

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

**TRACKING NO.: 2017-161**

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:	June 14, 2017	Phone No.:	(416) 392-8160

**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).**

<b>Purpose</b>	To obtain authority to grant a temporary licence to Metrolinx to use subsurface portions of 2467 Eglinton Avenue East for installation of tiebacks, starting at a depth of 6.0m as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
<b>Property</b>	Part of City-owned land located at 2467 Eglinton Avenue East described as Part of Lots 4 & 5 on Plan 1697 as in SC317369 except Part 1 on 64R6495 and Part 1 on 66R28272 (the "Property"), shown as Part 1 on draft Drawing No. J85-22-G4110A in Appendix "B" (the "Property").
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to grant a temporary licence with Metrolinx, 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>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	There is no financial impact resulting from this approval.
<b>Comments</b>	<p>Pursuant to Schedule F (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, 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 &amp; Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p> <p>The Property is part of the Don Montgomery Community Recreation Centre parking lot. PF&amp;R has no objections to the temporary licence.</p> <p>As part of the Project, tie-backs are required on the Property beginning at a depth of 6.0 metres below-grade. As such, Metrolinx has requested for a temporary licence of 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-part infrastructure and/or utilities.</p>
<b>Terms</b>	See Appendix "A"

<b>Property Details</b>	<b>Ward:</b>	35 – Scarborough Southwest
	<b>Assessment Roll No.:</b>	1901-04-1-221-00100 and part of 1901-04-1-221-00150
	<b>Approximate Size:</b>	58 m± x 8.5 m± (190.3 ft ± x 27.9± ft)
	<b>Approximate Area:</b>	383 m <sup>2</sup> ± (4,122.6 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

Consultation with Councillor(s)									
Councillor:	Michelle Holland				Councillor:				
Contact Name:	Michelle Holland				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	Notified June 13, 2017				Comments:				
Consultation with ABCDs									
Division:	PF&R				Division:	Financial Planning			
Contact Name:	Ryan Glenn				Contact Name:	Filisha Mohammed			
Comments:	Incorporated into DAF (June 13, 2017)				Comments:	Incorporated into DAF (June 7, 2017)			
Legal Division Contact									
Contact Name:	Lisa Davies (2-7270)								

DAF Tracking No.: 2017-161	Date	Signature
Recommended by: Manager	June 14, 2017	Nick Simos
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services Joe Casali	June 14, 2017	Joe Casali
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	June 18, 2017	Sunil Sharma for Josie Scioli

**Appendix "A"****DAF No. 2017-161**

## Temporary Licence for Tie-backs – Major Provisions:

- (i) Term: Fifty (50) months commencing July 31, 2017 and expiring on September 30, 2021, with no less than fourteen (14) days' prior notice;
- (ii) 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;
- (iii) Upon 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;
- (iv) Metrolinx shall take measures to ensure that underground services, utilities and/or structures that may exist on, under or adjacent to the licenced areas are protected from damage;
- (v) Metrolinx to repair all damage caused by any exercise of its rights under the Temporary Licence to the satisfaction of the Chief Corporate Officer;
- (vi) 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.

**Appendix "A"**

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