

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

**TRACKING NO.: 2016-100**

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:	April 25, 2016	Phone No.:	416-392-4135

**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).**

<b>Purpose</b>	To obtain authority to grant a temporary licence over a parcel of City-owned land to the east of 2322 Eglinton Avenue West, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
<b>Property</b>	City-owned land south of 2322 Eglinton Avenue West, described as part of lots 624, 625, 626, 627 and 628 on Plan 1896, being Part 1 on Plan 66R-28072, City of Toronto, being part of PIN 10491-0485(LT) (the "Highway").
<b>Actions</b>	1. Authority be granted to enter into a temporary licence (the "Temporary Licence") with Metrolinx, in, over, under, upon and through the Highway, for nominal consideration, for a term that expires upon the acquisition of the Highway by Metrolinx, subject to the City stopping up and closing the Highway and the granting of the required easements, for the construction of the Project, 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.
<b>Financial Impact</b>	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.  The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.
<b>Comments</b>	Metrolinx requires fee simple interest over the Highway for the Caledonia LRT Station; however Metrolinx and its authorized users require early access for construction purposes. As such, Metrolinx has made the request for the Temporary Licence until the acquisition of the Highway by Metrolinx in the proper course may be completed.  The Property Management Committee has reviewed Metrolinx' requirements of the Highway and recommends that a Temporary Licence be conveyed to Metrolinx subject to protection of the City or third-party infrastructure and/or utilities and Metrolinx obtaining the required permits from Transportation Services, with the parties to enter into a Transfer Agreement with respect to the Highway once the configuration and limits have been finalized between the parties at a later date.
<b>Terms</b>	While the delegated authority allows for approval of disposals at nominal value, in this case, given that a Temporary Licence is a lesser but included interest, that authority is being relied upon. Temporary Licence – Major Provisions: <ul style="list-style-type: none"> <li>(i) Term to expire on the closing of the acquisition by Metrolinx of the Highway in fee simple interest from the City, subject to the City stopping up and closing the Highway and granting the required easements;</li> <li>(ii) Upon the expiration of the Term, and in the event that Metrolinx does not acquire all or part of the Highway on a permanent basis, Metrolinx must, at its sole cost, remove its equipment and debris from the Highway and restore the Highway to the satisfaction of the City;</li> <li>(iii) 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>(iv) Metrolinx to maintain the Highway in a state of good repair and shall be solely responsible for maintenance activities in respect of the Highway, including but not limited to snow removal and salting; and</li> <li>(v) 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> </ul>

<b>Property Details</b>	<b>Ward:</b>	12 – York South-Weston
	<b>Assessment Roll No.:</b>	N/A
	<b>Approximate Area:</b>	120.6 m <sup>2</sup> ± (1,298.13 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

**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 (April 25, 2016)	Comments:	

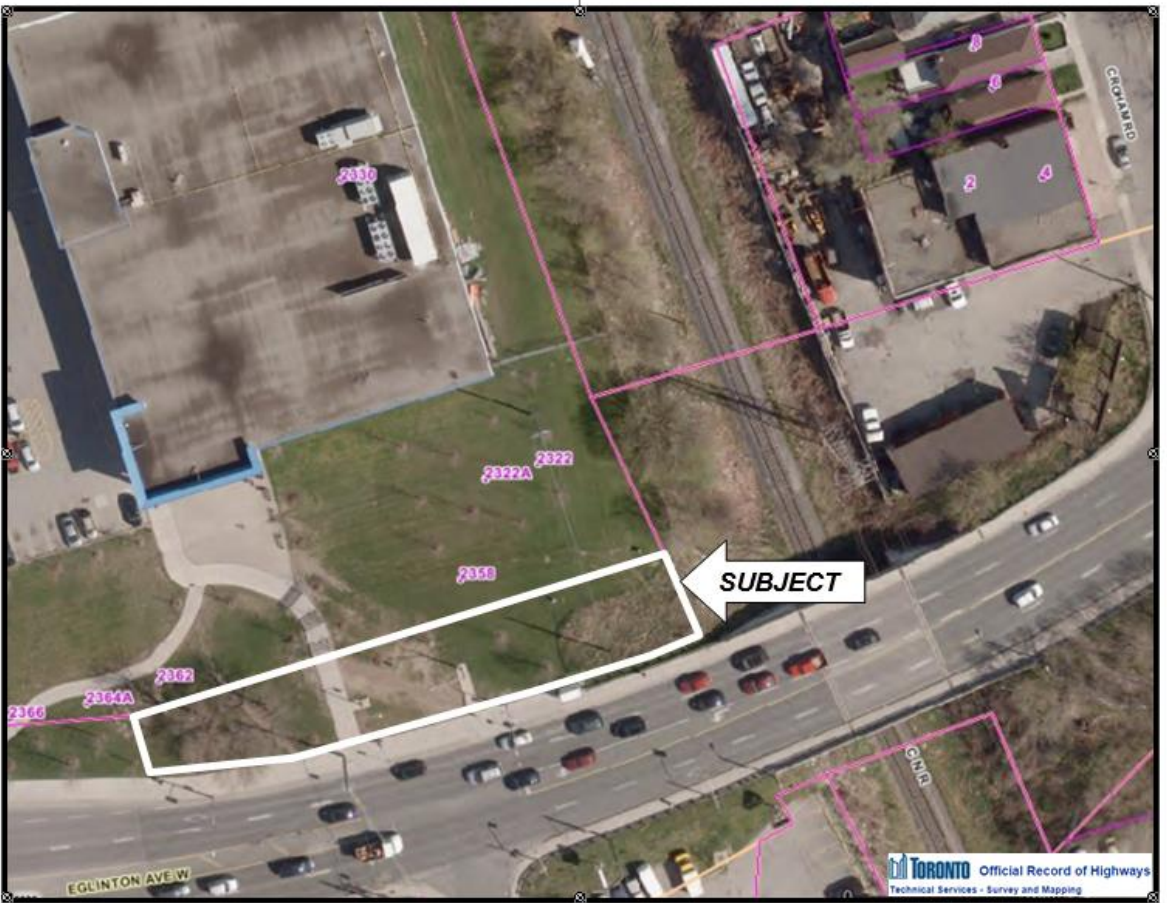
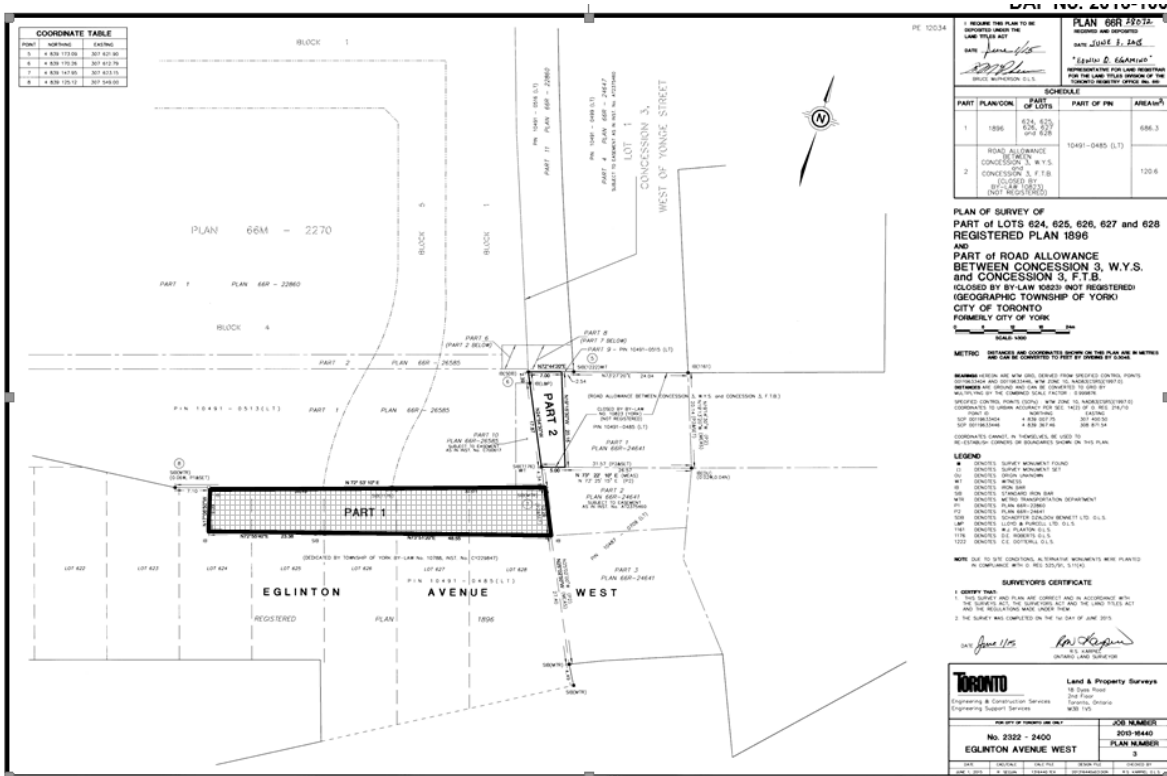
**Consultation with ABCDs**

Division:	TTC	Division:	Financial Planning
Contact Name:	Graham Tulett / Michael Atlas	Contact Name:	Anthony Ng / Filisha Mohammed
Comments:	Consented (April 19, 2016)	Comments:	April 26, 2016

**Legal Division Contact**

Contact Name:	<b>Lisa Davies (2-7270) (No additional comments – April 26, 2016)</b>
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<b>DAF Tracking No.: 2016-100</b>	<b>Date</b>	<b>Signature</b>
Recommended by:            Manager	April 26, 2016	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: <b>Director of Real Estate Services Joe Casali</b>	<b>April 26, 2016</b>	<b>Brian Varner for Joe Casali</b>
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Chief Corporate Officer Josie Scioli</b>	<b>April 26, 2016</b>	<b>Josie Scioli</b>



Appendix "A"

DAF No. 2016-100

