

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

TRACKING NO.: 2016-079

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:	Susan Lin	Division:	Real Estate Services
Date Prepared:	April 4, 2016	Phone No.:	392-4135

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 City-owned land located at 1350 Eglinton Avenue West, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
Property	<p>City-owned properties:</p> <ul style="list-style-type: none"> a) 1350 Eglinton Avenue West, described as part of Lots 11-16 on Plan 1675, designated as Part 2 on Plan 63R-1934, shown as Part 1 on Sketch No. PS-2009-130; and b) Vacant land adjacent to 1350 Eglinton Avenue West, described as part of Lots 10-13 & 56-63, Plan 1675, designated as Parts 1 & 8, Plan 63R-1934, shown as Parts 1, 2, 3, 4, 5, 6 & 7 on Sketch No. PS-2014-042 <p>Collectively referred to as the "Properties"</p>
Actions	<ol style="list-style-type: none"> 1. Authority be granted to enter into a temporary licence with Metrolinx, in, over, under, upon and through the Properties, for nominal consideration, for a term to commence upon execution of the temporary licence and expiring upon the acquisition of the Properties by Metrolinx, for the construction of the Project (the "Temporary Licence) on terms and conditions as set out herein and as deemed appropriate by the Chief Corporate Officer or designate, and in a form satisfactory to the City Solicitor.
Financial Impact	<p>There is no financial impact resulting from this DAF. The proposed temporary licence will be granted for nominal consideration.</p> <p>Pursuant to Schedule G (Real Estate Protocol) contained in the Master Agreement between the City, the Toronto Transit Commission and Metrolinx for the implementation of the Toronto Light Rail Transit Program dated November 28th, 2012 ("Master Agreement"), temporary use property requirements, not required for City purposes, are to be provided to Metrolinx for nominal consideration.</p> <p>The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	The City, pursuant to DAF No. 2015-021, authorized the sale of the Properties to Metrolinx for the purpose of the Project. Closing of the sale transaction is scheduled to be completed later in April, 2016; however Metrolinx and its authorized users require early access and possession for construction purposes in order to accommodate the contractor's schedule. As such, Metrolinx has made the request for the Temporary Licence until the acquisition of the Properties by Metrolinx in the proper course may be completed.
Terms	<p>Temporary Licence – Major Provisions:</p> <ul style="list-style-type: none"> (i) Term to commence upon the later of the execution of the Temporary Licence to expire on the closing of the acquisition by Metrolinx of the Properties in fee simple from the City; (ii) Metrolinx, by its contractor, permitted to assume early possession of the Properties for all purposes related to the Project, including but not limited to, the construction of the main station entrance, underground pedestrian corridor and vent shafts, landscaping, and utility relocation (if not already completed); (iii) Metrolinx to ensure the protection of all utilities (Toronto Water, Bell, and Toronto Hydro); (iv) In the event that the transfer doesn't close, Metrolinx must, at its sole cost, remove its equipment and debris from the Properties and restore the Properties to the satisfaction of the City and repair all damage to the satisfaction of the CCO; (v) Metrolinx to maintain the Properties in a state of good repair and shall be solely responsible for maintenance activities and payment of its own expenses and any utility costs in respect of the Properties; and (vi) 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.

Property Details	Ward:	21 – St. Paul's
	Assessment Roll No.:	1904-11-3-260-00050
	Approximate Area: Part 1, PS-2009-130: Part 1-7, PS-2014-042:	1,025 m ² ± (11,033 ft ² ±) 555.1 m ² ± (5,975 ft ² ±)
	Other Information:	

Consultation with Councillor(s)																	
Councillor:	Joe Mihevc				Councillor:												
Contact Name:	Joe Mihevc				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:	Notified (March 31, 2016)				Comments:												

Consultation with ABCDs				
Division:	Metrolinx / Toronto Water		Division:	Financial Planning
Contact Name:	Corina James / Paul Albanese		Contact Name:	Filisha Mohammed
Comments:	Comments incorporated (April 4, 2016)		Comments:	April 4, 2016

Legal Division Contact	
Contact Name:	Jennifer Davidson 2-8165 on behalf of Lisa Davies (April 1, 2016)

DAF Tracking No.: 2016-079	Date	Signature
Recommended by: Manager	April 4, 2016	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali	April 4, 2016	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	April 5, 2016	Josie Scioli

