

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

TRACKING NO.: 2015-182

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).

Purpose	To obtain authority to grant a Permission to Enter for a term of 5 years over City-owned property located at the northeast 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").
Property	City-owned lands at the northeast corner of Black Creek Drive and Eglinton Avenue West, legally described as Road Allowance between Concession 3 From the Bay and Concession 4 West of Yonge Street; part of Lot A, Plan 285 as in CY228643; Part 1, Plan 64R-9893 & Part 3 Plan 64R-1849; part of Lots 162 and 163 on Plan 2008; Part 2, Plan 64R-1849; part of Lot 164, Plan 2008; Parts 1 & 2, Plan 64R-1849; part of Block A, Plan 5917; Parts 3, 4 & 8 Plan 64R-9910; Part 10 FT WID, Plan 2008 between Black Creek Drive and Trethewey Drive being Eglinton Avenue West; T/W CA348820, S/T CY627191, and shown as Part 1 on Drawing No. ECLE1-1-5K-910 on Appendix "A" (the "Highway").
Actions	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.
Financial Impact	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 th , 2012 ("Master Agreement"), temporary use property requirements not required for City purposes are transferred to Metrolinx for nominal consideration.
Comments	The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information. 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.
Terms	Permission to Enter – Major Provisions: <ul style="list-style-type: none"> (i) Term of 5 years; (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; (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 (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.

Property Details	Ward:	12 – York South-Weston															
	Assessment Roll No.:	N/A															
	Approximate Size:	Irregular in shape															
	Approximate Area:	719 m ² ± (7,739.25 ft ² ±)															
	Other Information:																
Consultation with Councillor(s)																	
Councillor:	Frank Di Giorgio				Councillor:												
Contact Name:	Frank Di Giorgio				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:					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.: 2015-182	Date	Signature
Recommended by: Manager	July 23, 2015	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: 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"

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