

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

**TRACKING NO.: 2017-043**

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:	February 22, 2017	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).**

<b>Purpose</b>	To obtain authority to grant a temporary licence for a term of two (2) years over a portion of City-owned property located at 1607 Eglinton Avenue West, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
<b>Property</b>	Subsurface portions of 1607 Eglinton Avenue West, legally described as part of Lots 17 to 20, Plan 1687; Subject To CY540104, and shown as Part 1 on Sketch ECLE1-2D-SK012-OLR1A (the "Property") as shown on Appendix "B".
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into a temporary licence (the "Temporary Licence") with Metrolinx and Toronto Parking Authority ("TPA") in and through the Property for a term of two (2) years, for nominal consideration, for the installation of tie-backs, and on terms and conditions as deemed appropriate by the Chief Corporate Officer or designate, and in a form satisfactory to the City Solicitor.</li> <li>Authority be granted for the Chief Corporate Officer to administer and manage the temporary licence including the provision of any consent, approvals, waivers, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matter to City Council for its determination and direction.</li> </ol>
<b>Financial Impact</b>	<p>There is no financial impact resulting from this DAF. The proposed Temporary Licence will be granted for nominal consideration. The Deputy City Manager &amp; Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</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 28<sup>th</sup>, 2012 ("Master Agreement"), temporary use property requirements not required for City purposes are transferred to Metrolinx for nominal consideration.</p>
<b>Comments</b>	<p>The Property was acquired in 1981 by the former Parking Authority of the Borough of York, and began operating in November, 1999 as a forty-space surface parking facility. TPA has entered into a conditional Purchase and Sale Agreement dated February 12, 2013 with Empire Communities ("Empire") for the Property. The agreement would involve the sale of the Property to Empire to construct a mixed-use residential condominium apartment building, save and except the strip of land along Eglinton Avenue West required for road widening. The agreement is conditional upon (among other things) obtaining the required Council approval.</p> <p>As part of the Project, tie-backs are required on the Property beginning 14.5 metres below-grade to support shoring and excavation with Eglinton Avenue. 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>
<b>Terms</b>	See Appendix "A"

<b>Property Details</b>	<b>Ward:</b>	15 – Eglinton-Lawrence
	<b>Assessment Roll No.:</b>	Part of 1914-03-1-300-02300
	<b>Approximate Size:</b>	19.5 m x 27 m ± (64 ft x 88.6 ft ±)
	<b>Approximate Area:</b>	525 m <sup>2</sup> ± (5,651 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

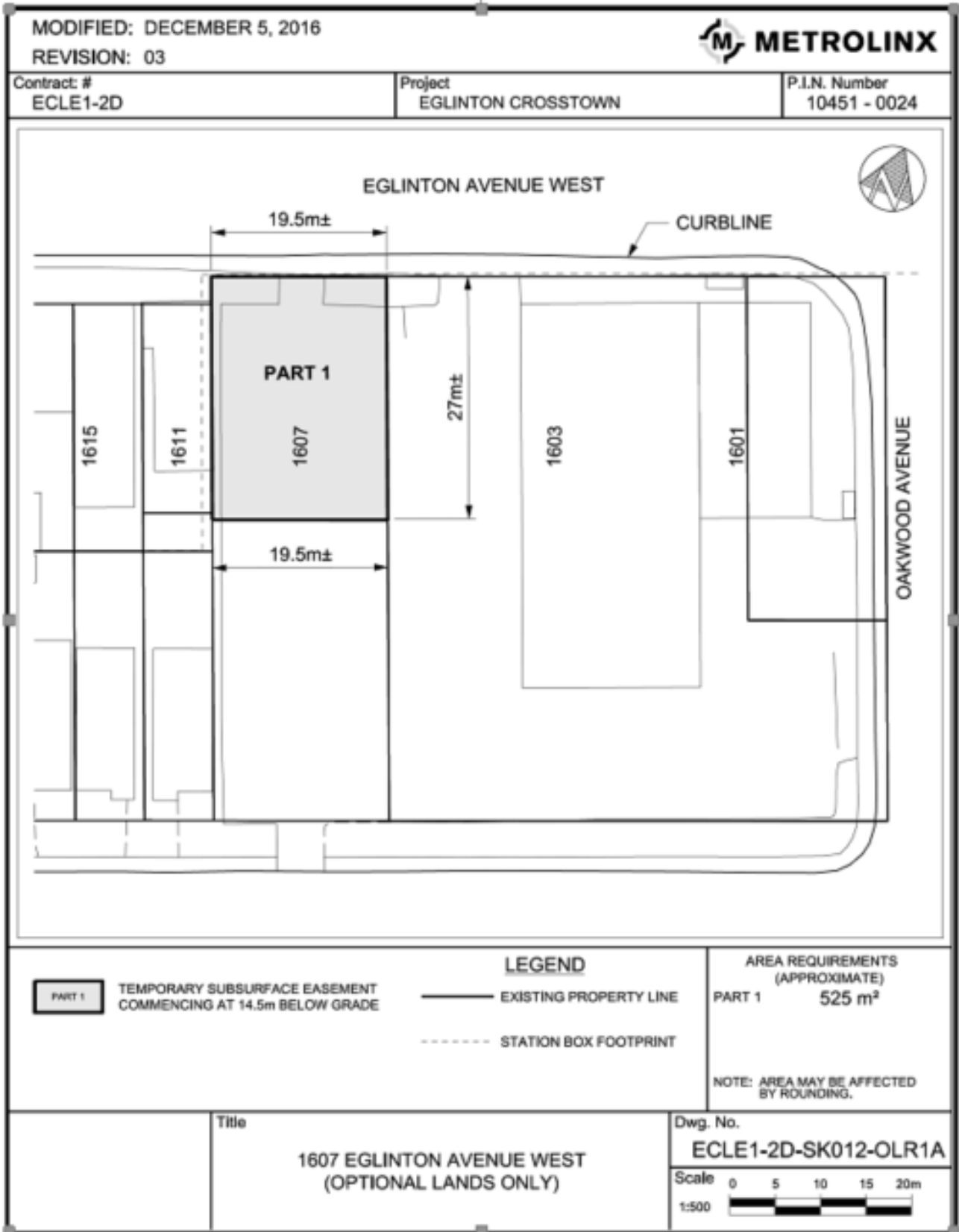
<b>Consultation with Councillor(s)</b>									
Councillor:	Josh Colle				Councillor:				
Contact Name:	Josh Colle				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	Notified (February 22, 2017)				Comments:				
<b>Consultation with ABCDs</b>									
Division:	Toronto Parking Authority				Division:	Financial Planning			
Contact Name:	Greg Blyskosz				Contact Name:	Filisha Mohammed			
Comments:	Consented (February 2, 2017)				Comments:	February 22, 2017			
<b>Legal Division Contact</b>									
Contact Name:	Lisa Davies (2-7270) (February 15, 2017)								

DAF Tracking No.: 2017-043	Date	Signature
Recommended by: Manager	Feb. 24, 2017	Nick Simos
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services Joe Casali	Feb. 27, 2017	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	Mar. 3, 2017	Josie Scioli

**Appendix "A"****Terms and Conditions:**

## Temporary Licence for Construction Purposes – Major Provisions:

- (i) Term of two (2) years;
- (ii) Prior to commencement of any work, Metrolinx shall provide to the Chief Corporate Officer and TPA detailed plans showing the proposed location and specifications of the tie-backs;
- (iii) Upon the expiration of the Term, Metrolinx must, at its sole cost, ensure that the tie-backs are de-stressed, and remove any of its equipment and debris from the Property and restore the Property to the satisfaction of the City;
- (iv) Metrolinx shall take measures to ensure that underground services, utilities and/or structures that may exist on, under or adjacent to the licensed areas are protected from damage;
- (v) Metrolinx to repair all damage caused by any exercise of its rights under the Temporary Licence to the satisfaction of the Chief Corporate Officer; 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, together with such other conditions as the Chief Corporate Office may deem appropriate.

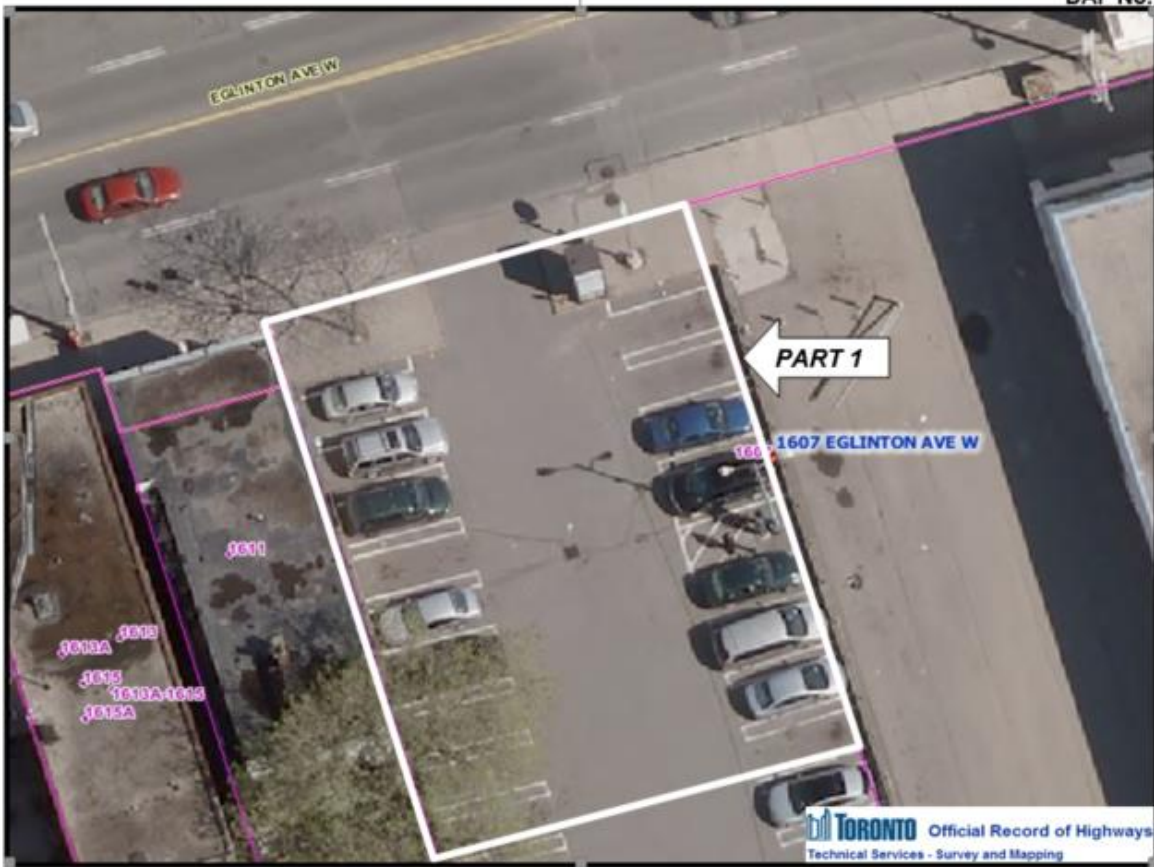


Updated March 20, 2015

Appendix "B" – Location Map

DAF No. 2017-043

DAF No. 21



Updated March 20, 2015