

**DELEGATED APPROVAL FORM
CHIEF CORPORATE OFFICER
DIRECTOR OF REAL ESTATE SERVICES**

TRACKING NO.: 2016-158

<input checked="" type="checkbox"/> Approved pursuant to the Delegated Authority contained in City Council Item CC27.6 entitled "Metrolinx-City of Toronto-Toronto Transit Commission Master Agreement for Light Rail Transit Projects" adopted by City Council on October 30, 31 and November 1, 2012. City Council confirmatory By-law No. 1448-2012, enacted on November 1, 2012.			
Prepared By:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	July 28, 2016	Phone No.:	(416) 392-8160
Chief Corporate Officer has approval authority to approve the disposal to Metrolinx of certain Transit Lands for nominal consideration, (on terms satisfactory to the Chief Corporate Officer and in a form acceptable to the City Solicitor).			
Purpose	To obtain authority to grant a temporary licence over portions of City-owned land located at 200 Eglinton Avenue West, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").		
Property	City-owned land located at 200 Eglinton Avenue West (the "Property"), described as being part of Lots 17-22 Range 1 on Plan 734, Lot 7, and part of Lots 8-10 on Plan 491, and part of Nelson Ave, Wellington Ave, and Lots 1, 3-7 and Part of Lot 2 on Plan 1416 as in EO1447 except EO14444. S/T CA169515 (PIN 21170-0121(LT), Part of Lot 8 on Plan 1416 Toronto as In ON10787 Except EO14444 (Parcel #3) PIN 21170-0125(LT), Lot 9 on Plan 1416, Toronto, Except EC01444, (Parcel #3) shown as Part 1 on the draft Plan Job No. 2013-16473 Plan No. 3A in Appendix "B" (the "Licensed Area").		
Actions	1. Authority be granted to enter into a temporary licence ("Temporary Licence") with Metrolinx for a term of five (5) years, in, over, under, upon and through the Licensed Area, in the amount of \$32,016.73 per annum, for the construction of the Project (the "Temporary Licence") on terms and conditions as deemed appropriate by the Chief Corporate Officer or designate, and in a form satisfactory to the City Solicitor.		
Financial Impact	The proposed Temporary Licence will provide licence fee revenue to the City in the amount of \$32,016.73 per annum (plus HST) or \$36,178.90 per annum inclusive of HST. There is a further revenue stream from per space parking fees in the amount of \$63,000 (inclusive of HST) for the five year term. Total revenues to the City over the five (5) year term is \$243,894.50.		
Comments	<p>The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p> <p>The Licensed Area forms part of Eglinton Park and is required on a temporary basis for construction staging purposes.</p> <p>Parks, Forestry & Recreation staff has advised that there are no objections to the temporary use of the Licensed Area by Metrolinx provided that certain conditions as outlined in the Terms below are met. The Property Management Committee has reviewed Metrolinx' requirements of the Property and recommends that a Temporary Licence be conveyed to Metrolinx subject to protection of the City or third-party infrastructure and/or utilities.</p>		
Terms	See Appendix "A".		

Property Details	Ward:	16 – Eglinton-Lawrence
	Assessment Roll No.:	Part of 1904-11-4-540-09300
	Approximate Size:	Irregular in shape
	Approximate Area:	2,155.4 m ² ± (23,200.5 ft ² ±)
	Other Information:	

Consultation with Councillor(s)									
Councillor:	Christin Carmichael Greb				Councillor:				
Contact Name:	Christin Carmichael Greb				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail	<input type="checkbox"/>	Memo	<input type="checkbox"/>	Other	<input type="checkbox"/>	
Comments:	Notified (July 28, 2016)				Comments:				
Consultation with ABCDs									
Division:	Parks, Forestry & Recreation				Division:	Financial Planning			
Contact Name:	David Douglas / Jennifer Kowalski				Contact Name:	Filisha Mohammed			
Comments:	Reviewed (July 28, 2016)				Comments:	Comments incorporated (July 28, 2016)			
Legal Division Contact									
Contact Name:	Lisa Davies (2-7270) (Comments incorporated – July 27, 2016)								

DAF Tracking No.: 2016-158	Date	Signature
Recommended by: Manager	July 28, 2016	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services Joe Casali	July 28, 2016	Joe Casali
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	July 28, 2016	Josie Scioli

Appendix "A" – Licensed Area**DAF No. 2016-158****Terms and Conditions**

Temporary Licence – Major Provisions:

- (i) Term: five (5) years, to commence on July 29, 2016 (the "Commencement Date") and shall expire on July 28, 2021;
- (ii) Fee: \$32,016.73 per annum (plus HST);
- (iii) Metrolinx to pay a fee of \$150 per month for each of the City-owned parking spaces to be used located on the Property;
- (iv) Within 30 days of Commencement Date, Metrolinx shall develop a communications plan, satisfactory to the General Manager of Parks, Forestry & Recreation in order to inform the residents and the users of the park of the nature of the work which is being undertaken at the Licensed Area;
- (v) Metrolinx will take all reasonable precautions to mitigate/protect against the negative impacts to the Property and minimize disruptions to the City's operations on the Property;
- (vi) Metrolinx to make application for all required approvals, permits and to complete all due diligence required under the Master Agreement between the City and Metrolinx and the Temporary Licence;
- (vii) Upon the expiration of the Term, Metrolinx must, at its sole cost, remove its equipment and debris from the Licensed Area and restore the Licensed Area to the satisfaction of the City;
- (viii) In consultation with the General Manager of Parks, Forestry and Recreation, prepare a budget and work plan for the design and implementation of a restoration plan for the Licensed Area, which shall include a public consultation component, involving the local City Councillors as well as local residents and users of the Facility. Such restoration plan, including but not limited to trees, shrubs, physical features and hard surfaces, shall be prepared by a qualified and licensed landscape architect to show the anticipated comprehensive design of the Licensed Area that fully and completely restores the Licensed Area as an integral part of the Facility, and once approved by Metrolinx and the General Manager of Parks, Forestry and Recreation, both acting reasonably, shall be implemented by Metrolinx prior to the expiration of the Term. Notwithstanding the foregoing and Section 8(2)(b) in the Licence Agreement, the City, at its option, may undertake the restoration work in accordance with the restoration plan described herein, at Metrolinx's expense;
- (ix) Insurance provisions as per Schedule B to the Master Agreement, or such other insurance that is equal to or greater than the insurance provided as set out in Schedule B, together with such other conditions as the Chief Corporate Officer may deem appropriate.

Appendix "C" – Aerial & Map

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