

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, INTERNAL CORPORATE SERVICES
DIRECTOR OF REAL ESTATE SERVICES

TRACKING NO.: 2018-150

Approved pursuant to the Delegated Authority contained in Executive Committee Item EX43.7 entitled "Delegation of Authority in Certain Real Estate Matters" adopted by City Council on May 11 and 12, 2010. City Council confirmatory By-law No. 532-2010, enacted on May 12, 2010 as amended by 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.

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|----------------|----------------|------------|----------------------|
| Prepared By: | Trixy Pugh | Division: | Real Estate Services |
| Date Prepared: | April 13, 2018 | Phone No.: | (416) 392-8160 |

Deputy City Manager, Internal Corporate Services ("DCM, ICS") has approval authority to approve the disposal to Metrolinx of certain Transit Lands for nominal consideration, (on terms satisfactory to the DCM, ICS and in a form acceptable to the City Solicitor).

Purpose To amend an existing licence to Metrolinx, over portions of E.T. Seton Park, located on the south side of Eglinton Avenue East, at the south end of Leslie Street, as required for the implementation of the Eglinton-Scarborough Crosstown Light Rail Transit Project (the "Project").

Property Part of the E.T. Seton Park, located on the south side of Eglinton Avenue East, at the south end of Leslie Street, shown as Part 6 on the attached draft R-Plan (the "Licenced Lands") in Appendix "A".

Actions

1. Authority be granted to amend an existing temporary licence with Metrolinx at Seton Park, dated July 23, 2015 (the "Licence"), so that:
 - (A) Section 1(p) of the Licence is hereby deleted in its entirety and replaced with the following:

“(p) *“Permitted Purpose”* means, collectively, all works and uses in connection with the construction of the Project, including, without limitation, (i) reconstruction of a trail connection (the “Trail Work”); (ii) removal and reinstatement of a green wall staircase (the “Staircase Work”); and (iii) such ancillary works (the “Ancillary Works”) as required in respect of the Trail Work and the Staircase Work, including, but not limited to, construction staging purposes (which may include temporary street lighting, temporary hydro poles and associated aerial lines), utility relocations, construction and installation of temporary works in, on, over, under or through the Licensed Area, storage and maintenance of vehicles, materials, machinery, tools and equipment as are reasonably necessary, securing and fencing the Licensed Area if necessary.; and
 - (B) Section 3(1) of the Licence is hereby deleted in its entirety and replaced with the following:
 - (1) The term of this Licence:
 - (a) for the Trail Work and Ancillary Works in respect of the Trail Work, shall commence thirty (30) days following receipt by the City of written notice from Metrolinx and shall expire twelve (12) months thereafter (the “Trail Work Term”), and
 - (b) for the Staircase Work and Ancillary Works in respect of the Staircase Work, shall commence thirty (30) days following receipt by the City of written notice from Metrolinx and shall expire six (6) months thereafter (the “Staircase Work Term”),

Financial Impact There is no financial impact resulting from this approval.

Pursuant to Schedule F (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, 2012 ("Master Agreement"), temporary use property requirements not required for City purposes are transferred to Metrolinx for nominal consideration. The Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.

Comments Metrolinx has requested for an amendment to the existing Licence in connection with the reconstruction of the existing staircase and pathway. The Property Management Committee has reviewed Metrolinx's change in the area requirements of the Property and recommends that the Licence be amended.

Terms The existing terms as outlined in DAF 2015-179.

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| Property Details | Ward: | 26 – Don Valley West |
| | Assessment Roll No.: | Part of 1906-04-3-080-00200 |
| | Approximate Size: | Irregular in shape |
| | Approximate Area: | 2,396.2 m ² (25,792.5 ft ²) |
| | Other Information: | |

| 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 | Contacted by: | Phone | | E-mail | | Memo | | Other |
| Comments: | No objections (April 13, 2018) | | | | | Comments: | | | | | | | | | |
| Consultation with ABCDs | | | | | | | | | | | | | | | |
| Division: | PF&R | | | | | Division: | Financial Planning | | | | | | | | |
| Contact Name: | Mark Filice | | | | | Contact Name: | Patricia Libardo | | | | | | | | |
| Comments: | Incorporated into DAF (April 10, 2018) | | | | | Comments: | Incorporated into DAF (April 10, 2018) | | | | | | | | |
| Legal Division Contact | | | | | | | | | | | | | | | |
| Contact Name: | Lisa Davies (2-7270) (April 10, 2018) | | | | | | | | | | | | | | |
| DAF Tracking No.: 2018-150 | | | | | Date | | Signature | | | | | | | | |
| Recommended by: Manager Nick Simos | | | | | April 17, 2018 | | Signed by Nick Simos | | | | | | | | |
| <input checked="" type="checkbox"/> | Recommended by: Director of Real Estate Services | | | | April 17, 2018 | | Signed by David Jollimore | | | | | | | | |
| <input type="checkbox"/> | Approved by: David Jollimore | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Approved by: Deputy City Manager | | | | April 19, 2018 | | Signed by Josie Scioli | | | | | | | | |
| | Internal Corporate Services | | | | | | | | | | | | | | |
| | Josie Scioli | | | | | | | | | | | | | | |

Appendix "A"

