

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

**TRACKING NO.: 2016-155**

<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:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	July 28, 2016	Phone No.:	(416) 392-8160
<b>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>			
<b>Purpose</b>	To obtain authority to grant a temporary licence to Metrolinx to use subsurface portions of 2623 Eglinton Avenue West for installation of tie-backs to support shoring and excavation as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").		
<b>Property</b>	Subsurface portions of 2623 Eglinton Avenue West, described as being Lots 1 and 2 on Plan 2008 Township of York, subject to an Easement as in AT3649802, shown as Part 1 on Dwg. No. ECLE1-2B-SK026-OLR in Appendix "A" (the "Property").		
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into a temporary licence with Metrolinx for a term for three (3) years, for the installation of tie-backs in and through the Property to support shoring and excavation, on terms and conditions as set out herein and 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 licences 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> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</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. 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 to be provided to Metrolinx for nominal consideration.</p> <p>The Deputy City Manager &amp; Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>The Property was acquired in 2015 to service the short term parking needs of the surrounding Eglinton Hill BIA neighbourhood. Due to the construction of the Eglinton Light Rapid Transit Line, the Toronto Parking Authority ("TPA") was actively pursuing new acquisition opportunities to help off-set any anticipated temporary as well as permanent losses of on-street parking spaces along Eglinton Avenue. TPA staff was also looking for suitable sites that would accommodate the longer term demand for public parking in the area. TPA is currently in discussions with potential tenants to lease the Property, any tenants will be made aware of Metrolinx's activities.</p> <p>As part of the Project, tie-backs are required on the Property beginning at a depth of 3.0 metres below-grade to support shoring and excavation. As such, Metrolinx has requested for a temporary licence for the tie-backs. 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 and obtaining the consent of Enbridge Gas.</p>		
<b>Terms</b>	<p>Temporary Licence for Tie-backs – Major Provisions:</p> <ol style="list-style-type: none"> <li>Term: Three (3) years commencing August 1, 2016, with no less than fourteen (14) days' notice prior to commencement, and expiring on July 31, 2019;</li> <li>Prior to commencement of any work, Metrolinx shall provide to the Chief Corporate Officer detailed plans showing the proposed location and specifications of the tie-backs;</li> <li>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;</li> <li>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.</li> <li>Metrolinx to repair all damage caused by any exercise of its rights under the Temporary Licence to the satisfaction of the Chief Corporate Officer;</li> <li>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> </ol>		

<b>Property Details</b>	<b>Ward:</b>	12 – York South-West
	<b>Assessment Roll No.:</b>	1914-05-2-140-02700
	<b>Approximate Size:</b>	22.4 m (80 ft) x 30.5 m (100 ft)
	<b>Approximate Area:</b>	743.2 m <sup>2</sup> ± (8,000 ft <sup>2</sup> ±)

**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:	Notified (July 28, 2016)	Comments:	

**Consultation with ABCDs**

Division:	TPA	Division:	Financial Planning
Contact Name:	Greg Blyskosz	Contact Name:	Filisha Mohammed
Comments:	TPA advised of licence	Comments:	July 28, 2016

**Legal Division Contact**

Contact Name:	Lisa Davies (2-7270) (July 27, 2016)
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DAF Tracking No.: 2016-155	Date	Signature
Recommended by: Manager	July 28, 2016	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali	July 28, 2016	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	Jul 28, 2016	Josie Scioli

Appendix "A"

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