

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

TRACKING NO.: 2015-273

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:	October 7, 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 temporary licences over portions of City-owned land on the north side of Transway Crescent, east of Kennedy Road, to Metrolinx as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").
Property	Part of City-owned land located on the north side of Transway Crescent, east of Kennedy Road, described as being part of Lot 8, Concession C, designated as Parts 1, 2 & 3 on Sketch Job Number 2014-00131-7 in Appendix "A" (the "Property").
Actions	<ol style="list-style-type: none"> 1. 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 Sketch Job Number 2014-00131-7, 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. 2. Authority be granted to enter into a Permission to Enter Agreement with Metrolinx for two (2) one-week periods on thirty (30) days' notice, in, over, under, upon and through Parts 2 & 3 on Sketch Job Number 2014-00131-7, for nominal consideration, for restriping purposes, 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.</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 Property was originally identified as a site for the future Toronto Transit Commission ("TTC") commuter parking expansion, however no expansion went forward and the TTC subsequently built the new North Service Road commuter parking lot, located at 2450 Eglinton Avenue East. The City has also been leasing the Property to the owner of 2425 Eglinton Avenue East for parking purposes. The Property is required by Metrolinx on a temporary basis for the purposes of constructing a temporary access road running north from Transway Crescent to Eglinton Avenue East and restriping the existing parking lot.</p> <p>The Property Management Committee has reviewed Metrolinx' requirements of the Property and recommends that a Temporary Licence and Permission to Enter Agreement be entered into with Metrolinx, subject to protection of the City or third-party infrastructure and/or utilities.</p> <p>While the delegated authority allows for approval of disposals at nominal value, in this case, given that a Temporary Licence and Permission to Enter Agreement are a lesser but included interest, that authority is being relied upon.</p>
Terms	<p>Temporary Licence & Permission to Enter – Major Provisions:</p> <ol style="list-style-type: none"> (i) Term: 5 years for Part 1; two (2) one-week periods on thirty days' notice for Parts 2 & 3; (ii) Upon the expiration of the Term, Metrolinx must, at its sole cost, remove its equipment and debris from the Property and restore the Property 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:	35 – Scarborough Southwest
	Assessment Roll No.:	Part of 1901-041-220-00450
	Approximate Size:	Irregular in shape
	Approximate Area: Part 1: Parts 2 & 3:	92.2 m ² ± (992.43 ft ² ±) 938.7 m ² ± (10,104.08 ft ² ±)
	Other Information:	

Consultation with Councillor(s)									
Councillor:	Michelle Berardinetti				Councillor:				
Contact Name:	Michelle Berardinetti				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	October 7, 2015				Comments:				

Consultation with ABCDs			
Division:	Metrolinx	Division:	Financial Planning
Contact Name:	Patricia Palmieri	Contact Name:	Filisha Mohammed
Comments:	Comments incorporated (October 2, 2015)	Comments:	October 7, 2015 (Comments incorporated)

Legal Division Contact	
Contact Name:	Lisa Davies (2-7270) (Comments incorporated – October 6, 2015)

DAF Tracking No.: 2015-273	Date	Signature
Recommended by: Melanie Hale-Carter for Manager	Oct. 7, 2015	Melanie Hale-Carter
<input checked="" type="checkbox"/> Recommended by: Director of Real Estate Services <input type="checkbox"/> Approved by: Joe Casali	Oct. 8, 2015	Joe Casali
<input checked="" type="checkbox"/> Approved by: Chief Corporate Officer Josie Scioli	Oct. 8, 2015	Josie Scioli



