

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

TRACKING NO.: 2024-124

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

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

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| 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 (Pine Point Park) for the purpose of providing construction staging for the Licensee's Islington Transformer Station & Line Project (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 "Property"), as shown in Appendix "A". |
| 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 | <p>The licence fee for the twelve (12) month term is fifty thousand three hundred dollars (\$50,300) plus applicable HST, payable in advance on or before the first day of the Term.</p> <p>Revenue generated will be allocated to PF&R operating budget cost centre P12642</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> |
| Comments | <p>The Licensee would like to connect a new data facility planned at 48 Lowe's Place in Etobicoke to the electricity grid. The Licensee requested to install their infrastructure underground through Pine Point Park and use the Licensed Area for the purposes of construction staging.</p> <p>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.</p> |
| Terms | <p>Licensed Area: 835.18 square metres, shown in green Appendix "A"</p> <p>Licence Fee: Fifty thousand three hundred dollars (\$50,300) plus applicable HST</p> <p>Term: Twelve (12) months, commencing on May 27, 2024, and expiring on May 26, 2025</p> <p>Options to Renew: none</p> <p>Use: Construction staging - Equipment with a maximum weight of 75 metric ton, including generators, compressors, compaction equipment, a crawler crane, and one 50-ton excavator, and materials including limestone screenings, 8-inch and 4-inch PVC conduit, and duct spacers.</p> <p>Insurance:</p> <ul style="list-style-type: none"> 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 Licensee shall be responsible for any loss or damage whatsoever to any of the Licensee's Chattels Licensee may self-insure subject to conditions in the Licence Agreement <p>Early Termination: Termination date shall be at least thirty (30) days after the Termination Notice is given</p> |

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| Property Details | Ward: | 1 - Etobicoke North |
| | Assessment Roll No.: | |
| | Approximate Size: | |
| | Approximate Area: | 835.18 m ² ± (8990 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: | 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: | Concurs | Comments: | |

Consultation with Divisions and/or Agencies

| | | | |
|---------------|--------------------|---------------|---------------------------|
| Division: | Vincent Crisanti | Division: | Financial Planning |
| Contact Name: | Thomas Kakamousias | Contact Name: | Ciro Tarantino |
| Comments: | Concurs | Comments: | Concurs |

Legal Services Division Contact

| | |
|---------------|------------|
| Contact Name: | Frank Weng |
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| DAF Tracking No.: 2024-124 | 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"

Location Map

