

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

**TRACKING NO.: 2024-182**

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

Prepared By:	Brian Majcenic	Division:	Corporate Real Estate Management
Date Prepared:	July 19, 2024	Phone No.:	416-392-1485

<b>Purpose</b>	<p>To obtain authority to:</p> <ul style="list-style-type: none"> <li>a) enter into a temporary licence agreement (the "Temporary Licence") together with an ancillary letter agreement setting out additional, site specific terms and conditions (the "Letter") with His Majesty The King In Right Of Ontario as represented by The Minister of Infrastructure (the "Licensor") for the purpose of temporary access for borehole drilling and test pits for geotechnical and archaeological Stage 2 studies to support the City's Black Creek Sanitary Trunk Sewer Relief System project (the "Project"); and</li> <li>b) enter into a licence agreement (the "Licence Agreement") together with the Letter with the Licensor for the purpose of installing monitoring wells to support the Project.</li> </ul>		
<b>Property</b>	<p>A portion of the Licensor's lands within an existing Hydro corridor, legally described as part of Lot 37 Concession 3 From The Bay &amp; Lot 7 Concession 3 On Humber &amp; Lot 6 Concession 3 On Humber, Geographic Township of York, now the City of Toronto, described as part of PIN10533-0036, PIN 10530-0311, PIN10516-0231, PIN 21359-0302, PIN 21359-0253, and PIN 21359-0296, as shown on the sketches attached hereto as Appendix "A".</p>		
<b>Actions</b>	<p>1. Authority is granted to enter into the Temporary Licence, Licence Agreement and Letter with the Licensor, substantially on the terms and conditions set out below, and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor</p>		
<b>Financial Impact</b>	<p>The City will incur a one-time licence fee of \$51,896.00 plus applicable taxes for the Temporary Licence. The City will also provide to the Licensor \$5,000.00 to be held by the Licensor as a Security Bond. Additionally, the City will incur a licence fee of \$10,000.00 plus applicable taxes for the Licence, payable annually in equal installments of \$2,000.00 plus applicable taxes. Funding is available in the 2024 Capital Budget and 2025-2033 Capital Plan for Toronto Water under project number CWW014-20-02.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>The City will be conducting a geotechnical investigation and a Stage 2 archaeological assessment on lands owned by the Licensor in support of the Project. Temporary access to the lands is required for the purpose of borehole drilling. Monitoring wells will be installed at six (6) of the borehole locations per the Project requirement for groundwater sampling and testing.</p> <p>The proposed licence fees and other major terms and conditions of the Temporary Licence and the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
<b>Terms</b>	<p><u>Temporary Licence</u>            Term: Two (2) months            Licence Fee: \$51,896.00 plus applicable taxes            Security Bond: \$5,000.00</p> <p><u>Licence Agreement</u>            Term: Five (5) years            Licence Fee: \$10,000.00 plus applicable taxes            Extension Rights: overholding on a monthly basis at a rate equal to 125% of the Licence Fee payable during the last month of the Term</p>		

<b>Property Details</b>	<b>Ward:</b>	5 - York South-Weston
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	1.91555 acres
	<b>Other Information:</b>	

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/REOIs:</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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:	Frances Nunziata	Councillor:	
Contact Name:	Frances Nunziata	Contact Name:	
Contacted by:	<input checked="" 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:	Advised	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Engineering & Construction Services	Division:	<b>Financial Planning</b>
Contact Name:	Tony Cicchetti	Contact Name:	Ciro Tarantino
Comments:	No objections	Comments:	Included

**Legal Services Division Contact**

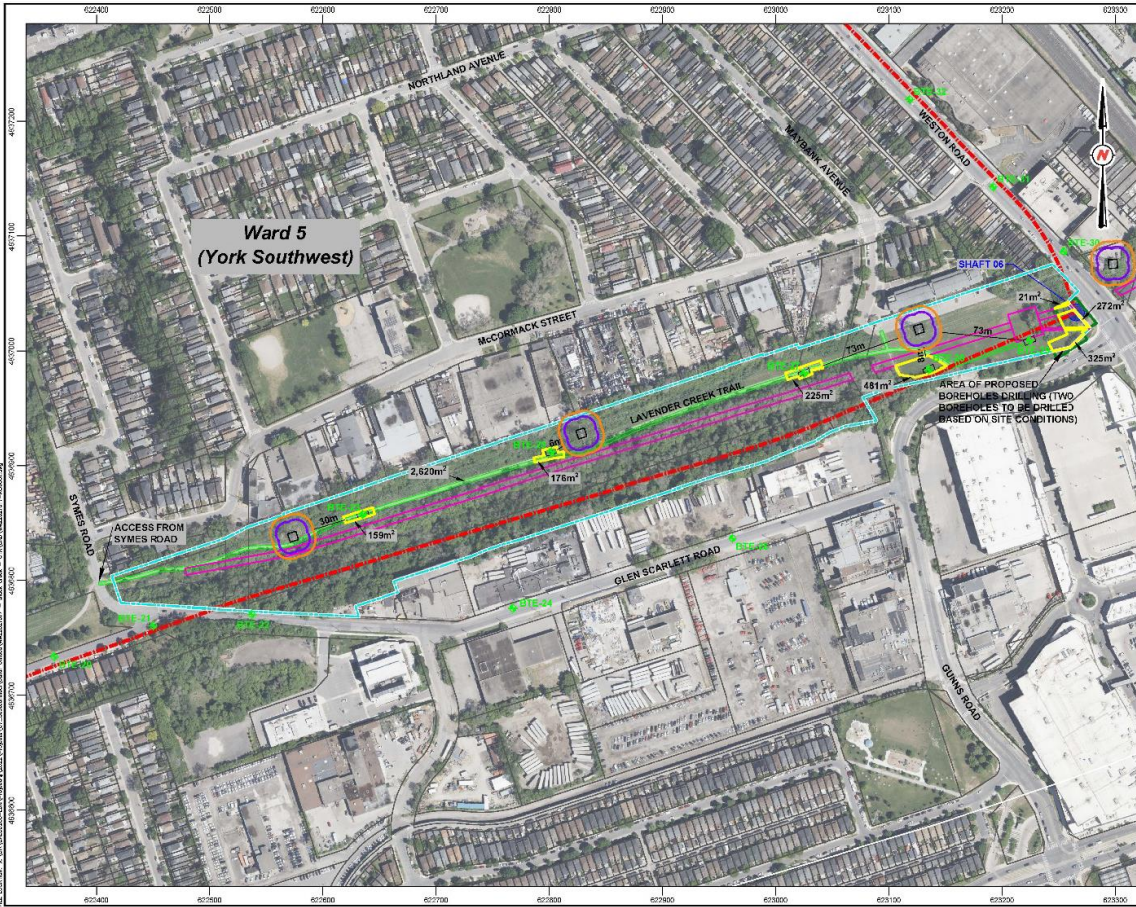
Contact Name:	Karen Pfuetzner
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DAF Tracking No.: 2024-182	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Vinette Prescott-Brown</b>	July 25, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	July 26, 2024	Signed by Alison Folosea



# Appendix "A"

## Location Maps



**PROJECT:** BLACK CREEK SANITARY TRUNK SEWER (BCSTS) RELIEF SYSTEM  
CITY OF TORONTO, ONTARIO

**TITLE:** PROPOSED BOREHOLES AT SHAFT 06 AND ITS ASSOCIATED TUNNEL (JULY 2023 ALIGNMENT)

**LEGEND:**

- KEELE RELIEF SANITARY TRUNK SEWER (KRSTS)
- SHAFT LOCATION
- PROPOSED BOREHOLE LOCATION
- 15M BUFFER FROM HYDRO ONE TOWER
- 10M BUFFER FROM HYDRO ONE TOWER
- AREA OF PROPOSED BOREHOLES DRILLING
- WORK ZONE (5m x 10m)
- PROPERTY BOUNDARY
- HYDRO ONE PROPERTY BOUNDARY
- EXISTING HYDRO EASEMENT
- PART OF ACCESS ROUTE THAT DOES NOT REQUIRE STAGE 2 ARCHAEOLOGICAL ASSESSMENT

**NOTES:**  
THIS DRAWING WAS PRODUCED FOR THE BLACK CREEK SANITARY TRUNK SEWER (STS) RELIEF PROJECT (WSP PROJECT No. W0022017) BY PROJECT No. 41186, CITY RFP No. 9117-21-7046  
ALL LOCATIONS ARE APPROXIMATE.  
ORIGINAL PAPER SIZE: 11 x 17.  
REFERENCES:  
2021 AERIAL PHOTOGRAPHS BY THE REGION OF YORK

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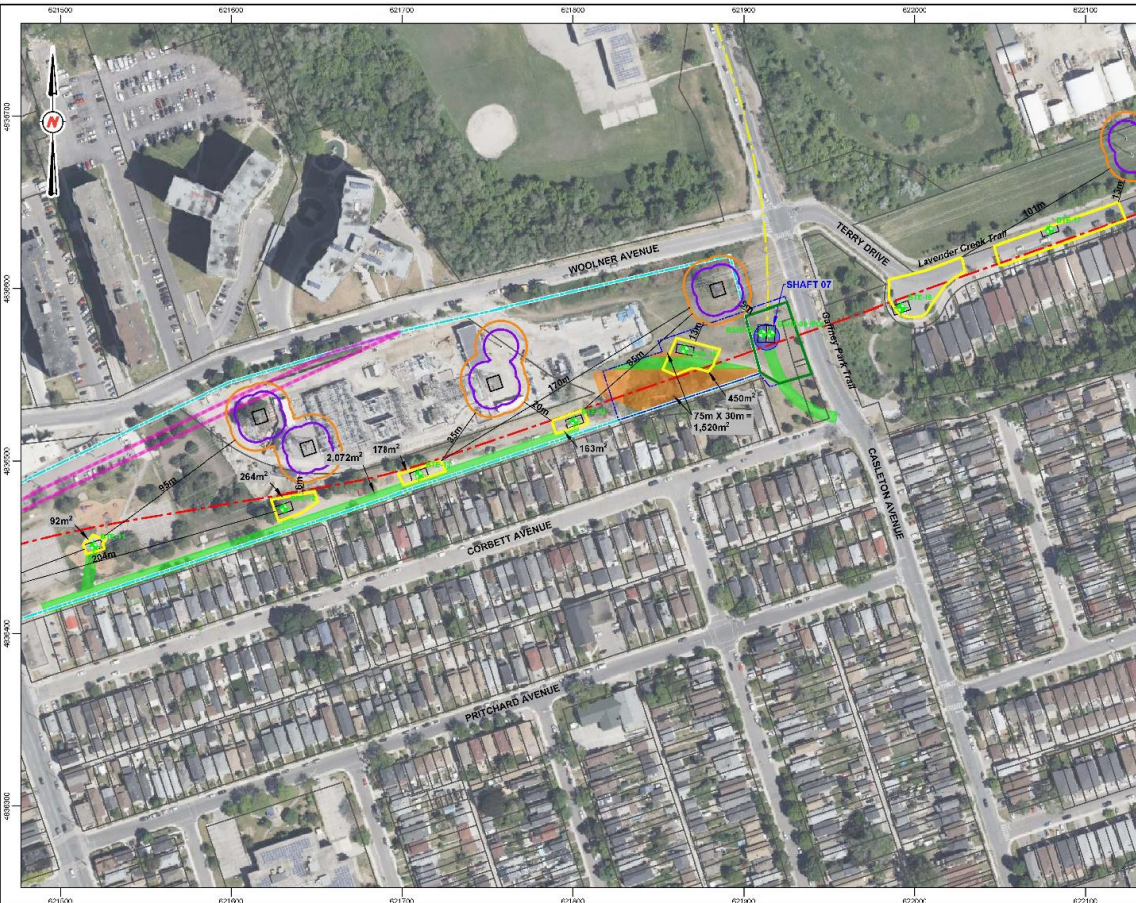
City of Toronto  
100 QUEEN STREET WEST  
TORONTO, ONTARIO, M5H 2N2

**TORONTO**

**BLACK & VEATCH**

**wsp**

DATE:	CHKD BY:	DATE:
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NA/263	UTM Zone 17	W0022017
REV No:	FIGURE No:	
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**PROJECT:** BLACK CREEK SANITARY TRUNK SEWER (STS) RELIEF PROJECT  
CITY OF TORONTO, ONTARIO

**TITLE:** PROPOSED BOREHOLES AT SHAFT 07 AND ITS ASSOCIATED TUNNEL (JULY 2023 ALIGNMENT)

**LEGEND:**

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- 10M BUFFER FROM HYDRO ONE TOWER
- AREA OF PROPOSED BOREHOLES DRILLING
- WORK ZONE (5m x 10m)
- PROPERTY BOUNDARY
- HYDRO ONE PROPERTY BOUNDARY
- EXISTING HYDRO EASEMENT
- AREA REQUIRING STAGE 2 ARCHAEOLOGICAL ASSESSMENT WITHIN PROPOSED EASEMENT
- AREA THAT DOES NOT REQUIRE STAGE 2 ARCHAEOLOGICAL ASSESSMENT

**NOTES:**  
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City of Toronto  
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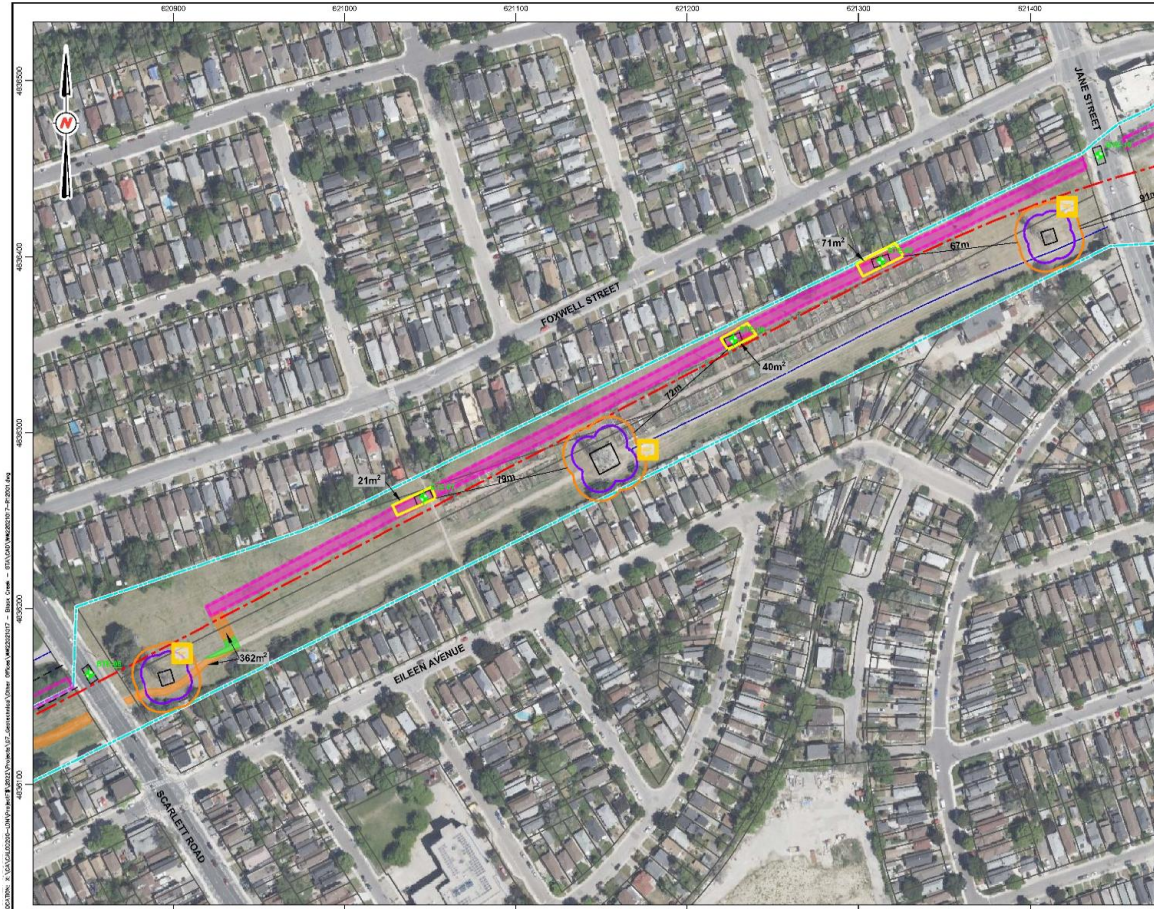
**TORONTO**

**BLACK & VEATCH**

**wsp**

DATE:	CHKD BY:	DATE:
MAR 23, 2024	MT	MAR 23, 2024
SUB/CHK:	PROJECT:	PROJECT No.
NA/263	UTM Zone 17	W0022017
REV No:	FIGURE No:	
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- AREA REQUIRING STAGE 2 ARCHAEOLOGICAL ASSESSMENT WITHIN HYDRO ONE LANDS
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**NOTES:**  
THIS DRAWING WAS PRODUCED FOR THE BLACK CREEK SANITARY TRUNK SEWER (STS) RELIEF PROJECT, WSP PROJECT No. W02221017, B&V PROJECT No. 41365, CITY RFP No. 6417-21-7000.  
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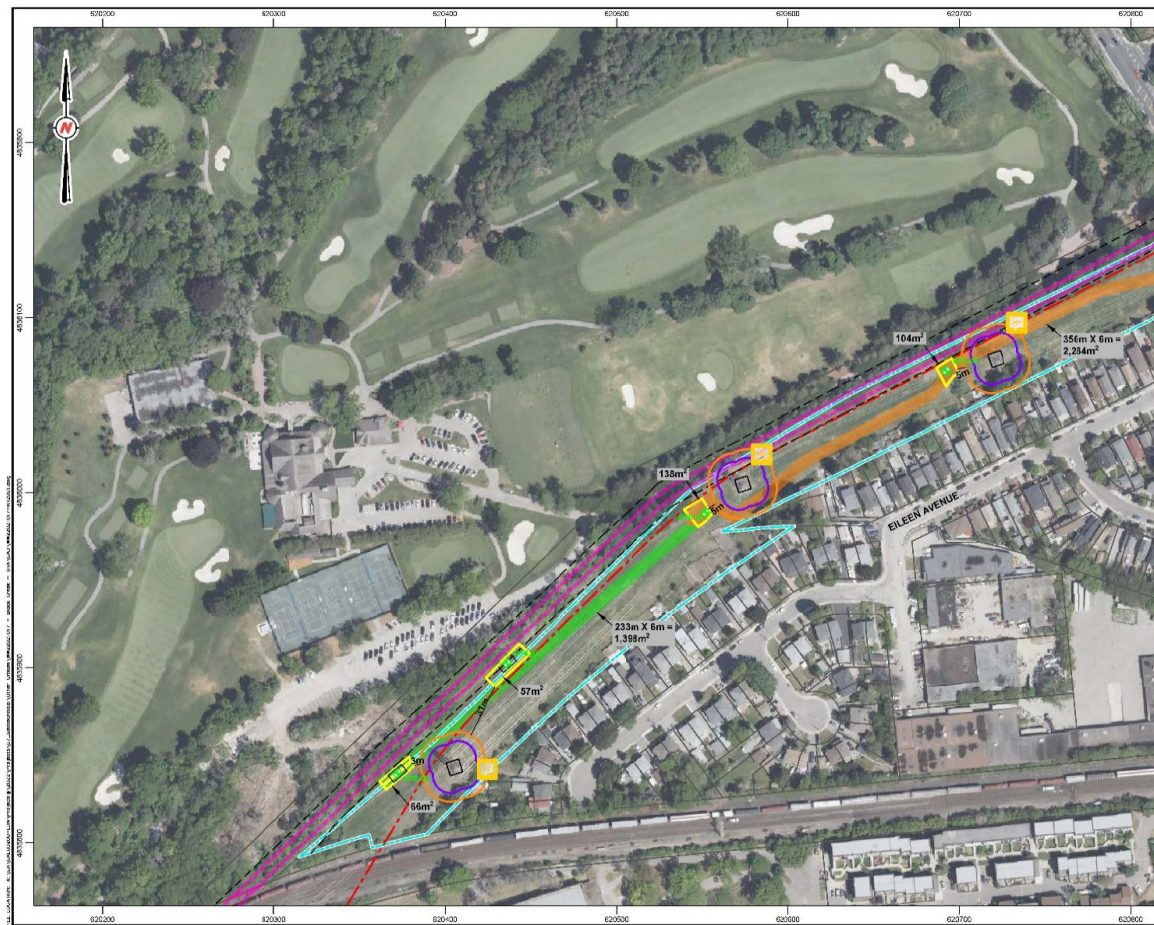
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City of Toronto  
100 QUEEN STREET WEST  
TORONTO, ONTARIO, M5H 2N2

**TORONTO**

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DWN BY:	SJL/MLK	CHKD BY:	MT	DATE:	MAR 29, 2024
DATUM:	NAD83	PROJECTION:	UTM Zone 17	PROJECT No:	W02221017
REV No:	0	FIGURE No:			2



**PROJECT:** BLACK CREEK SANITARY TRUNK SEWER (STS) RELIEF PROJECT CITY OF TORONTO, ONTARIO

**TITLE:** PROPOSED BOREHOLES AT SHAFT 07 AND ITS ASSOCIATED TUNNEL (JULY 2023 ALIGNMENT)

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wsp

DWN BY:	SJL/MLK	CHKD BY:	MT	DATE:	MAR 29, 2024
DATUM:	NAD83	PROJECTION:	UTM Zone 17	PROJECT No:	W02221017
REV No:	0	FIGURE No:			3