

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

TRACKING NO.: 2016-125

<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:	June 14, 2016	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 seek authority for appropriate City Officials to grant Crosslinx Transit Solutions ("Crosslinx"), a contractor of Metrolinx a Permission to Enter over City-owned property located at 805 Don Mills Road, identified as required for the Eglinton Crosstown Light Rail Transit ("LRT") Project (the "Project").		
Property	City-owned property located at 805 Don Mills Road, described as being Parcel 12822 Section East York, Part of Lot 1, Concession 3, North York, Parts 1 to 17 on Plan 66R-15598, shown in Appendix "A" (the "Property").		
Actions	1. Authority be granted to enter into a Permission to Enter Agreement with Crosslinx in, over, under, upon and through the Property for nominal consideration in connection with the construction of the Project, and 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 this DAF. Authority granted to enter into a Permission to Enter Agreement with Metrolinx for the Property is for nominal consideration.</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 to be provided 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	The Property is required on a temporary basis for the purpose of conducting certain activities to facilitate the construction and ensure such construction does not adversely affect the Property. Specifically, Crosslinx is seeking access to the Property for its contractors, consultants and anyone authorized by it (the "Authorized User") for work including tree protection and removal, geotechnical investigations, boulevard restoration, topographical surveying, sewer manhole access and any other construction related activities (the "Work").		
Terms	<p>Major Provisions:</p> <ul style="list-style-type: none"> (i) Term: 24 hours commencing after the five (5) days' notice period has expired; (ii) Crosslinx and/or the Authorized User to enter the Property for the purposes of undertaking the Work; (iii) Crosslinx or the Authorized User as the case may be, will only enter the Property for the purposes described in (ii) above; (iv) Crosslinx and/or the Authorized User to keep the Property in a neat and tidy condition when conducting the Work; (v) Once Authorized Users complete the Work, they shall restore the affected portion of the Property to the condition it was in prior to the Work and provide the City with all reports and findings produced as a result of carrying out the Work; (vi) All Work completed pursuant to the Licence shall be at the expense of Crosslinx and/or the Authorized User and at no cost to the City; (vii) Crosslinx and/or the Authorized User shall indemnify and hold harmless the City and any other occupants of the Property from and against any damages, liability, actions, claims, costs and expenses in connection with the loss of life, personal injury and/or damage to property to the extent caused by or resulting from Crosslinx and/or the Authorized User, their access to the Property or the Work; and (viii) General liability insurance or wrap up liability insurance not less than \$10,000,000.00 per occurrence, an aggregate limit of not less than \$10,000,000.00 within any policy year with respect to the completed Work. 		
Property Details	Ward:	26 – Don Valley West	
	Assessment Roll No.:	1908-10-1-231-00100	
	Approximate Size:	N/A	
	Approximate Area:	N/A	

Consultation with Councillor(s)									
Councillor:	Jon Burnside					Councillor:			
Contact Name:	Jon Burnside					Contact Name:			
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	Notified (May 31, 2016)					Comments:			
Consultation with ABCDs									
Division:						Division:	Financial Planning		
Contact Name:						Contact Name:	Filisha Mohammed		
Comments:						Comments:	Comments incorporated (May 25, 2016)		
Legal Division Contact									
Contact Name:	Lisa Davies (2-7270) (Comments incorporated June 7, 2016)								

DAF Tracking No.: 2016-125	Date	Signature
Recommended by: Manager	June 14, 2016	Melanie Hale-Carter (for Manager)
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services Joe Casali	June 14, 2016	Joe Casali
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	June 16, 2016	Josie Scioli

Appendix "A"

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