

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

TRACKING NO.: 2015-178

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).**

<b>Purpose</b>	To obtain authority to grant two temporary licences over portions of 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"). A licence over Part 1 on Plan 66R-28135 (Appendix "A") will be for a term of 5 years, and a licence over Part 2 on Plan 66R-28135 will be for a term of 6 months with an option to renew for a further 6 month period.
<b>Property</b>	City-owned land at the southwest corner of Don Mills Road and Eglinton Avenue East, described as being part of Lot 1, Concession 3, East of Yonge Street, designated as Parts 1 & 2 on Plan 66R-28135 in Appendix "A" (the "Property").
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into a temporary licence with Metrolinx for a term of 5 years in, over, under, upon and through Part 1 on Plan 66R-28135 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).</li> <li>Authority be granted to enter into a temporary licence with Metrolinx for a term of 6 months with an option to renew for a further 6 month period in, over, under, upon and through Part 2 on Plan 66R-28135 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).</li> </ol>
<b>Financial Impact</b>	<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 28<sup>th</sup>, 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>
<b>Comments</b>	<p>The Property is required on a temporary basis for the purpose of constructing a Station Box at the Don Mills Station.</p> <p>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-party infrastructure and/or utilities with a commitment for some permanent interest, 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>
<b>Terms</b>	<p>Temporary Licence – Major Provisions:</p> <ol style="list-style-type: none"> <li>Term of 5 years;</li> <li>Upon the expiration of the Term, and in the event that Metrolinx does not acquire all or part of the Property on a permanent basis, Metrolinx must, at its sole cost, remove its equipment and debris from the Property and restore the Property to the satisfaction of the City;</li> <li>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</li> <li>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> </ol>

<b>Property Details</b>	<b>Ward:</b>	26 – Don Valley West
	<b>Assessment Roll No.:</b>	Part of 1908-10-1-520-00300
	<b>Approximate Size:</b>	Irregular in shape
	<b>Approximate Area:</b>	1,118 m <sup>2</sup> ± (12,034.05 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

**Consultation with Councillor(s)**

Councillor:	Jon Burnside	Councillor:	
Contact Name:	Jon Burnside	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:		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)
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DAF Tracking No.: 2015-178	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





