

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

TRACKING NO.: 2015-183

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:	July 24, 2015	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).**

<b>Purpose</b>	To obtain authority to grant a Permission to Enter for a term of 5 years over City-owned property located at the northwest corner of Black Creek Drive and Eglinton Avenue West to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
<b>Property</b>	City-owned land at the northwest corner of Black Creek Drive and Eglinton Avenue West, legally described as Kodak Drive, Plan 2415 (AKA Keelesdale Drive); part of Lots A and B, Plan 285; Part 2, 64R9838 and Part 1, Plan 64R-10118; part of Lot B, Plan 285; Part 6, 64R-9838; Part 2, 64R-10118; part of Lots 1 & 2, Plan 2415; 1' Reserve at North End of Kodak Drive, Plan 2415; part of Lot A, Plan 285; Part 2, Plan 64R-1847; being Keelesdale Drive, and shown as Part 1 on Drawing No. ECLE1- 1-5K-910 (the "Highway").
<b>Actions</b>	1. Authority be granted to enter into a Permission to Enter Agreement with Metrolinx for a term of 5 years in, over, under, upon and through the Highway for nominal consideration for 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.
<b>Financial Impact</b>	There is no financial impact.  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.  The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.
<b>Comments</b>	The Highway is required on a temporary basis for the purpose of construction and maintenance of an elevated guideway.  The Property Management Committee has reviewed Metrolinx' requirements of the Highway and recommends that a Permission to Enter Agreement be conveyed to Metrolinx subject to protection of the City or third-party infrastructure and/or utilities.
<b>Terms</b>	Permission to Enter – Major Provisions: <ul style="list-style-type: none"> <li>(i) Term of 5 years;</li> <li>(ii) Upon the expiration of the Term, Metrolinx must, at its sole cost, remove its equipment and debris from the Property and restore the Highway to the satisfaction of the City;</li> <li>(iii) Metrolinx to repair all damage caused by any exercise of its rights under the Permission to Enter to the satisfaction of the Chief Corporate Officer; and</li> <li>(iv) 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.</li> </ul>

<b>Property Details</b>	<b>Ward:</b>	12 – York South-Weston
	<b>Assessment Roll No.:</b>	N/A
	<b>Approximate Size:</b>	Irregular in shape
	<b>Approximate Area:</b>	1,083 m <sup>2</sup> ± (11,657.31 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

**Consultation with Councillor(s)**

Councillor:	Frank Di Giorgio					Councillor:								
Contact Name:	Frank Di Giorgio					Contact Name:								
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Contacted by:	Phone		E-mail		Memo		Other
Comments:						Comments:								

**Consultation with ABCDs**

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Mohammed
Comments:		Comments:	July 24, 2015

**Legal Division Contact**

Contact Name:	Lisa Davies (2-7270) (July 24, 2015)
---------------	--------------------------------------

DAF Tracking No.: 2015-183	Date	Signature
Recommended by:      Manager	July 23, 2015	Tasse Karakolis
<input type="checkbox"/> Approved by:      Director of Real Estate Services Joe Casali	July 23, 2015	Joe Casali
<input checked="" type="checkbox"/> Approved by:      Chief Corporate Officer Josie Scioli	July 23, 2015	Josie Scioli

Appendix "A"

DAF No. 2015-183

