

**DELEGATED APPROVAL FORM**  
**DIRECTOR, REAL ESTATE SERVICES**  
**MANAGER, REAL ESTATE SERVICES**

**TRACKING NO.: 2022-014**

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management
Date Prepared:	January 6, 2022	Phone No.:	416-397-0806

<b>Purpose</b>	To obtain authority to further extend the existing licence agreement with Metrolinx with respect to a portion of the property municipally known as 1076 Ellesmere Road (the "Licensed Area") for three (3) months for the purposes of access and staging to facilitate the expansion of the Stouffville Corridor Expansion (the "Project").
<b>Property</b>	Part of City owned property located at 1076 Ellesmere Road legally described as: Lt 11 RCP 9953 Scarborough save & except Pt 1, 64R2140, Pts 1, 2 & 3 64R2141, Pt 3 64R8379, Pts 1, 2, 3, 5 & 6 64R10289, Pt 1 64R11125, Pt 1 64R10290; S/T SC418060; S/T TB528925; Toronto, City of Toronto and shown on, Appendix "A" (the "Licensed Area").
<b>Actions</b>	Authority be granted to further extend the term of an existing licence with Metrolinx for (three) 3 months substantially on the major terms and conditions outlined below and including such terms and conditions as deemed appropriate by the approving authority herein, and in form satisfactory to the City Solicitor.
<b>Financial Impact</b>	The City will receive additional revenue in the amount of \$14,330.00 (exclusive of HST).  The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
<b>Comments</b>	The Licensed Area is part of the City-owned Ellesmere Yard under the jurisdiction of Transportation Services. By DAF No. 2016-209, the City entered into a licence agreement, dated May 1, 2017, with Metrolinx for seasonal use of the Property for an initial term of three (3) years. The licence included two options to renew for one (1) year each by Metrolinx providing written notice to the City.  The licence was extended for the first one (1) year term by extension agreement dated October 19, 2020 (collectively the "Licence"), which expired on October 31, 2021  Construction on the Project is still ongoing. Metrolinx has requested a three month extension from November 1, 2021 to January 31, 2022. Transportation Services has no objection to the extension..  Real Estate Services staff considers the proposed fee and other terms and conditions in the licence agreement to be fair, reasonable and at market value.
<b>Terms</b>	<b>Term:</b> Three months commencing on November 1, 2021, expiring on January 31, 2022.  <b>Licence Fee:</b> \$14,330.00 plus applicable taxes.  <b>Renewal rights:</b> N/A.  <b>Access:</b> Access to the Licensed Area will be allowed during the entire licenced term.  All other terms and conditions will remain the same as in the Licence.

<b>Property Details</b>	<b>Ward:</b>	21 – Scarborough Centre
	<b>Assessment Roll No.:</b>	1901-04-3-570-00100
	<b>Approximate Size:</b>	Irregular
	<b>Approximate Area:</b>	11,592 square feet
	<b>Other Information:</b>	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System &amp; Parks &amp; Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input checked="" type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

**B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).

**Director, Real Estate Services also has signing authority on behalf of the City for:**

- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

**Pre-Condition to Approval**

Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

**Consultation with Councillor(s)**

Councillor:	Michael Thomson	Councillor:	
Contact Name:	Ihor D. Wons	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:	No objections - November 23, 2021	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Transportation Services/Project Management Office CREAM	Division:	Financial Planning
Contact Name:	Dan McGhee, Superintendent Transportation Operations – Nov 16, 2021 / Herbert Ramirez, Senior Project Manager – October 4, 2021	Contact Name:	Ciro Tarantino
Comments:	Included	Comments:	No changes- November 22, 2021

**Legal Services Division Contact**

Contact Name:	Lisa Davies – October 26, 2021
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DAF Tracking No.: 2022-014	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Vinette Prescott-Brown</b>	Jan 6, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	Jan. 14, 2022	Signed by Alison Folosea

**Appendix "A"**

Location Map and Sketch of Licenced Area (access (hatched) and staging (cross-hatched))

