



Toronto Transit Commission
1900 Yonge Street, Toronto, ON M4S 1Z2
416-393-4000

April 16, 2018

Ulli Watkiss, City Clerk
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ulli Watkiss:

Recommendation:

The Toronto Transit Commission recommends that City Council:

1. Approve the recommendation in Confidential Attachment 1 to the TTC report;
2. Authorize the TTC:
 - a. as Landlord, to enter into a lease amendment agreement with current tenants, which may include Cansquare (Canada 8) LP, CT Reit LP, and OPG Investment Holdings LP (which are subsidiaries of Northam Realty, CT Reit and Oxford Properties), or other related corporations satisfactory to the Chief Executive Officer of TTC and the City's DCM-ICS (the "Tenant"), on the property shown as parts 1-4 in Appendix 1 (the "Lands"), on terms and conditions not materially inconsistent with the major terms and conditions described in the Lease Terms, contained in Confidential Attachment 1, together with such other terms and conditions as may be deemed appropriate by the TTC's CEO in consultation with the DCM-ICS, the City's Chief Financial Officer (CFO) and CreateTO and in a form satisfactory to the TTC's General Counsel; and
 - b. as Licensor, to enter into a license agreement or agreements (the "License Agreements") with the Tenant for any period of time and for any consideration, including nominal consideration, with respect to the Lease Lands for the purpose of site mobilization, site preparation, excavation, shoring, surveying, soil investigation, access, construction staging, parking and any other purpose deemed appropriate by the DCM-ICS, TTC's Chief Capital Officer and in a form satisfactory to TTC's General Counsel.
3. Direct that the information provided in the Confidential Attachment 1 remain confidential until all lease amendment agreements have been executed by the parties.

Josh Colle, Chair
Alan Heisey, Q.C., Vice-Chair
Richard J. Leary, Chief Executive Officer (Acting)
Rick Byers, Commissioner

John Campbell, Commissioner
Vincent Crisanti, Commissioner
Glenn De Baeremaeker, Commissioner
Joanne De Laurentiis, Commissioner

Mary Fragedakis, Commissioner
Ron Lalonde, Commissioner
Joe Mihevc, Commissioner
Denzil Minnan-Wong, Commissioner



Decision Advice and Other Information

The Toronto Transit Commission:

1. Confirmed that the major lease terms (“the Lease Terms”) substantially as provided in Confidential Attachment 1 satisfies and protects the TTC’s transit infrastructure and operational needs as set out in the Guiding Principles identified in Appendix 2.
2. Granted authority to reimburse CreateTO (formerly Build Toronto) for expenses incurred related to negotiations of the proposed lease amendment contained within this report up to \$2.0 million.

Background:

In accordance with City of Toronto Municipal Code, Chapter 279 (Toronto Transit Commission), Section 6 (Delegate Real Estate Authority), Subsection 6(d), the Toronto Transit Commission wishes to proceed with a transaction that falls outside of the scope of authority delegated by Council pursuant to the Real Estate Approval Process. The Toronto Transit Commission seeks Council approval for such transaction by way of a joint report to Council from the Toronto Transit Commission and the Deputy City Manager, Internal Corporate Services.

At a Special Meeting held on April 16, 2018 the TTC Board had before it the attached report titled “Redevelopment of TTC Lands at Yonge-Eglinton”, recommending that:

1. The Board approve the recommendation in Confidential Attachment 1;
2. The Board approve that the major lease terms (“the Lease Terms”) substantially as provided in Confidential Attachment 1;
3. The Board recommend to City Council, by way of a joint report together with the Deputy City Manager, Internal Corporate Services (“DCM-ICS”), that the TTC:
 - a. as Landlord enter into a lease amendment agreement with current tenants, which may include Cansquare (Canada 8) LP, CT Reit LP, and OPG Investment Holdings LP (which are subsidiaries of Northam Realty, CT Reit and Oxford Properties), or other related corporations satisfactory to the Chief Executive Officer of TTC and the City's DCM-ICS (the "Tenant"), on the property shown as parts 1-4 in Appendix 1 (the "Lands"), on terms and conditions not materially inconsistent with the major terms and conditions described in the Lease Terms, contained in Confidential Attachment 1, together with such other terms and conditions as may be deemed appropriate



by the TTC's CEO in consultation with the DCM-ICS, the City's Chief Financial Officer (CFO) and CreateTO and in a form satisfactory to the TTC's General Counsel; and

- b. as Licensor, to enter into a license agreement or agreements (the "License Agreements") with the Tenant for any period of time and for any consideration, including nominal consideration, with respect to the Lease Lands for the purpose of site mobilization, site preparation, excavation, shoring, surveying, soil investigation, access, construction staging, parking and any other purpose deemed appropriate by the DCM-ICS, TTC's Chief Capital Officer and in a form satisfactory to TTC's General Counsel.
4. The Board grant authority to reimburse CreateTO (formerly Build Toronto) for expenses incurred related to negotiations of the proposed lease amendment contained within this report up to \$2.0 million.
5. The Board forward this report to the City of Toronto's Executive Committee along with the Board's decision for consideration with its report on the same subject; and
6. The Board authorize that the information provided in the Confidential Attachment 1 is to remain confidential until all lease amendment agreements have been executed by the parties.

The foregoing is submitted to City Council, through Executive Committee, for approval.

Sincerely,

Original signed by

Kevin Lee
Head of Commission Services

1-11
Attachment