

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

TRACKING NO.: 2015-287

<input checked="" type="checkbox"/> 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:	November 4, 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 amend the existing Licence and Tieback Agreements over a portion of City-owned property located at 1075 Eglinton Avenue West, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").		
Property	Part of 1075 Eglinton Avenue West, legally described as being part of Lots 16, 17, 18, 19, 20 & 21, Plan 1103, and shown as Parts 1-23 on Drawing No. 2013-0183-4 in Appendix "A" (the "Property").		
Actions	<ol style="list-style-type: none"> Authority be granted to amend the existing Tieback Agreement, dated January 29, 2013, between the City and Metrolinx to allow for tiebacks to extend across the entire frontage of Ben Nobleman Park commencing at a depth of 3 metres below grade, shown as Parts 4, 5, 6, 10, 11, 12, 16, 17, 18, 22 & 23 on Drawing No. 2013-0183-4, and to extend the Tieback Agreement through until November 3, 2020, on terms and conditions as deemed appropriate by the Chief Corporate Officer or designate, and in a form satisfactory to the City Solicitor. Authority be granted to amend the existing Licence Agreement, dated January 29, 2013, between the City and Metrolinx to allow for the licensed area to be increased from a depth of 1.7 metres to a depth of 5 metres across the entire frontage of Ben Nobleman Park, shown as Parts 1, 2, 3, 7, 8, 9, 13, 14, 15, 19, 20 & 21 on Drawing No. 2013-0183-4, and to extend the Licence Agreement through until November 3, 2020, 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	<p>There is no financial impact resulting from the approval of this DAF.</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 transferred 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	<p>The City, by DAF No. 2013-033, entered into a Licence Agreement with Metrolinx, dated January 29, 2013, for the purpose of conducting work associated with the relocation of an electrical transmission system within the adjoining City right-of-way, and temporary relocation of existing sidewalk, street lighting poles and signage (the "Work"). In addition, by DAF No. 2013-034, the City also entered into a Tieback Agreement with Metrolinx, also dated January 29, 2013, for the purpose of installing tiebacks to support shoring and excavation associated with the launch and extraction shafts for Tunnel Boring Machines and a station box at Allen Station ("Tiebacks"). Both Agreements will expire on December 31, 2019. Metrolinx has recently approached the City requesting an amendment to the two Agreements to allow for needed increases in the area required for the Work and Tiebacks, as well as an extension to the term of both agreements from December 31, 2019 to November 3, 2020.</p> <p>Parks, Forestry & Recreation Division staff have been consulted and agree with the amendments to the Tieback and Licence Agreements.</p>		
Terms	<p>Licence & Tieback Agreements – Major Provisions:</p> <ol style="list-style-type: none"> Term extended to November 3, 2020; Upon the expiration of the Term, Metrolinx must, at its sole cost, remove its equipment and debris from the Property and restore the Property to the satisfaction of the City; Metrolinx to de-stress the tiebacks and repair all damage caused by any exercise of its rights under the Temporary Licence and Tieback Agreement to the satisfaction of the Chief Corporate Officer; and 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:	21 – St. Paul's
	Assessment Roll No.:	Part of 1914-01-3-290-01250
	Approximate Size:	
	Licence:	81.74 m x 5 m ± (268.18 ft x 16.4 ft ±)
	Tieback:	81.74 m x 27 m ± (268.18 ft x 88.58 ft ±)
Approximate Area:		
Licence Area:	408.9 m ² ± (4,401.36 ft ² ±)	
Tieback Area:	2,207.6 m ² ± (23,762.41 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:	November 2, 2015				Comments:												

Consultation with ABCDs			
Division:	Parks, Forestry & Recreation	Division:	Financial Planning
Contact Name:	David Douglas	Contact Name:	Filisha Mohammed
Comments:	October 23, 2015 – Concurs with the DAF	Comments:	Comments incorporated (October 30, 2015)

Legal Division Contact	
Contact Name:	Lisa Davies (2-7270) (Comments incorporated – October 30, 2015)

DAF Tracking No.: 2015-287	Date	Signature
Recommended by: Manager	Nov. 5, 2015	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali	Nov. 12, 2015	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	Nov. 18, 2015	Josie Scioli



