

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-125

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

Prepared By:	Jatinder Rahul	Division:	Corporate Real Estate Management
Date Prepared:	May 31, 2024	Phone No.:	416-392-7495

Purpose To obtain authority to enter into a licence agreement with Hydro One Networks Inc. (the "Licensee") with respect to the property municipally known as 4 Conan Rd., Toronto for the purpose of installing underground transmission line cables to connect a new 230 kilovolt transformer station to new junction stations underground prior to the Licensee securing a permanent easement in City Lands (the "Licence Agreement").

Property The property municipally known as 4 Conan Rd., Toronto, legally described as Pt Lt 25, Con B, fronting the Humber (aka Con C fronting the Humber) as in EB181763 except the exception therein, Pt 1 Exprop Plan 7472 Pt 1 Exprop Plan 7477; s/t Pt 2 Exprop Plan 7472 "description in EB181763 may not be acceptable in future" re: Rd Allowance exception refer to EB299611 subject to EB215354, EB315376, TB260158, TB817981; s/t ease over Pts 1, 2 & 3 on 66R16808 as in E8248. City of Etobicoke, City of Toronto, being PIN 07332-0326 (LT), (the "City Lands"), as shown in in Appendix "B".

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

Financial Impact The licence fee for the first year is thirty thousand and four hundred dollars (\$30,400) plus any applicable HST. The licence fee for the second year is the \$30,400 plus the annual increase based on the CPI rate of the previous year, payable in advance before the first day of the subsequent year.

Year	Fee
1	\$30,400
2	\$30,400 + CPI
Total	> \$60,800

Revenue generated will be allocated to PF&R operating budget cost centre P12642.
The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

Comments As part of the Licensee's Islington Transformer Station & Line Project, the Licensee would like to install underground transmission line cables to connect a new 230 kilovolt transformer station to a new junction station, running their lines underground through the Licensed Area to connect a new data facility planned at 48 Lowe's Place in Etobicoke to the electricity grid. During the term of this Licence Agreement, the Licensee will seek to secure a permanent easement from the City for such infrastructure.

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

Terms See Appendix "A"

Property Details	Ward:	1 - Etobicoke North
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	503.58 m ² ± (5420 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 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 checked="" 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:	Vincent Crisanti	Councillor:	
Contact Name:	Amanda Da Costa	Contact Name:	
Contacted by:	<input 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:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks Forestry and Recreation	Division:	Financial Planning
Contact Name:	Thomas Kakamousias	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name: Frank Weng

DAF Tracking No.: 2024-125	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	June 4, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	June 10, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms

Licensed Area: 503.58 m² ± (5420 ft² ±) as shown in cyan in Appendix B

Licence Fee:

- Year 1 - \$30,400
- Year 2 – \$30,400 plus increase of previous years CPI.

Term: Twenty-four (24) months, starting May 27, 2024, and expiring May 26, 2026

Options to Renew: Licensee must provide three (3) months prior notice to exercise option to extend for a period of thirty-six (36) months.

Use: Licensee's use entails excavation and construction of micro-tunnel shafts, duct structure from micro-tunnel casting to duct bank, backfilling of the shafts, and installation of 275kV high voltage cables, ground continuity conductor, fiber cable, micro tunnel casing, PVC conduits, thermal grout, concrete encased duct bank, backfill materials, and other related equipment and materials

Insurance:

- Commercial General Liability Insurance which has inclusive limits of not less than \$5,000,000 per occurrence
- Standard Automobile Liability coverage with a limit of at least \$2,000,000
- The Licensee shall be responsible for any loss or damage whatsoever to any of the Licensee's chattels and shall maintain appropriate all-risk coverage as would any prudent owner of the Licensee's chattels
- Licensee may self-insure subject to conditions in the Licence Agreement

Early Termination: Licensee must provide 30-day notice for termination

Restoration:

1. Once the construction of the 275kV high voltage cable is complete in the Licensed Area, the Licensee shall restore the Licensed Area pursuant to the "Restoration Plan" entitled "PINE POINT PARK TEMPORARY CONSTRUCTION DRAWING", dated March 8, 2024
2. Where the Licensee has not secured a permanent easement with the City prior to the expiry or termination of the Licence, the Licensee shall (a) remove all chattels and materials; (b) restore the Licensed Area to a condition as close as is practicable to its condition prior to occupation by the Licensee; and (c) leave the Licensed Area clean, tidy, and in good repair.

Appendix “B” Location Map

