

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

TRACKING NO.: 2016-165

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.

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| Prepared By: | Trixy Pugh | Division: | Real Estate Services |
| Date Prepared: | July 15, 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).

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| Purpose | To seek authority for appropriate City Officials to grant Crosslinx Transit Solutions ("Crosslinx"), a contractor of Metrolinx a Permission to Enter over City-owned property located at 805 Don Mills Road, identified as required for the Eglinton Crosstown Light Rail Transit ("LRT") Project (the "Project"). |
| Property | City-owned property located at 805 Don Mills Road, described as being Parcel 12822 Section East York, Part of Lot 1, Concession 3, North York, Parts 1 to 17 on Plan 66R-15598, shown in Appendix "A" (the "Property"). |
| Actions | 1. Authority be granted to enter into a Permission to Enter Agreement with Crosslinx in, over, under, upon and through the Property for nominal consideration in connection with the construction of the Project, and 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 | There is no financial impact resulting from this DAF. Authority granted to enter into a Permission to Enter Agreement with Metrolinx for the Property is for nominal consideration. 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 th , 2012 ("Master Agreement"), temporary use property requirements, not required for City purposes, are to be provided to Metrolinx for nominal consideration. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information. |
| Comments | The Property is required on a temporary basis for the purpose of installing one (1) temporary traffic pole and two (2) anchor wires (the "Work") to facilitate construction and ensure construction does not adversely affect the Property. There is currently a licence for two signboards on site. The licence will terminate on September 30, 2016, at which point the signboards will be removed. |
| Terms | Major Provisions: (i) Term: 2.5 months commencing July 18, 2016, until October 1, 2016; (ii) Crosslinx and/or the Authorized User to enter the Property for the purposes of undertaking the Work; (iii) Crosslinx and/or the Authorized User as the case may be, will only enter the Property for the purposes described in (ii) above; (iv) Crosslinx and/or the Authorized User to keep the Property in a neat and tidy condition when conducting the Work; (v) Once Crosslinx and/or Authorized Users complete the Work, they shall restore the affected portion of the Property to the condition it was in prior to the Work and provide the City with all reports and findings produced as a result of carrying out the Work; (vi) All Work completed pursuant to the Permission to Enter shall be at the expense of Crosslinx and/or the Authorized User and at no cost to the City; (vii) Crosslinx and/or the Authorized User shall indemnify and hold harmless the City and any other occupants of the Property from and against any damages, liability, actions, claims, costs and expenses in connection with the loss of life, personal injury and/or damage to property to the extent caused by or resulting from Crosslinx and/or the Authorized User, their access to the Property or the Work; and (viii) General liability insurance or wrap up liability insurance not less than \$10,000,000.00 per occurrence, an aggregate limit of not less than \$10,000,000.00 within any policy year with respect to the completed Work. |

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| Property Details | Ward: | 26 – Don Valley West |
| | Assessment Roll No.: | 1908-10-1-231-00100 |
| | Approximate Size: | N/A |
| | Approximate Area: | N/A |

| Consultation with Councillor(s) | | | | | | | | | | | | | | | |
|--|--|-------------------------------------|--------|--|------|---------------|---------------------------------------|---------------|-------|--|--------|--|------|--|-------|
| Councillor: | Jon Burnside | | | | | Councillor: | | | | | | | | | |
| Contact Name: | Jon Burnside | | | | | Contact Name: | | | | | | | | | |
| Contacted by: | Phone | <input checked="" type="checkbox"/> | E-Mail | | Memo | | Other | Contacted by: | Phone | | E-mail | | Memo | | Other |
| Comments: | Notified (July 14, 2016) | | | | | Comments: | | | | | | | | | |
| Consultation with ABCDs | | | | | | | | | | | | | | | |
| Division: | Real Estate Services | | | | | Division: | Financial Planning | | | | | | | | |
| Contact Name: | Derek Wei | | | | | Contact Name: | Filisha Mohammed | | | | | | | | |
| Comments: | Comments incorporated (July 15, 2016) | | | | | Comments: | Comments incorporated (July 14, 2016) | | | | | | | | |
| Legal Division Contact | | | | | | | | | | | | | | | |
| Contact Name: | Lisa Davies (2-7270) (Comments incorporated July 13, 2016) | | | | | | | | | | | | | | |

| DAF Tracking No.: 2016-165 | Date | Signature |
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| Recommended by: Manager | July 15, 2016 | Tasse Karakolis |
| <input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services Joe Casali | July 15, 2016 | Time Park (for Joe Casali) |
| <input type="checkbox"/> Approved by: | | |
| <input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli | July 18, 2016 | Josie Scioli |

Appendix "A"

DAF No. 2016-165





