

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

TRACKING NO.: 2015-236

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| <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: | September 10, 2015 | Phone No.: | 392-4135 |
| Chief Corporate Officer has approval authority to approve the disposal to Metrolinx of certain Transit Lands in accordance with the Real Estate Principles identified in the Master Agreement (on terms satisfactory to the Chief Corporate Officer and in a form acceptable to the City Solicitor). | | | |
| Purpose | To obtain approval to enter into a Transfer Agreement on City-owned land located at the southwest corner of Don Mills Road and Eglinton Avenue East, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project"). | | |
| Property | A stratified portion of City-owned land at the southwest corner of Don Mills Road and Eglinton Avenue West, municipally known as 770 Don Mills Road, described as being part of Lot 1, Concession 3, East of Yonge Street, designated as Part 1 on Plan 66R-28135 in Appendix "A" (the "Property"). | | |
| Actions | <ol style="list-style-type: none"> The City enter into a Transfer Agreement with Metrolinx, for the Property, subject to granting easement requirements, and substantially on the terms and conditions set out below, as deemed appropriate by the Chief Corporate Officer, and in a form satisfactory to the City Solicitor. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto. | | |
| Financial Impact | <p>The proposed Transfer Agreement will provide revenue in the amount of \$435,447.00 (exclusive of HST) less closing costs and usual adjustments. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon closing of the transaction.</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-owned land located at the southwest corner of Eglinton Avenue East and Don Mills Road (the "City Lands") was acquired by the former Municipality of Metropolitan Toronto in 1955 for future road allowance purposes to accommodate a future interchange at Eglinton Avenue East and Don Mills Road. Since 1968, the northern portion of the City Lands has been leased to The Centennial Centre for Science and Technology (the "Science Centre") for overflow parking purposes.</p> <p>On August 11, 2010 the City Lands were declared surplus by DAF 2010-068, with the intended manner of disposal to be by way of a transfer to Build Toronto. City Council at its meeting held on August 25, 26 and 27, 2010, adopted GM 33(20) – "Transfer of Properties to Build Toronto and Declaration of Surplus – Third Quarter 2010", granting authority to enter into an agreement to transfer part of the City's Lands to Build Toronto. One of the Terms and Conditions of Transfer is that Build Toronto accommodates a TTC entrance facility for the future Eglinton and/or Don Mills LRT lines proposed at the intersection of these roads.</p> <p>Pursuant to report CC27.6, entitled "Metrolinx-City of Toronto-Toronto Transit Commission Master Agreement for Light Rail Transit Projects," adopted by City Council at its meeting on October 30, 31 and November 1, 2012, City Council exempted from the requirements of the City of Toronto Municipal Code, Chapter 213, Sale of Real Property those lands determined by the Chief Corporate Officer to be required for the implementation of the Project.</p> <p>Metrolinx has identified the Property as required for the implementation of the Project. Negotiations with Metrolinx and Build Toronto have resulted in the amendment to the declare surplus for transfer to Build Toronto as authorized by DAF No. 2015-229 and a Transfer Agreement in favour of Metrolinx that is being recommended for acceptance. The Property will also be released from the current lease with the Science Centre. Metrolinx acknowledges that the City has an option to reacquire an interest in the Property which is not otherwise used by Metrolinx for the Project. The Property Management Committee has reviewed Metrolinx' requirements of the Property and recommends that the Property be conveyed to Metrolinx subject to protection of the City or third-party infrastructure and/or utilities.</p> | | |
| Terms | <p>Terms & Conditions:</p> <ol style="list-style-type: none"> Purchase Price for Stratified Property: \$435,447.00 Toronto Hydro-Electric System Ltd. requires an easement for existing infrastructure. | | |

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| Property Details | Ward: | 26 – Don Valley West |
| | Assessment Roll No.: | Part of 1908-10-1-520-00300 |
| | Approximate Size: | Irregular in shape |
| | Approximate Area: | 715.8 m ² ± (7,704.8 ft ² ±) |
| | Other Information: | |

| Consultation with Councillor(s) | |
|--|--|
| Councillor: | Jon Burnside |
| Contact Name: | Jon Burnside |
| Contacted by: | <input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other |
| Comments: | No comments (September 4, 2015) |

| Consultation with ABCDs | |
|--------------------------------|---------------------------------|
| Division: | Build Toronto |
| Contact Name: | Carlo Bonanni |
| Comments: | No concerns (September 9, 2015) |

| Legal Division Contact | |
|-------------------------------|--|
| Contact Name: | Lisa Davies (2-7270) (September 9, 2015) |

| DAF Tracking No.: 2015-236 | Date | Signature |
|---|----------------|-----------------|
| Recommended by: Manager | Sept. 14, 2015 | Tasse Karakolis |
| <input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali | Sept. 24, 2015 | Joe Casali |
| <input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli | Sept. 28, 2015 | Josie Scioli |

Appendix "A"

