

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

TRACKING NO.: 2018-136

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 3, 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 obtain authority to grant a temporary licence to Metrolinx over parts of 1785 Finch Avenue West to (i) access the traction power substation located on the adjacent property and complete duct bank work (the "Access and Duct Bank Work"); (ii) complete road widening work; (iii) and the construction of a retaining wall, as required for the implementation of the Finch West Light Rail Transit Project (the "Project").

**Property** Part of the property owned by the Toronto Public Library Board located at 1785 Finch Avenue West, described as Part of Lot 20 concession 4 West of Yonge Street of York as in NY458582 Except Parts 2 and 3 on 64R-13768, Subject To NY458582; shown as Parts 1, 2 and 3 on draft reference plan 2016-04478-4 (the "Property") in Appendix "A".

**Actions**

- 1) Authority be granted to Toronto Public Library Board ("TPL") enter into a temporary licence with Metrolinx for certain work to commence on the Property upon at least thirty (30) days prior written notice from Metrolinx to TPL for the purpose of: (i) Access and Duct Bank Work to expire when TPL upon the closing of the acquisition by Metrolinx of an easement; (ii) road widening work for a period of five (5) years; and (iii) the construction of a retaining wall for a period of eight (8) months, all on such terms and conditions as may be deemed appropriate by the City Librarian or her designate and in a form satisfactory to the City Solicitor.
- 2) Authority be granted for the City Librarian or her designate to execute, administer and manage the temporary licence including the provision of any consent, approvals, waivers, notices and notices of termination provided that the City Librarian may, at any time, refer consideration of such matter to City Council for its determination and direction.

1) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**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** As part of the Project, Access and Duct Bank Work over Part 3 on draft Reference Plan 2016-04478-4, road widening work over Part 1 and construction of a retaining wall over Part 2 are required on the Property and for such work Metrolinx has requested a temporary licence. TPL and Metrolinx will enter into a permanent easement agreement over Part 3 at a later date, at which time the necessary approvals will be obtained. TPL has asked that access to the branch be maintained at all times. The Property Management Committee has reviewed Metrolinx' requirements of the Property and recommends that a temporary licence be granted to Metrolinx.

<b>Property Details</b>	<b>Ward:</b>	8 – York West
	<b>Assessment Roll No.:</b>	Part 1908-01-1-380-35600
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	408.6 m <sup>2</sup> (4,398.13 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

<b>Consultation with Councillor(s)</b>									
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:			
<b>Consultation with ABCDs</b>									
Division:	TPL					Division:	<b>Financial Planning</b>		
Contact Name:	Gail Rankin					Contact Name:	Patricia Libardo		
Comments:	Incorporated into DAF (March 26, 2018)					Comments:	March 29, 2018		
<b>Legal Division Contact</b>									
Contact Name:	Lisa Davies (March 27, 2018)								
<b>DAF Tracking No.: 2018-136</b>					<b>Date</b>	<b>Signature</b>			
Recommended by: Manager Nick Simos					April 3, 2018	Signed by Nick Simos			
<input checked="" type="checkbox"/>	Recommended by: Director of Real Estate Services David Jollimore				April 3, 2018	Signed by David Jollimore			
<input type="checkbox"/>	Approved by:								
<input checked="" type="checkbox"/>	Approved by: Deputy City Manager Internal Corporate Services Josie Scioli				April 5, 2018	Signed by Josie Scioli			

Appendix "A"



