

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-246

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:	September 30, 2024	Phone No.:	416-392-1485										
Purpose	To obtain authority to enter into a temporary licence agreement 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 "Licence Agreement").												
Property	A portion of the Licensor's lands within an existing Hydro corridor, legally described as part of Lot 37 Concession 3 From The Bay & Lot 7 Concession 3 On Humber & 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".												
Actions	1. Authority is granted to enter into the Licence Agreement 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.												
Financial Impact	<p>The City will incur a one-time licence fee of \$29,448.00 plus applicable taxes for the Licence Agreement. 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>												
Comments	<p>The City entered into a temporary licence agreement with the Licensor to conduct a geotechnical investigation and a Stage 2 archaeological assessment on lands owned by the Licensor, in support of the Black Creek Sanitary Trunk Sewer Relief System project, for a two-month term expiring on October 5, 2024, as authorized by DAF 2024-182. The City requires an additional term to complete the Stage 2 archaeological assessment.</p> <p>The proposed licence fees and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>												
Terms	<p>Term: One (1) month, from October 6, 2024 to November 5, 2024</p> <p>Licence Fee: \$29,448.00 plus applicable taxes</p>												
Property Details	<table border="1"> <tr> <td>Ward:</td><td>5 - York South-Weston</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td></td></tr> <tr> <td>Approximate Area:</td><td>1.91555 acres</td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>			Ward:	5 - York South-Weston	Assessment Roll No.:		Approximate Size:		Approximate Area:	1.91555 acres	Other Information:	
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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 checked="" 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 (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:	Councillor Nunziata						Contact Name:										
Contacted by:		Phone	X	E-Mail		Memo		Other	Contacted by:		Phone		E-mail		Memo		Other
Comments:							Comments:										

Consultation with Divisions and/or Agencies

Division:	Engineering & Construction Services					Division:	Financial Planning				
Contact Name:	Tony Cicchetti					Contact Name:	Ciro Tarantino				
Comments:	Concurs					Comments:					

Legal Services Division Contact

Contact Name:	Karen Pfuetzner				
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DAF Tracking No.: 2024-246		Date	Signature
Concurred with by:	Manager, Real Estate Services Niall Robertson	Oct 1, 2024	Signed By: Niall Robertson
<input type="checkbox"/> Recommended by:	Manager, Real Estate Services Vinette Prescott-Brown	Oct 1, 2024	Signed By: Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:			
<input type="checkbox"/> Approved by:	Director, Real Estate Services Alison Folosea		X

Appendix "A"

Location Maps



