

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-257

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

Prepared By:	Jennifer Kowalski	Division:	Corporate Real Estate Management
Date Prepared:	October 7, 2024	Phone No.:	(416) 392-7290
Purpose	To obtain authority to enter into a licence agreement with Enbridge Gas Inc. (the "Licensee") to permit decommissioning of an existing natural gas pipeline and installation of a replacement line (the "Licence Agreement"), on parts of RCYC Island, North Chippewa Island, South Chippewa Island, and Wards Island.		
Property	Part of the Toronto Islands, specifically parts of RCYC Island, North Chippewa Island, South Chippewa Island, and Wards Island in Toronto, being part of PIN 213860314, as shown on the Location Map in Appendix "A" (the "Property").		
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 terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.		
Financial Impact	<p>The City will receive revenue of \$4,482.30 plus applicable taxes for the term of the licence.</p> <p>The revenue generated from this licence agreement will be allocated to CC P12642, Functional Area Code 1820100000 under Parks Operating budget.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>The Licensee requested access to the Property to decommission an existing natural gas pipeline and replace it with a new pipeline. Enbridge must carry out this work to ensure safety and continuity of its existing service on this part of the Island.</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: Shown in Appendix A, depicted by the cyan and yellow rectangles with a total area of 499.2 m²</p> <p>Licence Fee: \$4,482.30 plus applicable taxes</p> <p>Term: Two (2) months, commencing October 21, 2024, and expiring December 20, 2024</p> <p>Use: Licensee to use the Licensed Area for construction work and staging to complete work related to decommissioning an old pipeline and installing a new pipeline.</p> <p>Insurance: Commercial general liability insurance including sudden and accidental pollution coverage against claims for bodily injury (including death) and property damage in an amount of \$5,000,000.00 per occurrence for bodily injury (including death) and property damage. Such insurance shall add the City of Toronto as additional insured.</p> <p>Additional terms:</p> <p>Pre-conditions: a pre-construction site survey; arborist report, tree inventory and detailed tree protection plan; a construction management plan; a silt and sediment control plan; a soil management plan (re: soil to be excavated); and a site restoration plan to be approved by staff.</p> <p>Decommissioning work: Licensee to provide a letter from pipeline safety inspector, issued on Enbridge Gas Inc. letterhead confirming that the gas main decommissioned as per CSA Standard Z662-19, all condensate removed and confirming that the City may excavate and remove any part of the Old Pipeline without adverse impacts.</p> <p>Surveys and Reports: Licensee shall provide the City with final as-laid drawings of the New Pipeline and a survey prepared by an Ontario Land Surveyor in compliance with the City Surveyor's standards in registrable form, illustrating the location of the New Pipeline. On completion of the Decommissioning Work, the Licensee shall provide the City with all records pertaining to the decommissioning of the Old Pipeline, including without limitation, as-laid drawings of the Old Pipeline, and field notes containing information relating to the depth and location of the Old Pipeline at the time of installation. Licence is temporary. Access to new pipeline to be negotiated between parties.</p>		
Property Details	Ward:	Ward 10 – Spadina–Fort York	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	499.2m 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 checked="" 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 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:	Ausma Malik	Councillor:	
Contact Name:	Tom Davidson	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: Vanessa Bacher

DAF Tracking No.: 2024-257	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	October 7, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	October 7, 2024	Signed by Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"

Location Map

