

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

TRACKING NO.: 2018-132

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.

Prepared By:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	April 6, 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).**

<b>Purpose</b>	To obtain authority to grant a temporary licence to Metrolinx over a part of 2650 Finch Avenue West for construction of a retaining wall, as required for the implementation of the Finch West Light Rail Transit Project (the "Project").
<b>Property</b>	Part of the City-owned Gord and Irene Risk Park located at 2650 Finch Avenue West, described as Block C on Plan 8265 North York, Part of Block B on Plan 8265 North York Parts 7 to 12 on RS979, Block E on Plan 8265 North York Except Part 2 RS1081, Part of Road Allowance Between Concession 6 and 7 West of Yonge Street Township of York Lying South of the Southerly Limit of Block D on Plan 8265, Part of Lot 21 Concession 7 West of Yonge Street Township of York, Part of Road Allowance Between Lots 20 to 21 Concession 7 and Lot 20 Concession 6 West of Yonge Street Township of York, Part of Widening on Plan 8265 North York Part 1 on RS1081, Subject to NY413564, NY425977, NY795455, shown as Part 3 on draft reference plan 2016-04317-1 (the "Property") in Appendix "A".
<b>Actions</b>	<ol style="list-style-type: none"> <li>1) Authority be granted to enter into a temporary licence with Metrolinx for a term of eight (8) months following thirty (30) days' written notification from Metrolinx, for construction of a retaining wall, on terms and conditions as set out herein and as deemed appropriate by the DCM, ICS or designate, and in a form satisfactory to the City Solicitor;</li> <li>2) Authority be granted for the DCM, ICS to administer and manage the temporary licences including the provision of any consent, approvals, waivers, notices and notices of termination provided that the DCM, ICS may, at any time, refer consideration of such matter to City Council for its determination and direction;</li> <li>3) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	<p>The Property forms part of Gord and Irene Risk Park and is required on a temporary basis for construction of a retaining wall. The City will receive revenue in the amount of \$809.23 (plus HST) from Metrolinx for the eight month term of the temporary licence to be directed to 2018 Council Approved Operating Budget for Parks, Forestry &amp; Recreation under account # P10226-8620. Parks, Forestry &amp; Recreation staff has advised that there are no objections to the temporary use of the Property by Metrolinx provided that certain conditions as outlined in the Terms below are met.</p> <p>The Acting Chief Financial Officer has reviewed this DAF and agrees with the financial impact information.</p>
<b>Comments</b>	As part of the Project, construction of a retaining wall is required on the Property. As such, Metrolinx has requested for a temporary licence. The Property Management Committee has reviewed Metrolinx' requirements of the Property and recommends that a temporary licence be granted to Metrolinx.
<b>Terms</b>	See Appendix "B"

<b>Property Details</b>	<b>Ward:</b>	7 – York West
	<b>Assessment Roll No.:</b>	Part 1908-01-3-650-05400
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	75.18 m <sup>2</sup> ± (809.2 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

Consultation with Councillor(s)									
Councillor:	Giorgio Mammoliti					Councillor:			
Contact Name:	Giorgio Mammoliti					Contact Name:			
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	Notified March 23, 2018					Comments:			
Consultation with ABCDs									
Division:	PF&R					Division:	<b>Financial Planning</b>		
Contact Name:	Mark Filice					Contact Name:	Patricia Libardo		
Comments:	Incorporated into DAF (April 6, 2018)					Comments:	Incorporated into DAF (April 3, 2018)		
Legal Division Contact									
Contact Name:	Lisa Davies (March 27, 2018)								
DAF Tracking No.: 2018-132					Date		Signature		
Recommended by: Manager Nick Simos					April 6, 2018		Signed by Nick Simos		
<input checked="" type="checkbox"/>	<b>Recommended by: Director of Real Estate Services</b>				<b>April 6, 2018</b>		Signed by David Jollimore		
<input type="checkbox"/>	<b>Approved by: David Jollimore</b>								
<input checked="" type="checkbox"/>	<b>Approved by: Deputy City Manager</b>				<b>April 6, 2018</b>		Signed by Josie Scioli		
	<b>Internal Corporate Services</b>								
	<b>Josie Scioli</b>								

**Appendix "A"**



Draft Reference Plan 2016-04317-1



**Appendix "B"**

## Temporary Licence – Major Provisions:

- (i) Term: Eight (8) months;
- (ii) Fee: \$809.23, plus HST;
- (iii) Prior to commencement of any work, Metrolinx shall provide to the Chief Corporate Officer detailed plans showing the proposed location and specifications of the Works
- (iv) Metrolinx shall take measures to ensure that underground services, utilities and/or structures that may exist on, under or adjacent to the licenced areas are protected from damage;
- (v) Metrolinx to repair all damage caused by any exercise of its rights under the temporary licence to the satisfaction of the Chief Corporate Officer;
- (vi) 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.