

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

TRACKING NO.: 2015-176

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:	July 23, 2015	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 obtain authority to grant a temporary Licence for a term of 5 years over City-owned public highway located on the north and south sides of Eglinton Avenue West at Photography Drive, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
Property	North and south sides of Eglinton Avenue West at Photography Drive, legally described as being part of Lot A, Plan 285, and part of Road Allowance Between Concession 3 From the Bay and Concession 4 West of Yonge Street, and shown as Parts 1 & 2 on Plan 66R-28069 and Part 1 on Drawing No. 2013-16471-5 in Appendix "A" (the "Highway").
Actions	1. Authority be granted to enter into a temporary licence with Metrolinx for a term of 5 years in, over, under, upon and through the Highway for nominal consideration for the construction of the Project (the "Temporary Licence") 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.</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 transferred 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	<p>The Highway is required on a temporary basis for the purpose of constructing a new bridge from the bus terminal on the south side of Eglinton Avenue West to the Parking/Passenger Pick-up and Drop-off on the north side.</p> <p>Toronto Water has advised that there are sewers and watermain located within the entire Highway. 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 with a commitment for some permanent interest over Parts 1 & 2 on Plan 66R-28069, the configuration and limits of which will be finalized between the parties at a later date.</p> <p>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.</p>
Terms	<p>Temporary Licence – Major Provisions:</p> <ul style="list-style-type: none"> (i) Term of 5 years; (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; (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; and (iv) 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.

Property Details	Ward:	12 – York South-Weston
	Assessment Roll No.:	N/A
	Approximate Size:	Irregular in shape
	Approximate Area: North Side: South Side:	855 m ² ± (9,203.14 ft ² ±) 696.9 m ² ± (7,501.37 ft ² ±)
	Other Information:	

Consultation with Councillor(s)									
Councillor:	Frank Di Giorgio				Councillor:				
Contact Name:	Frank Di Giorgio				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:					Comments:				

Consultation with ABCDs			
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Mohammed
Comments:		Comments:	

Legal Division Contact	
Contact Name:	Lisa Davies (2-7270) (July 23, 2015)

DAF Tracking No.: 2015-176	Date	Signature
Recommended by: Manager	July 23, 2015	Tasse Karakolis
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali	July 23, 2015	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	July 23, 2015	Josie Scioli

Appendix "A"

DAF No. 2015-176

