investigations at certain City-owned lands located at 255 Village Green Square.
Property	Part of those lands known municipally as 255 Village Green Square, legally described as Part of Block 9, registered plan 66M-2460, being parts of PINs 06164-0477 (LT) & 06164-0198 (LT) (the "Property"); City of Toronto, more particularly described as Parts 1-2 on Plan 66R-32335, and shown on the sketch attached hereto as Appendix "A" (the "Licensed Area")
Actions	1. Authority be granted to enter into the Agreement with the Licensee substantially on the major terms and conditions set out in Appendix B, and including such other terms and conditions as deemed appropriate by the approving authority herein and in a form satisfactory to the City Solicitor.
Financial Impact	<p>There is no financial impact to the City. The Agreement will be provided to the Licensee for nominal consideration as a due diligence measure in connection with a proposed easement transfer agreement with Enbridge Gas Inc. (the "ETA"). Subject to approval, the ETA will be granted to Enbridge Gas Inc. for fair market value. The financial impact of the proposed ETA will be set out for review under a separate delegate approval form.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	The Licensee approached the City to seek a permanent easement over the Licensed Area, for the construction of a station box providing natural gas service to the abutting Metrolinx rail corridor. Prior to executing the proposed easement transfer agreement (the "ETA"), the Licensee wishes to enter onto the Licensed Area to conduct a soil quality assessment as a due diligence measure.
Terms	See Appendix "B" Attached

Property Details	Ward:	22 – Scarborough-Agincourt
	Assessment Roll No.:	190111118002480000
	Approximate Size:	4.66 m x 20 m ± (15 ft x 65 ft ±)
	Approximate Area:	94.34 m ² ± (1005 ft 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 (Manager, Transaction Services is only Manager 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:	Nick Mantas	Councillor:	
Contact Name:	No Objections	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:		Comments:	

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	David Cooper	Contact Name:	
Comments:	conkurs	Comments:	

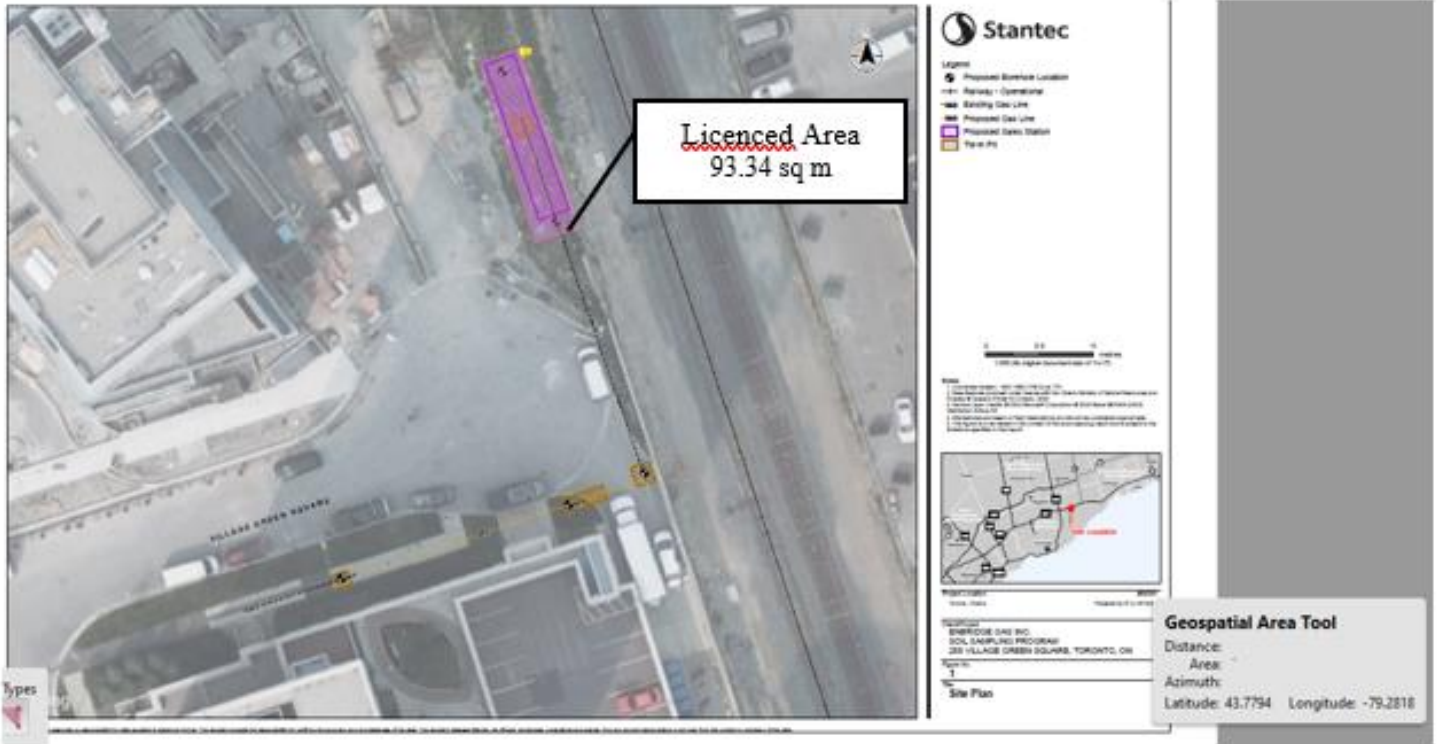
Legal Services Division Contact

Contact Name: Vanessa Bacher, Solicitor

DAF Tracking No.: 2024-052	Date	Signature
Concurred with by: Manager, Real Estate Services Vinette Prescott-Brown	Feb. 20, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	Feb. 16, 2024	Signed by Niall Robertson
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A"

Licensed Area



APPENDIX "B"

Major Terms and Conditions

Property:	Parts of PINs 06164-0477 (LT) & 06164-0198 (LT) (the "Property"); City of Toronto
Licensed Area:	93.34 square meters lying north of north-west limit of Village Green Square and abutting the Metrolinx corridor to east.
Purpose:	conducting soil investigations on the Licensed Area as more particularly described in the Soil Quality Assessment and Soil Management Strategy – 255 Village Green Square, proposal from Stantec Consulting Ltd. addressed to Enbridge Gas Inc.
Term:	3 Months
Commencement Date:	March 21, 2024
Termination:	3 months following commencement or on 15 days' notice from City or licensee
Licensee Covenants:	<p>Use the Licensed Area only as permitted</p> <p>Be responsible for all operating costs</p> <p>Repair all damage</p> <p>Not erect fences signs, or fixtures</p> <p>Not store or deposit hazardous or toxic materials</p> <p>Protect all public works</p> <p>Bear all costs of testing</p> <p>Hold all information and reports obtained in strictest confidence</p> <p>Comply with all applicable law</p> <p>Restore the licensed area upon expiry or termination</p> <p>Indemnify and save harmless the City of Toronto</p> <p>Maintain CGL & e/eo Insurance not less than \$2M/\$1M & Provide Certificates of Insurance to evidence same</p> <p>Not Commit any nuisance</p> <p>Keep the Licensed Area free of debris, dangerous or noxious materials, fire hazards, undue vibration, heat or noise, and hazardous materials or potential contaminants</p> <p>Provide copies of all reports obtained under the license to the City for its own use together with a Reliance Letter</p>