

DELEGATED APPROVAL FORM

CITY MANAGER

TRACKING NO.: 2023-046

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	February 3, 2023	Phone No.:	(416) 392-8160

Purpose	To obtain authority for the City to enter into a licence (the "Licence") with Metrolinx for lands in the Thorncliffe Area, for the purposes of all works and uses in connection with the construction of the Ontario Line Project (the "Project").										
Property	Lands located in the Thorncliffe Area, divided into Don Valley Crossing, Walmsley Brook Crossing and West Don River Crossing (collectively, the "Licensed Area") in Appendix "A".										
Actions	1. Authority be granted to enter into the Licence with Metrolinx, substantially on the major terms and conditions set out below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.										
Financial Impact	<p>The City will receive total licence fee revenues of \$6,907,996 (plus HST) over the thirty five (35) month term of the agreement. Revenues will be directed to the 2022 Council Approved Operating Budget for Corporate Real Estate Management under cost centre in FA1379 and functional area code 3220200000, and will be included in future operating budget submissions for Council consideration.</p> <p>Revenues remitted to the City for each fiscal year is as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Year</th> <th style="width: 85%;">Amount:</th> </tr> </thead> <tbody> <tr> <td>2023</td> <td>\$2,171,084</td> </tr> <tr> <td>2024</td> <td>\$2,368,456</td> </tr> <tr> <td>2025</td> <td>\$2,368,456</td> </tr> <tr> <td>Total</td> <td>\$6,907,996 (plus HST)</td> </tr> </tbody> </table>	Year	Amount:	2023	\$2,171,084	2024	\$2,368,456	2025	\$2,368,456	Total	\$6,907,996 (plus HST)
Year	Amount:										
2023	\$2,171,084										
2024	\$2,368,456										
2025	\$2,368,456										
Total	\$6,907,996 (plus HST)										
Comments	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p> <p>At its meeting held on December 15, 2021, City Council adopted EX28.12 which authorized the City and the Toronto Transit Commission to enter into the Real Estate Protocol and Land Valuation Principles for Subways and GO Expansion Programs with Metrolinx. The General Terms and Conditions for Real Estate Protocol for Property Acquisitions and Dispositions Relating to Subway Projects in the City of Toronto (the "RE Protocol"), was executed on June 16, 2022. The RE Protocol provides a clear process for the parties to follow relating to the acquisition, ownership and disposition of real property between the parties, both temporary and permanent interests, required for the Subways Program, which includes the Scarborough Subway Extension, the Ontario Line and the Yonge North Subway Extension.</p> <p>Metrolinx requires the Licence for expansion of the rail corridor, which includes advanced works, construction access, staging and storage, and utility work. Some of the Licensed Area is subject to be transferred to Metrolinx by way of fee simple or permanent easement. Staff from Parks, Forestry & Recreation, Transportation Services, Engineering & Construction Services, Toronto Water and Toronto and Region Conservation Authority have no objection the granting of the Licence. The form of the Licence is substantially in the form appended to the RE Protocol.</p> <p>Real Estate Services staff considers the proposed fee and other terms and conditions of the Licence to be fair, reasonable and reflective of market rates.</p>										
Terms	<p>Term: For temporary requirements only, thirty-five (35) months, with options to extend up to a maximum of six (6) additional years, upon six (6) months prior written notice to the City.</p> <p>For interests with permanent requirements, the initial term, with one (1) option to extend for a period up to twelve (12) months, or the Licensed Area is transferred to Metrolinx by way of fee simple transfer or permanent easement, whichever is the latter, upon six (6) months prior written notice to the City.</p> <p>Fee: \$6,907,996 (plus HST) for the thirty-five (35) month term</p>										

Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Ward:</td> <td>10 – Toronto-Danforth 15 – Don Valley West 16 – Don Valley East</td> </tr> <tr> <td>Approximate Size:</td> <td></td> </tr> <tr> <td>Approximate Area:</td> <td>271,403.8 m² ± (67 ac ±)</td> </tr> </table>	Ward:	10 – Toronto-Danforth 15 – Don Valley West 16 – Don Valley East	Approximate Size:		Approximate Area:	271,403.8 m ² ± (67 ac ±)
Ward:	10 – Toronto-Danforth 15 – Don Valley West 16 – Don Valley East						
Approximate Size:							
Approximate Area:	271,403.8 m ² ± (67 ac ±)						

A.	City Manager has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.
3. Issuance of RFPs/REOs:	Request/waive hearings of necessity delegated to less senior positions.
4. Permanent Highway Closures:	Delegated to less senior positions.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to less senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to less senior positions.
9. Leases/Licences (City as Landlord/Licensor):	<input checked="" type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$10 Million. Leases/licences for periods up to 12 months at less than market value delegated to less senior positions. Leases pursuant to the Community Space Tenancy Policy delegated to a less senior position.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$10 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million. Nominal sum easements to pre-existing utilities when closing roads delegated to less senior positions.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to less senior positions.

B. City Manager has signing authority on behalf of the City for:

- Documents required to implement matters for which this position also has delegated approval authority.

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:	Jon Burnside, Jaye Robinson, Paula Fletcher	Councillor:	
Contact Name:	Jon Burnside, Jaye Robinson, Paula Fletcher	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Advised	Comments:	

Consultation with Divisions and/or Agencies

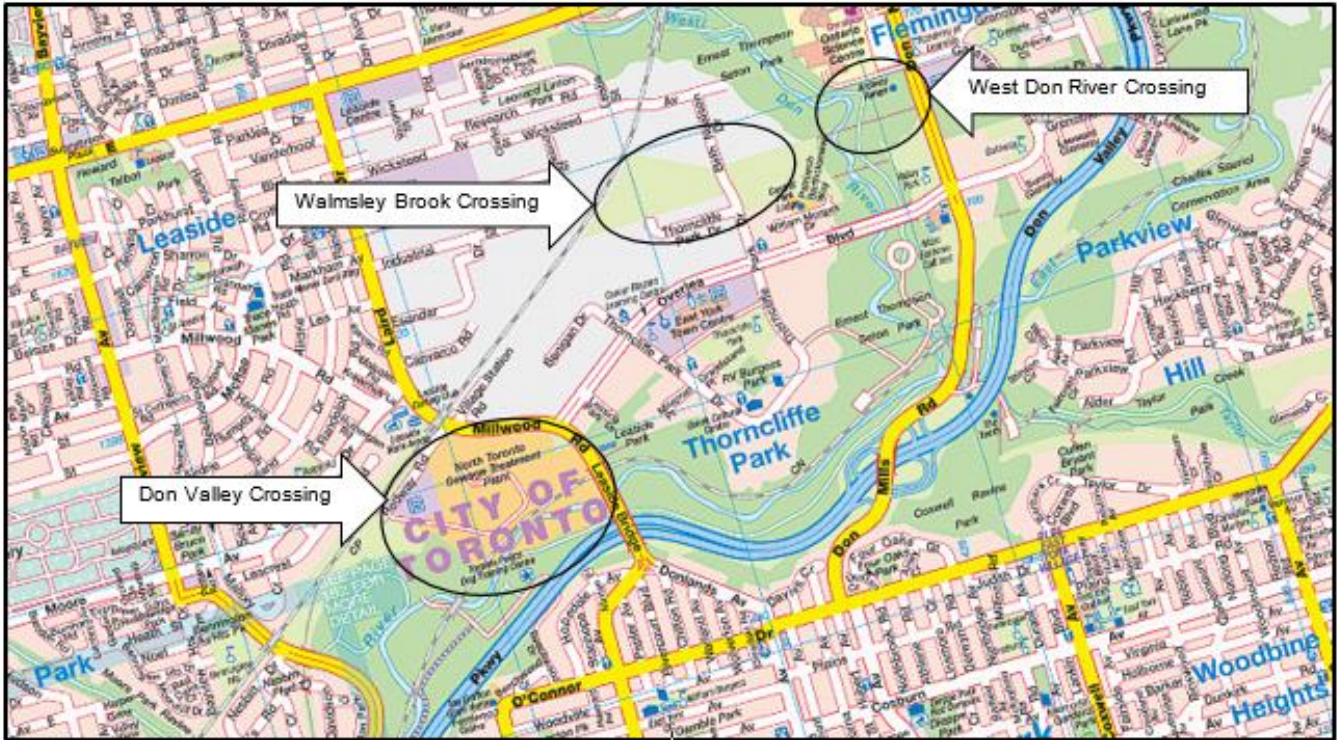
Division:	PF&R, TW, TRCA, ECS, TS	Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

Legal Services Division Contact

Contact Name: **Luxmen Aloysius**

DAF Tracking No.: 2023-046	Date	Signature
Recommended by: Acting Manager, Real Estate Services, Leila Valenzuela	February 7, 2023	Signed by Leila Valenzuela
Recommended by: Acting Director, Real Estate Services, Vinette Prescott-Brown	February 7, 2023	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management Patrick Matozzo	February 7, 2023	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Recommended by: Deputy City Manager, Corporate Services Josie Scioli	February 8, 2023	Signed by Josie Scioli
<input checked="" type="checkbox"/> Approved by: City Manager Paul Johnson	February 9, 2023	Signed by Paul Johnson

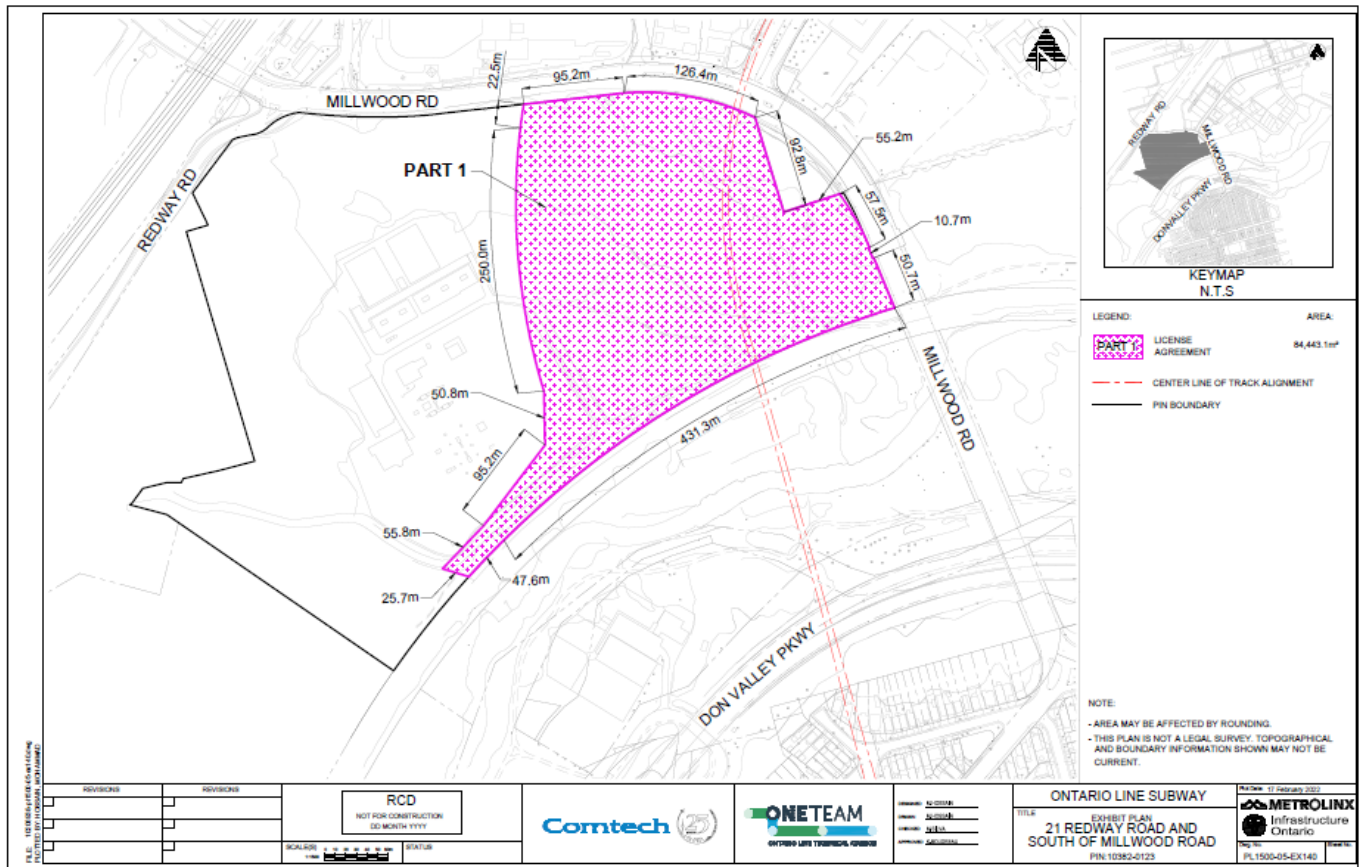
Appendix "A": Location Map and Schedule of PINs

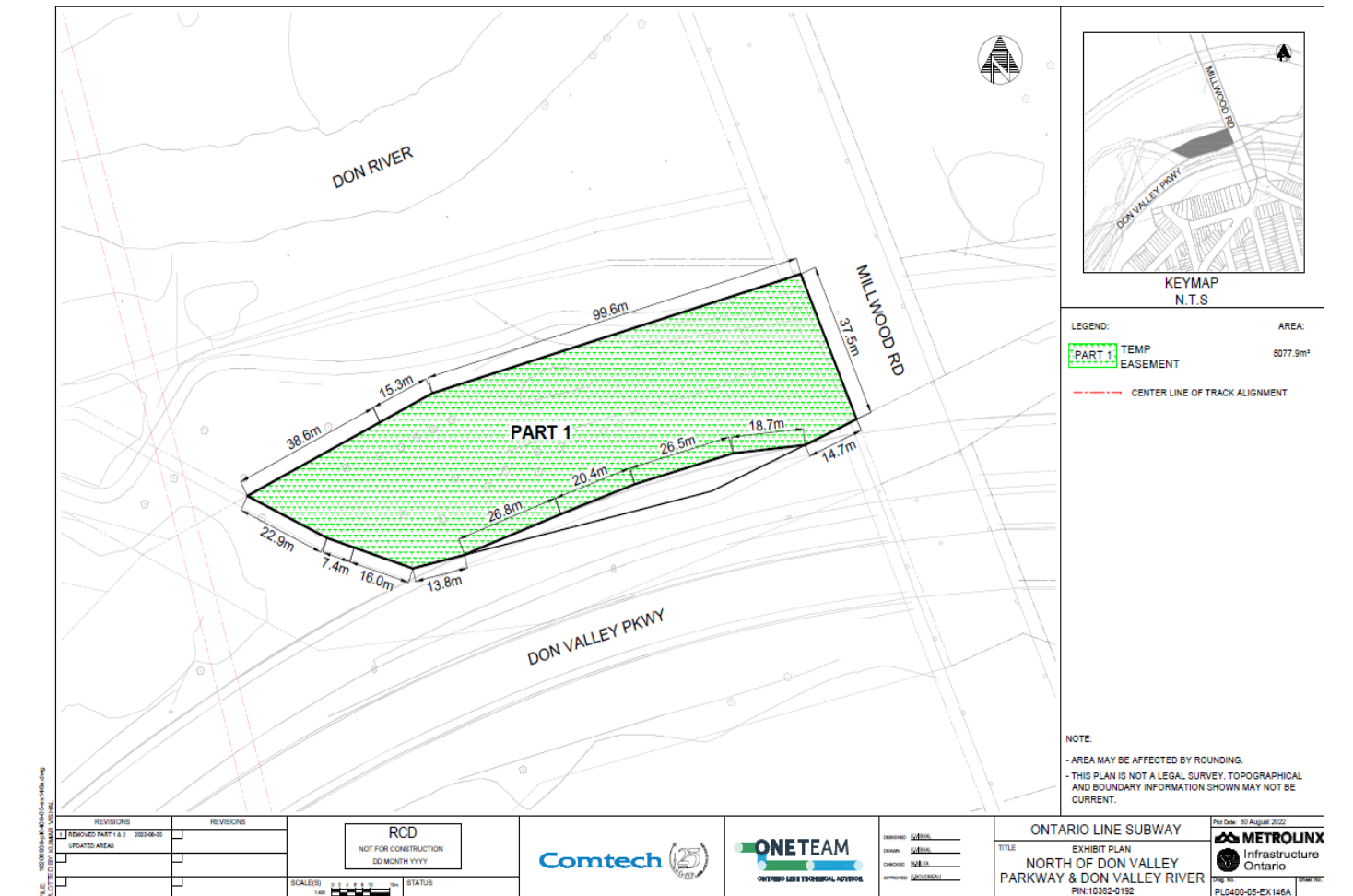
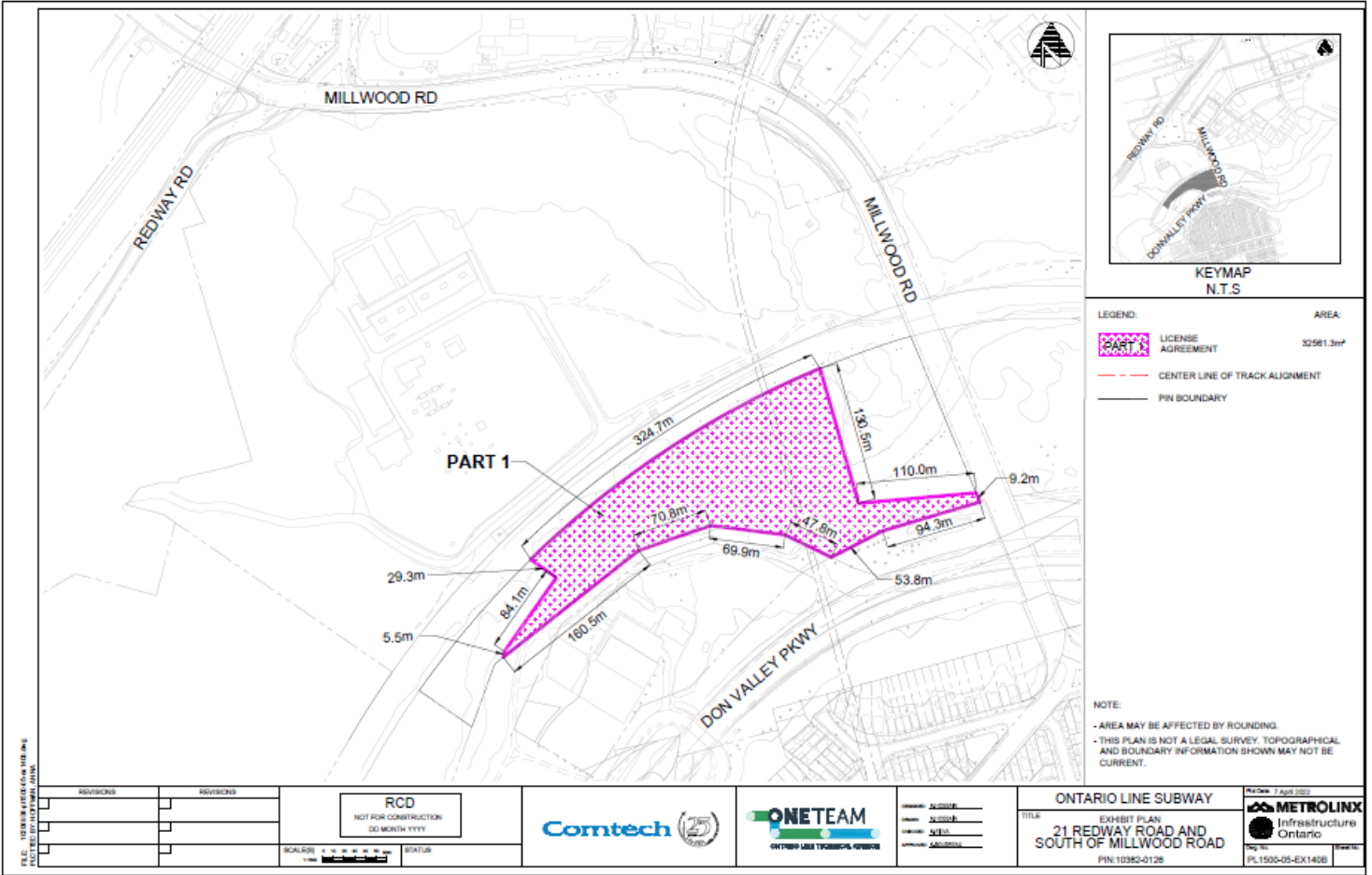


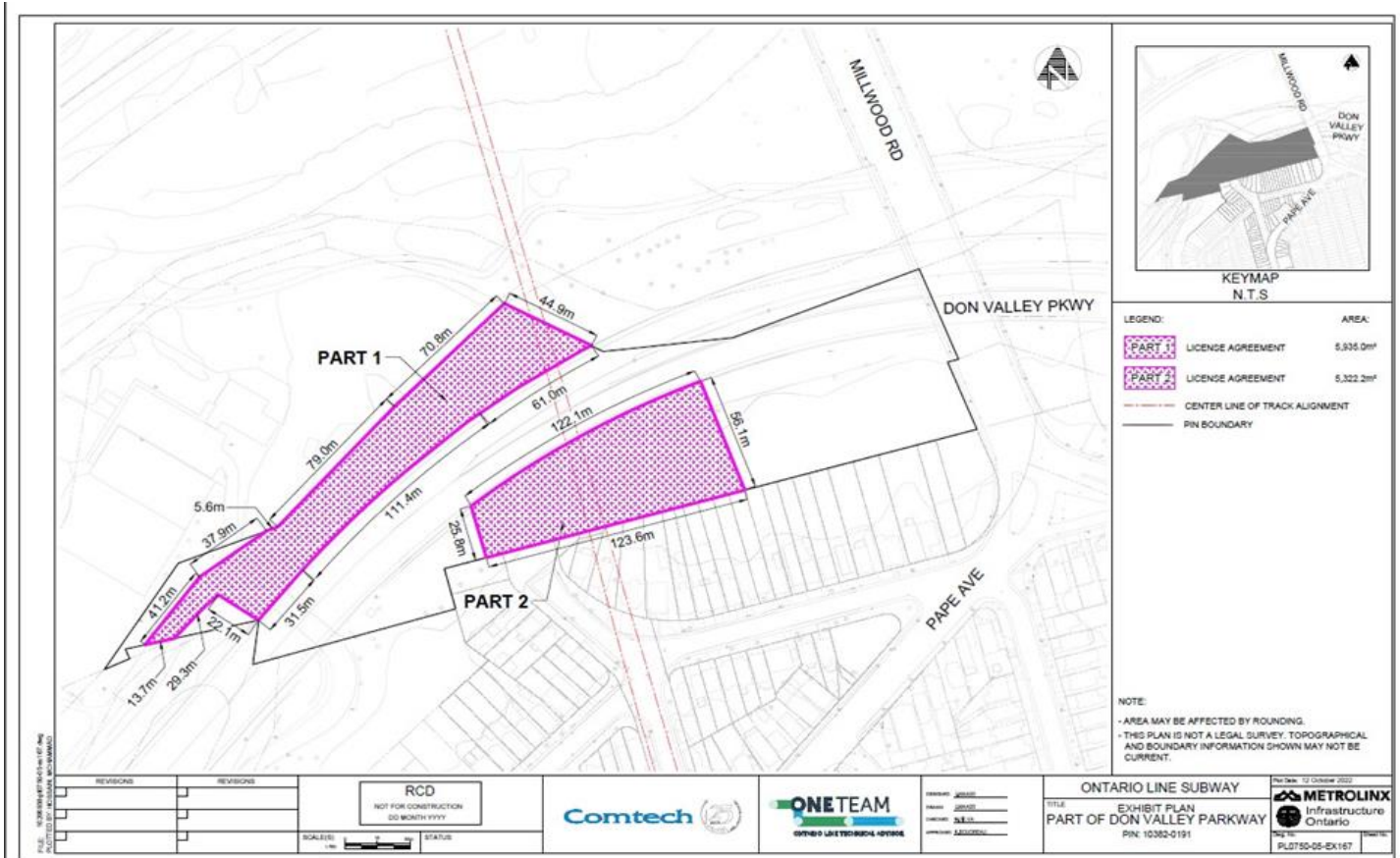
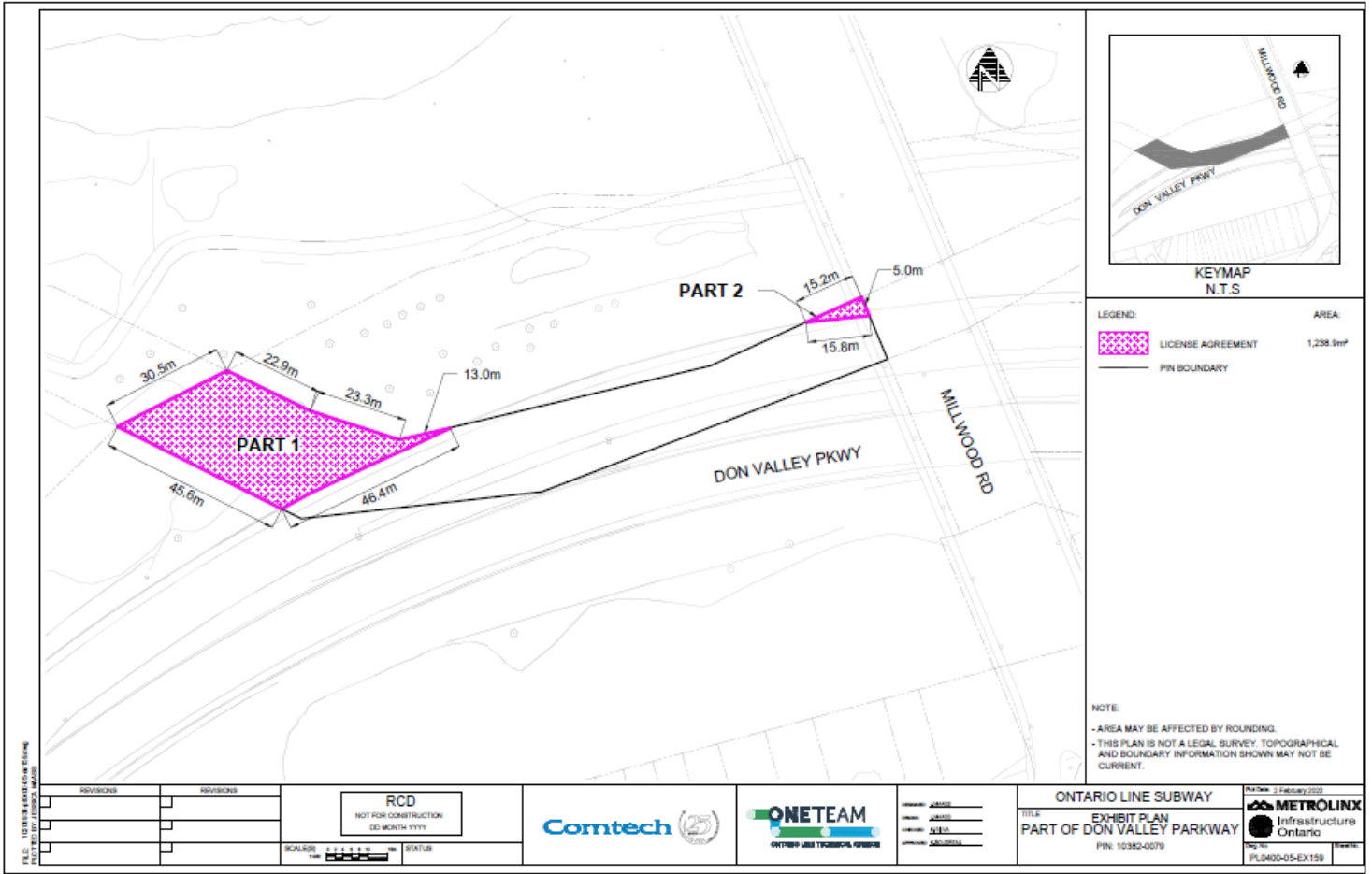
Don Valley Crossing PINs		Walmsley Brook Crossing PINs	
1	10382-0066	1	10389-0225
2	10389-0217	2	10389-0180
3	10382-0123	3	10389-0020
4	10382-0126	4	10389-0239
5	10382-0192	5	10389-0220
6	10382-0079	6	10389-0221
7	10382-0191		
8	10382-0061		
9	10382-0067		
10	10382-0058		
11	10382-0055		
12	10382-0057		
13	10382-0194		
14	10382-0062		
15	10382-0193		

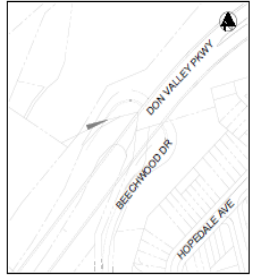
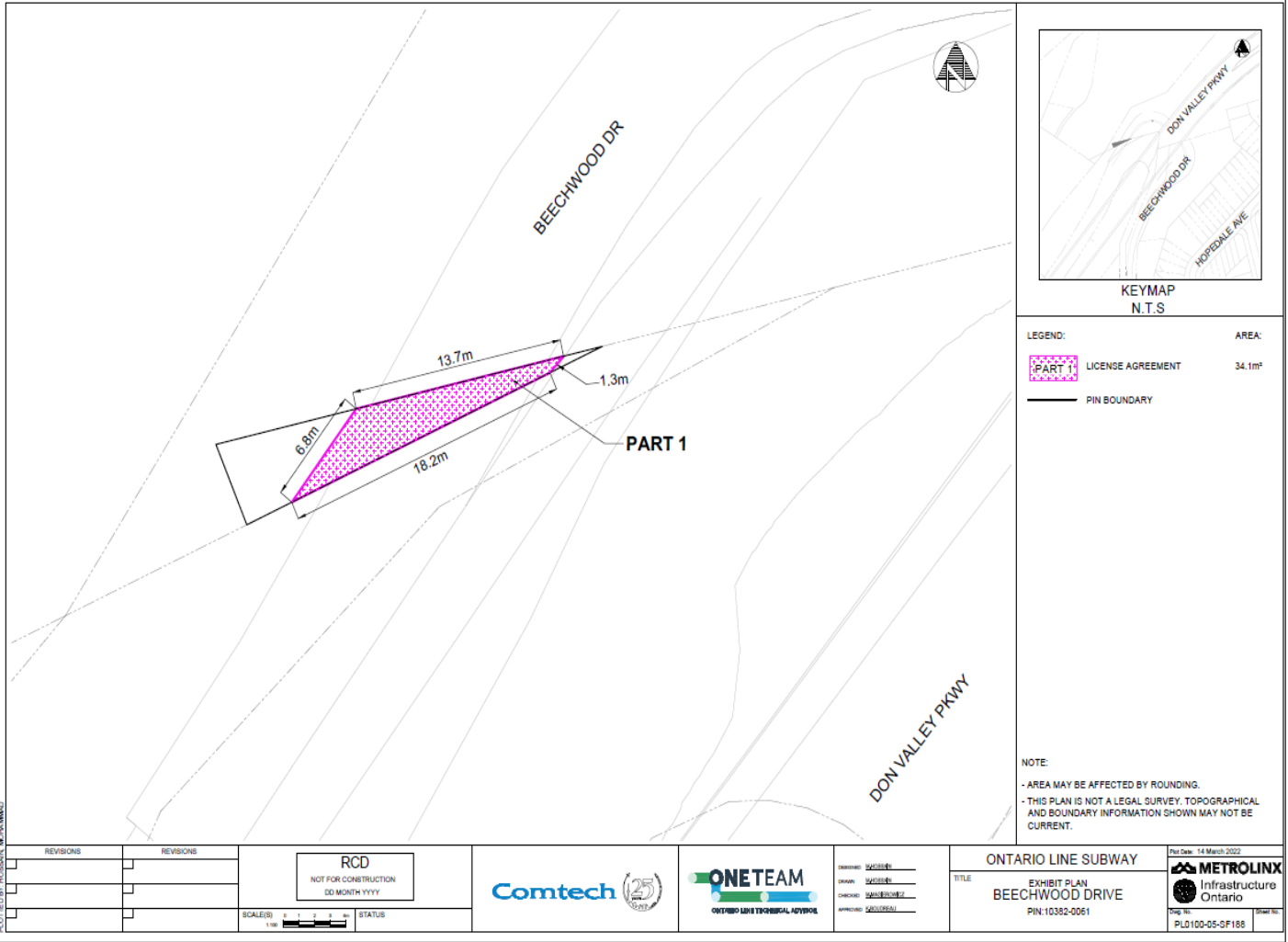
Appendix "B": Sketches

Don Valley Crossing PINS









LEGEND:

	PART 1 LICENSE AGREEMENT	AREA: 34.1m ²
	PIN BOUNDARY	

NOTE:
 - AREA MAY BE AFFECTED BY ROUNDING.
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.

REVISIONS	REVISIONS

RCD
 NOT FOR CONSTRUCTION
 DD MONTH YYYY

SCALE(S) STATUS

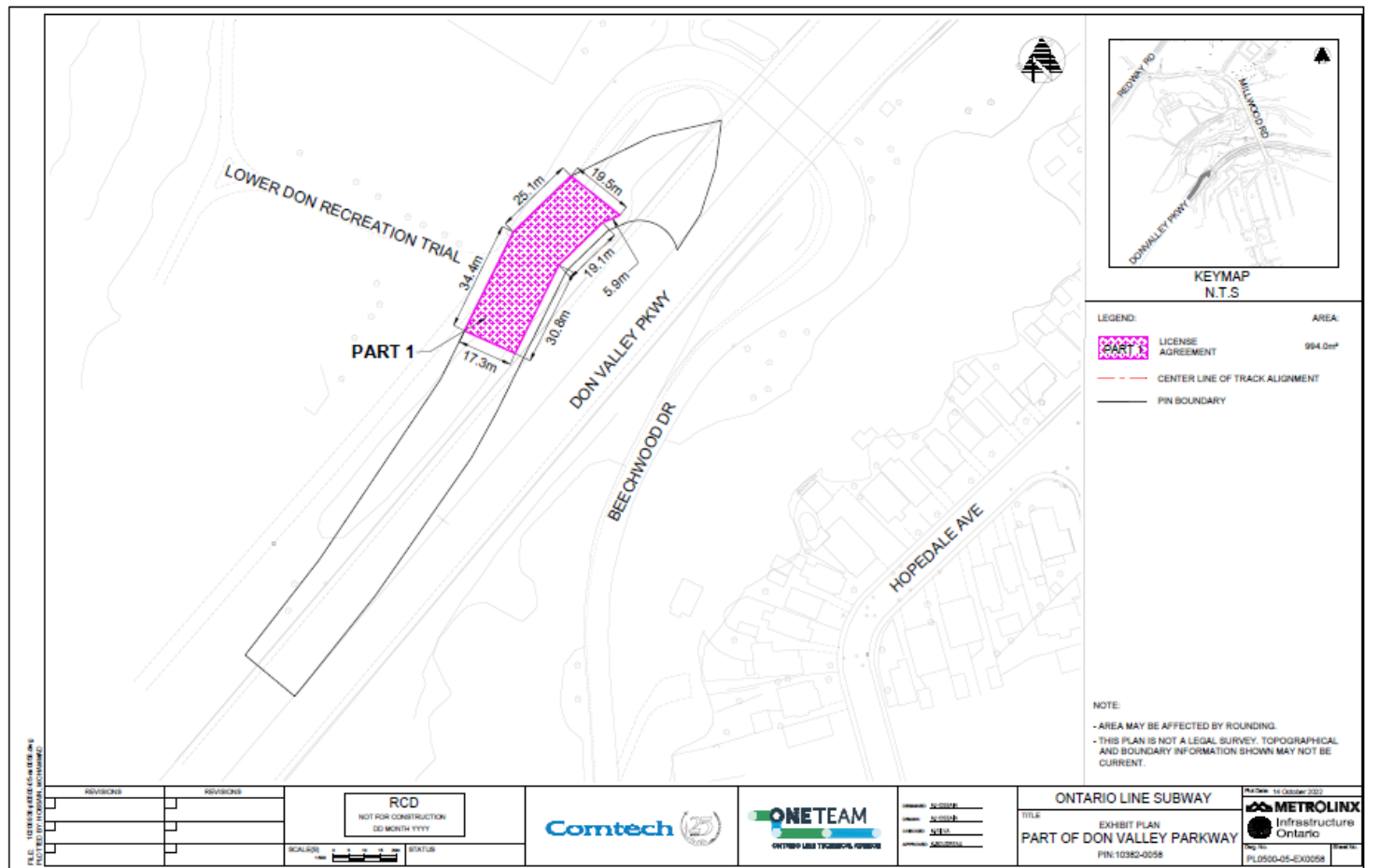
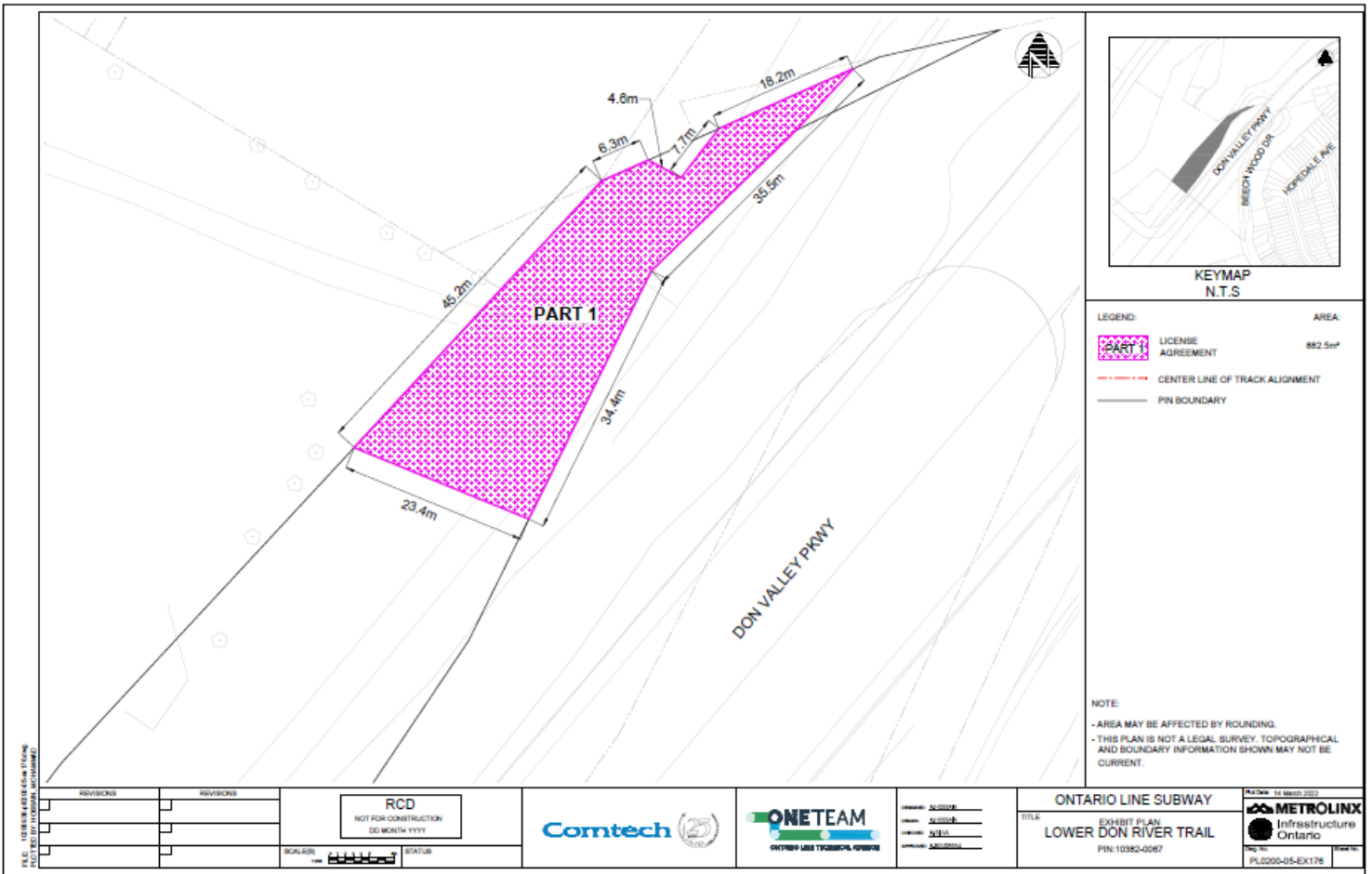
DESIGNED:	DATE:
DRAWN:	CHECKED:
APPROVED:	DATE:

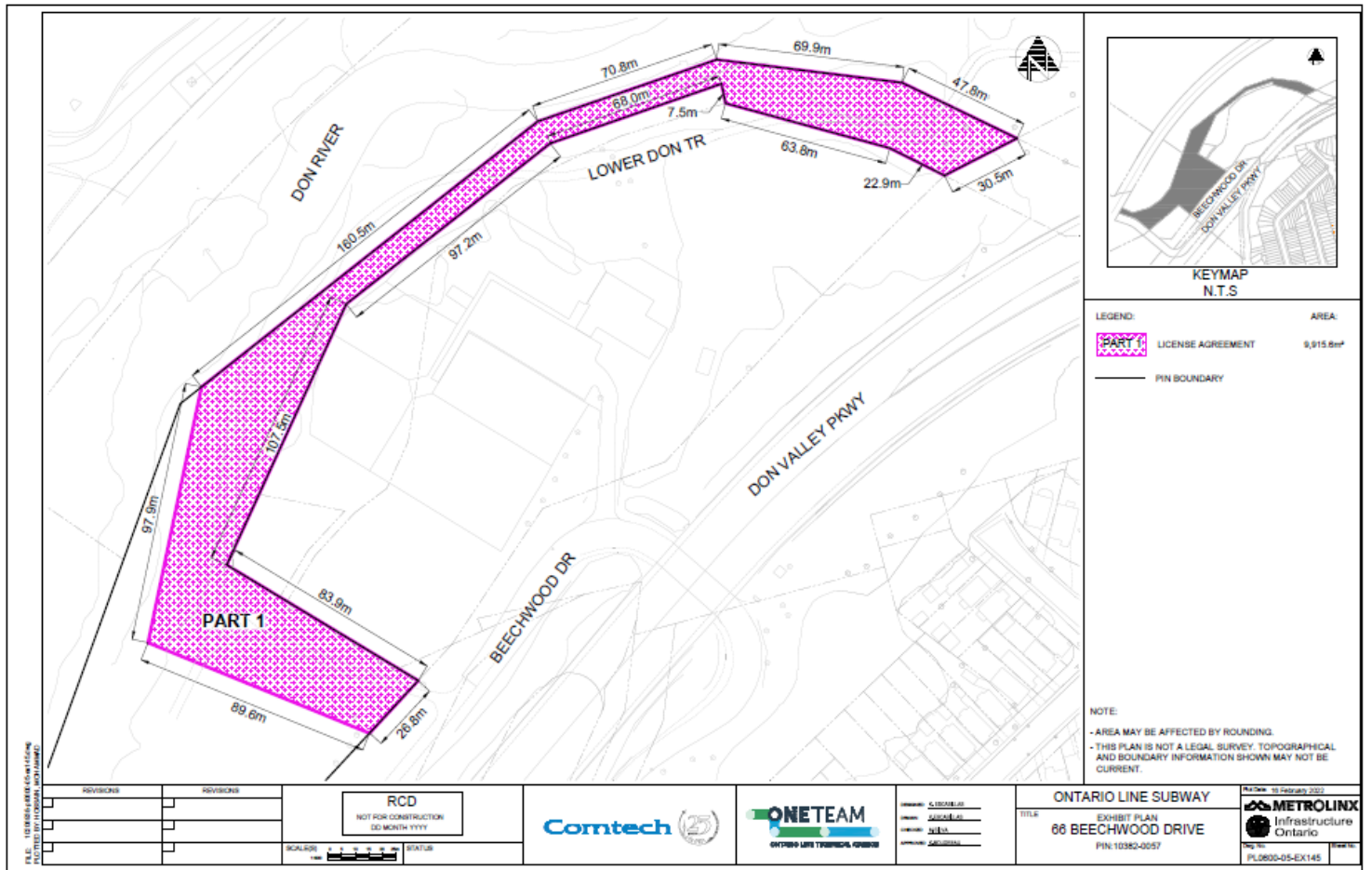
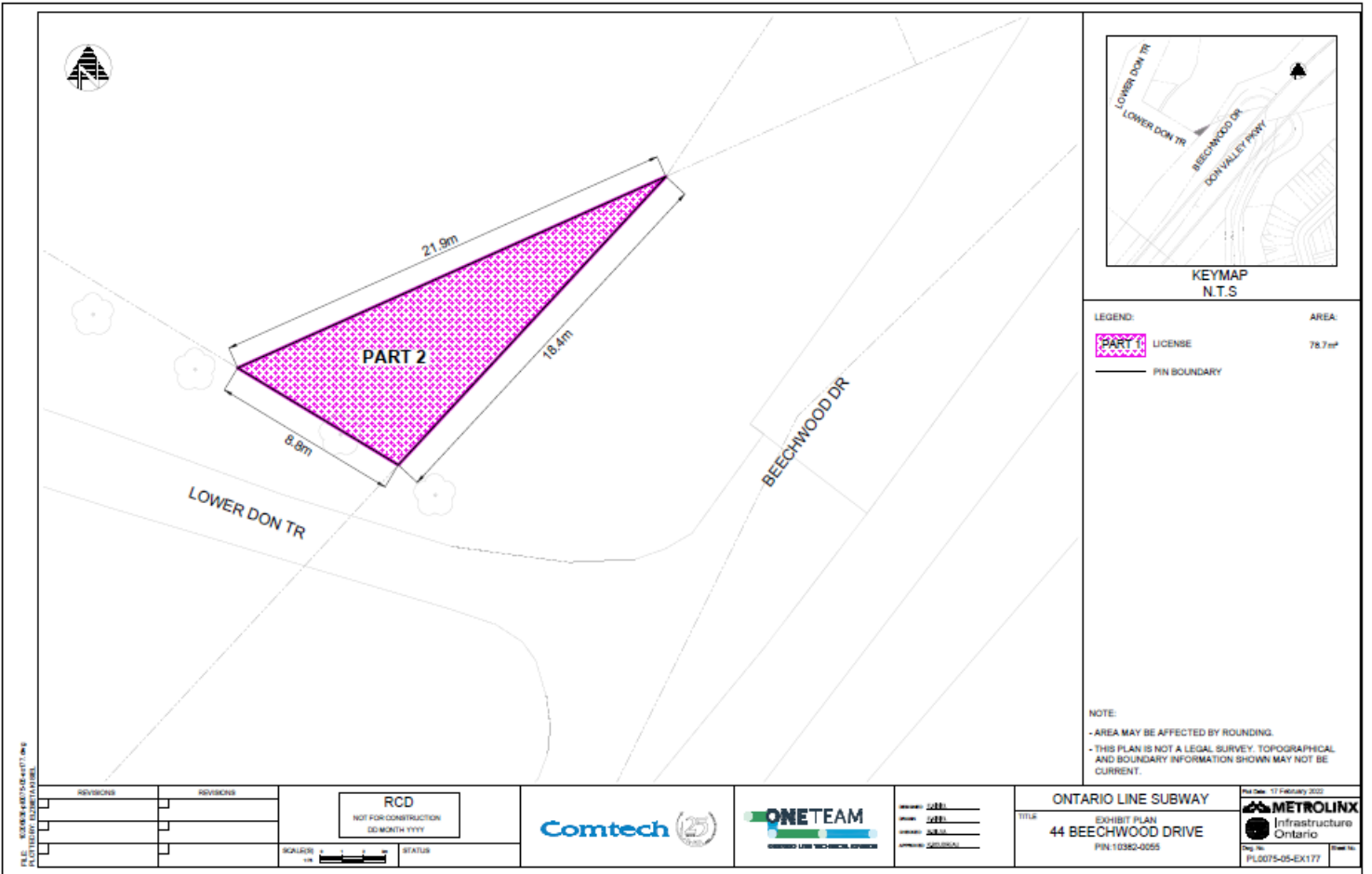
ONTARIO LINE SUBWAY
 EXHIBIT PLAN
BEECHWOOD DRIVE
 PIN: 10392-0051

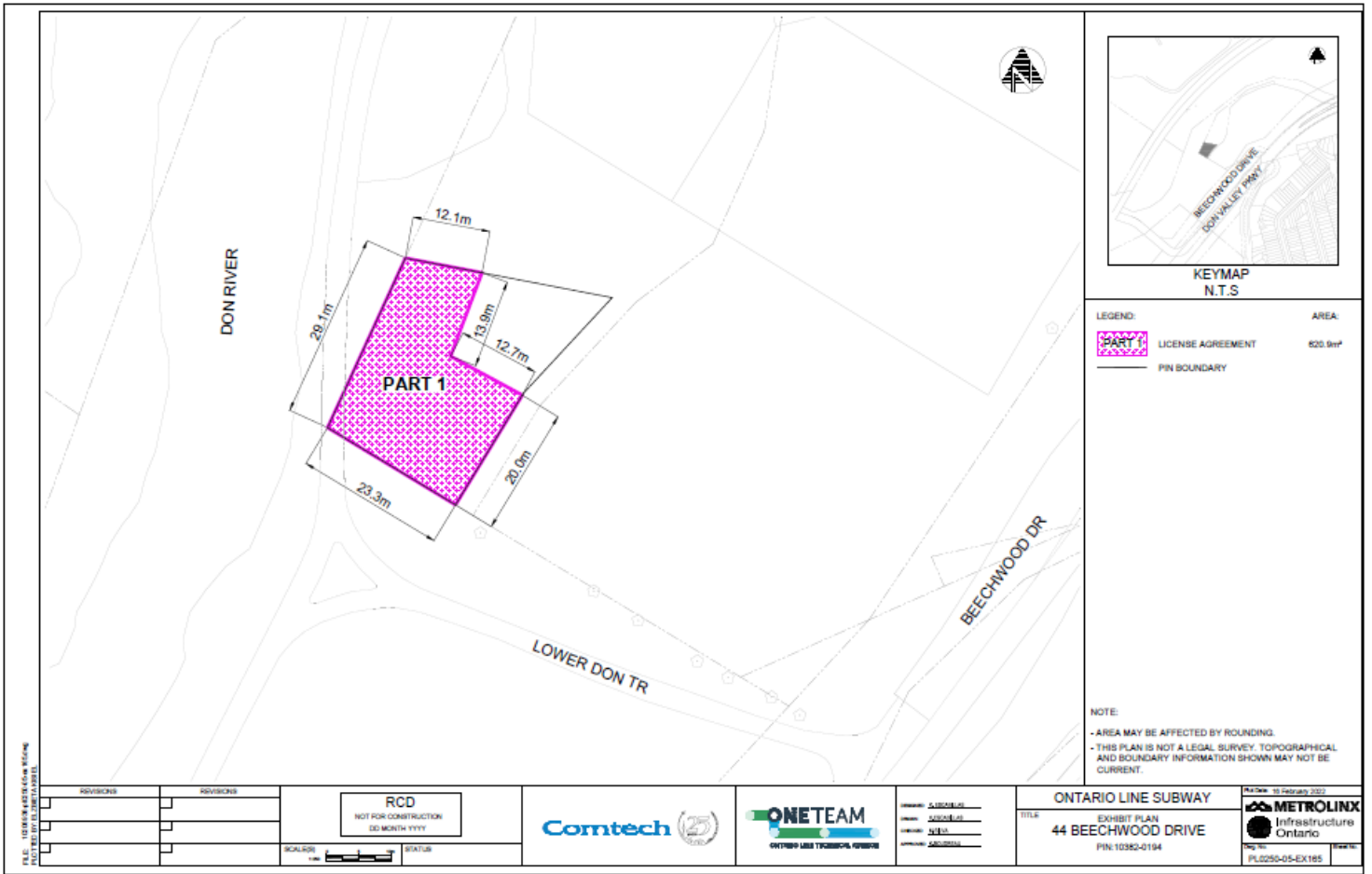
Plot Date: 14 March 2022

Plot No: PLD100-05-SF168

PLD100-05-SF168







KEYMAP
N.T.S

LEGEND:	AREA:
PART 1	LICENSE AGREEMENT 620.9m ²
	PIN BOUNDARY

NOTE:
 - AREA MAY BE AFFECTED BY ROUNDING.
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.

REVISIONS	REVISIONS

RCD
NOT FOR CONSTRUCTION
DD MONTH YYYY

SCALE: 1:1000

STATUS

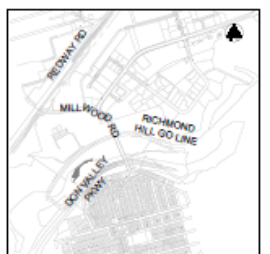
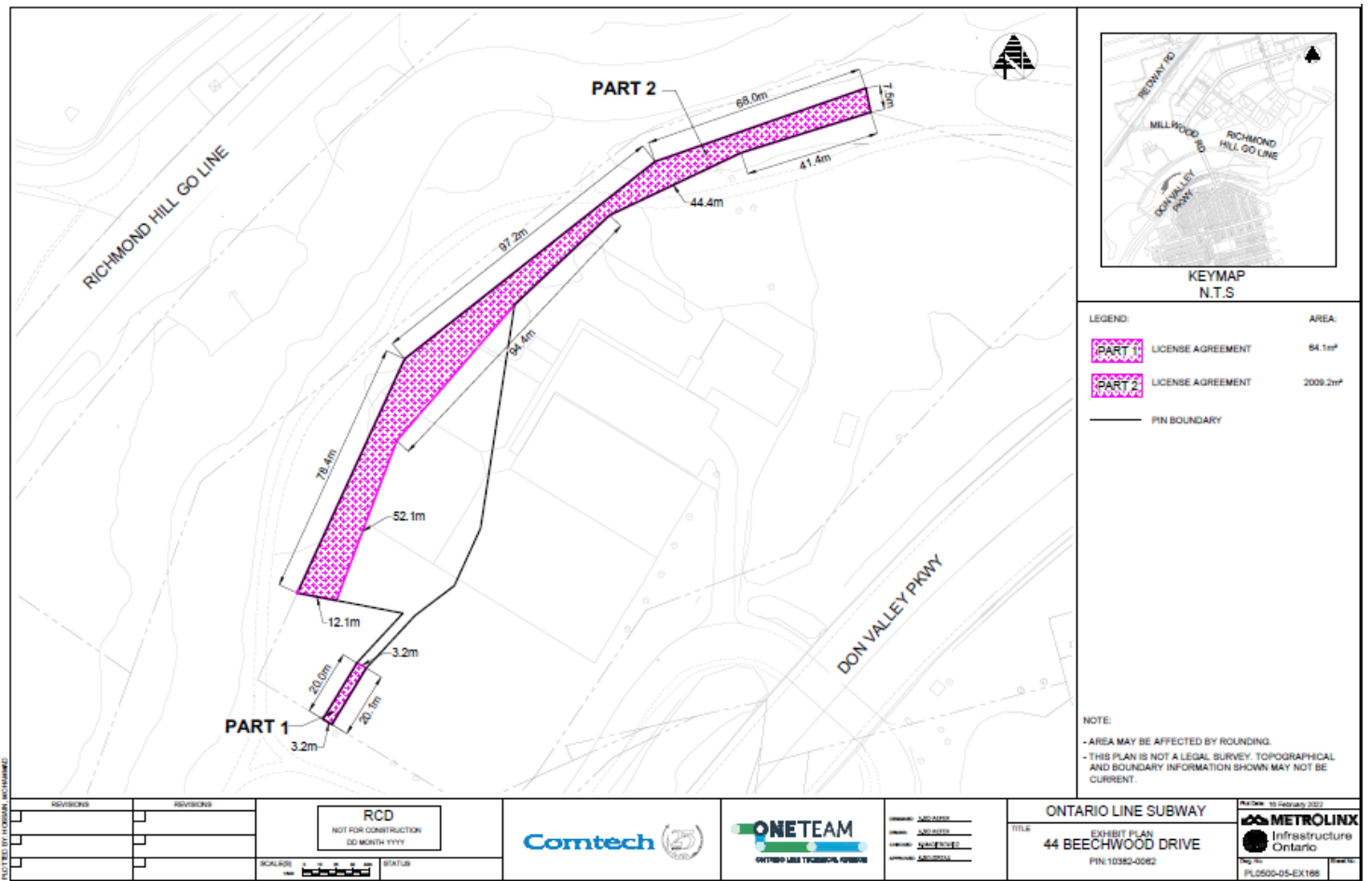


DESIGNED BY	
CHECKED BY	
DATE	
APPROVED BY	

ONTARIO LINE SUBWAY
 EXHIBIT PLAN
 44 BEECHWOOD DRIVE
 PIN: 10382-0194

Revised: 10 February 2022

Map No: PL0250-05-EX185



KEYMAP
N.T.S

LEGEND:	AREA:
PART 1	LICENSE AGREEMENT 84.1m ²
PART 2	LICENSE AGREEMENT 2009.2m ²
	PIN BOUNDARY

NOTE:
 - AREA MAY BE AFFECTED BY ROUNDING.
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.

REVISIONS	REVISIONS

RCD
NOT FOR CONSTRUCTION
DD MONTH YYYY

SCALE: 1:1000

STATUS

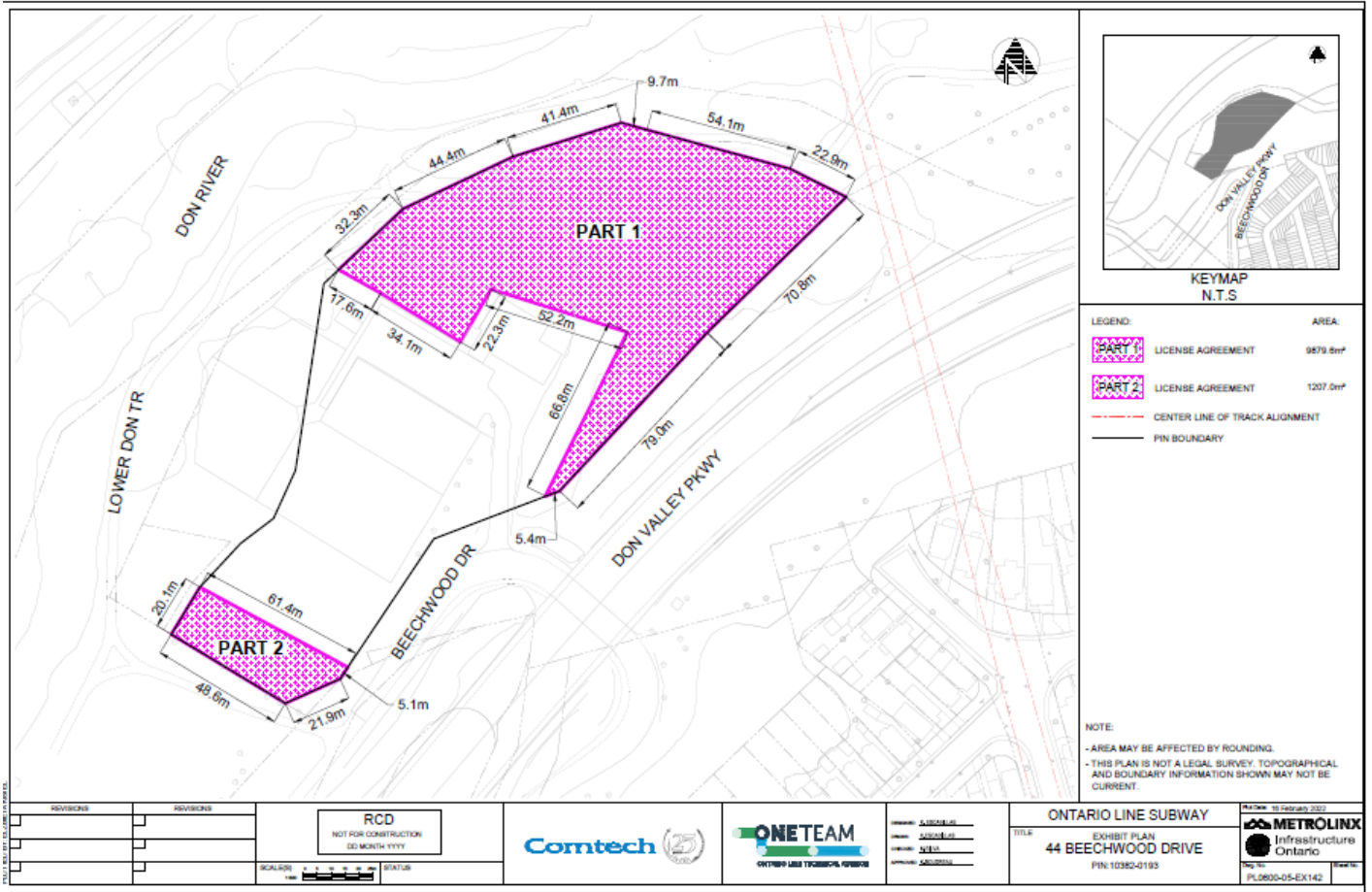


DESIGNED BY	
CHECKED BY	
DATE	
APPROVED BY	

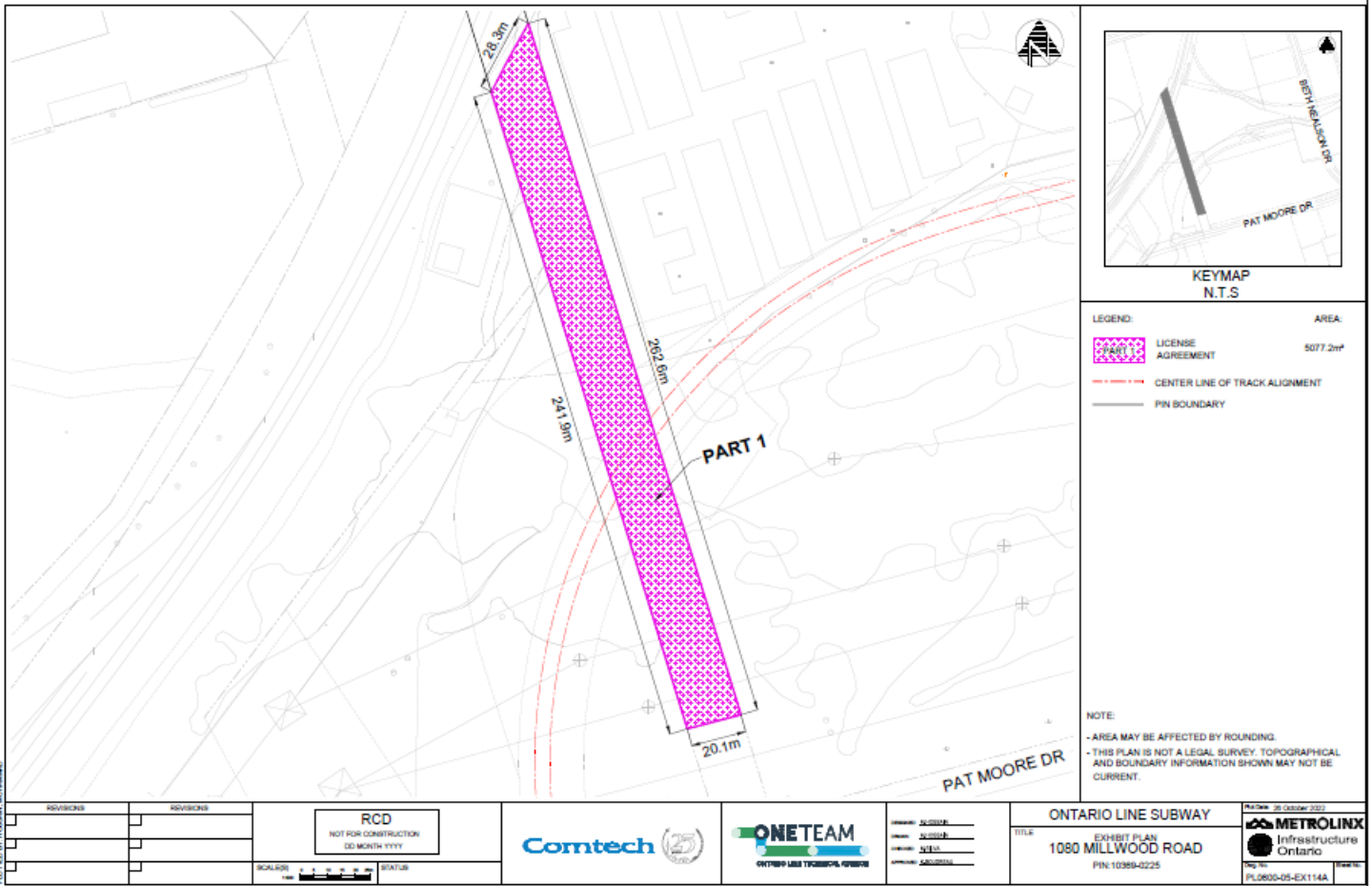
ONTARIO LINE SUBWAY
 EXHIBIT PLAN
 44 BEECHWOOD DRIVE
 PIN: 10382-0082

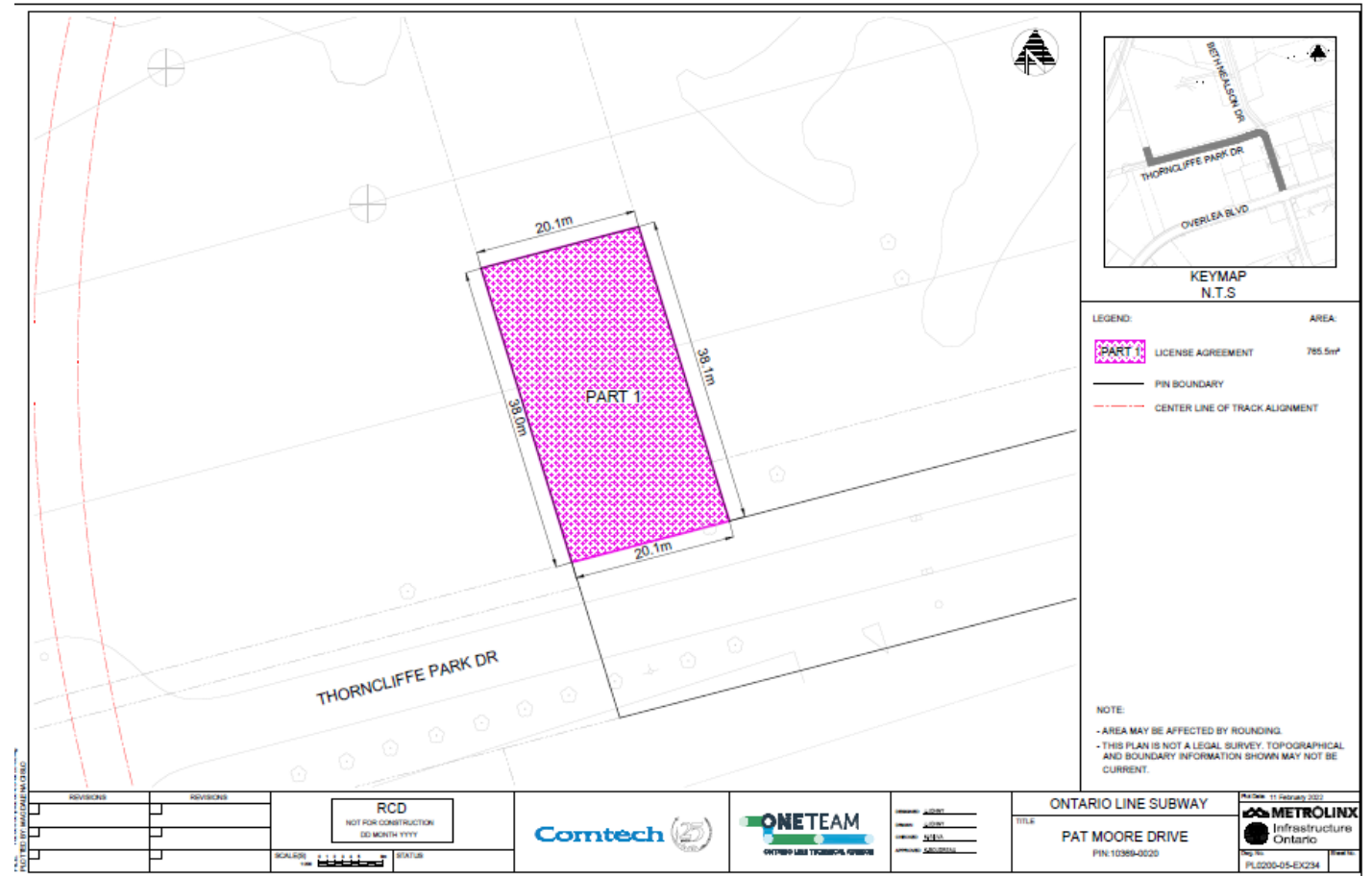
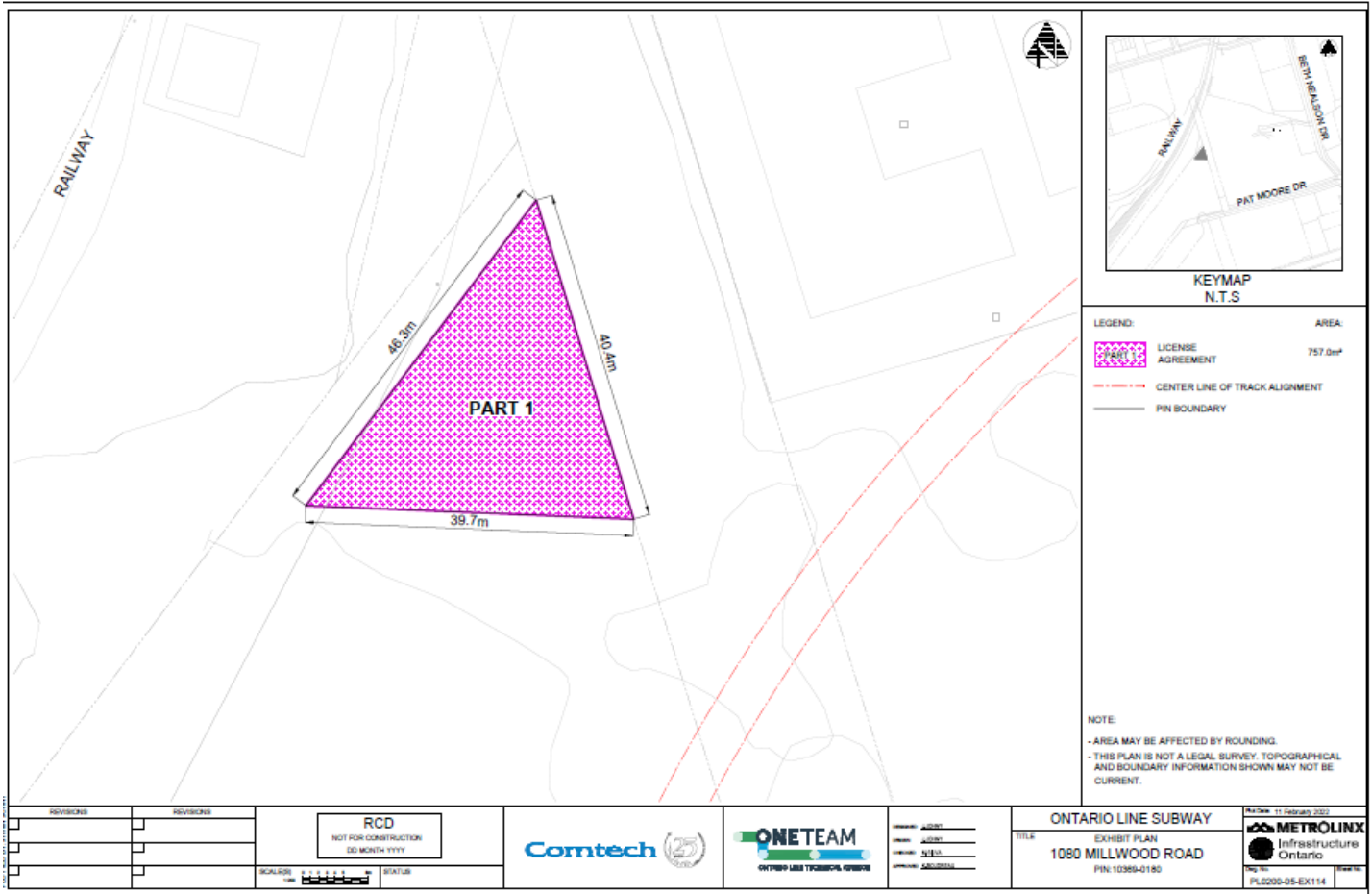
Revised: 10 February 2022

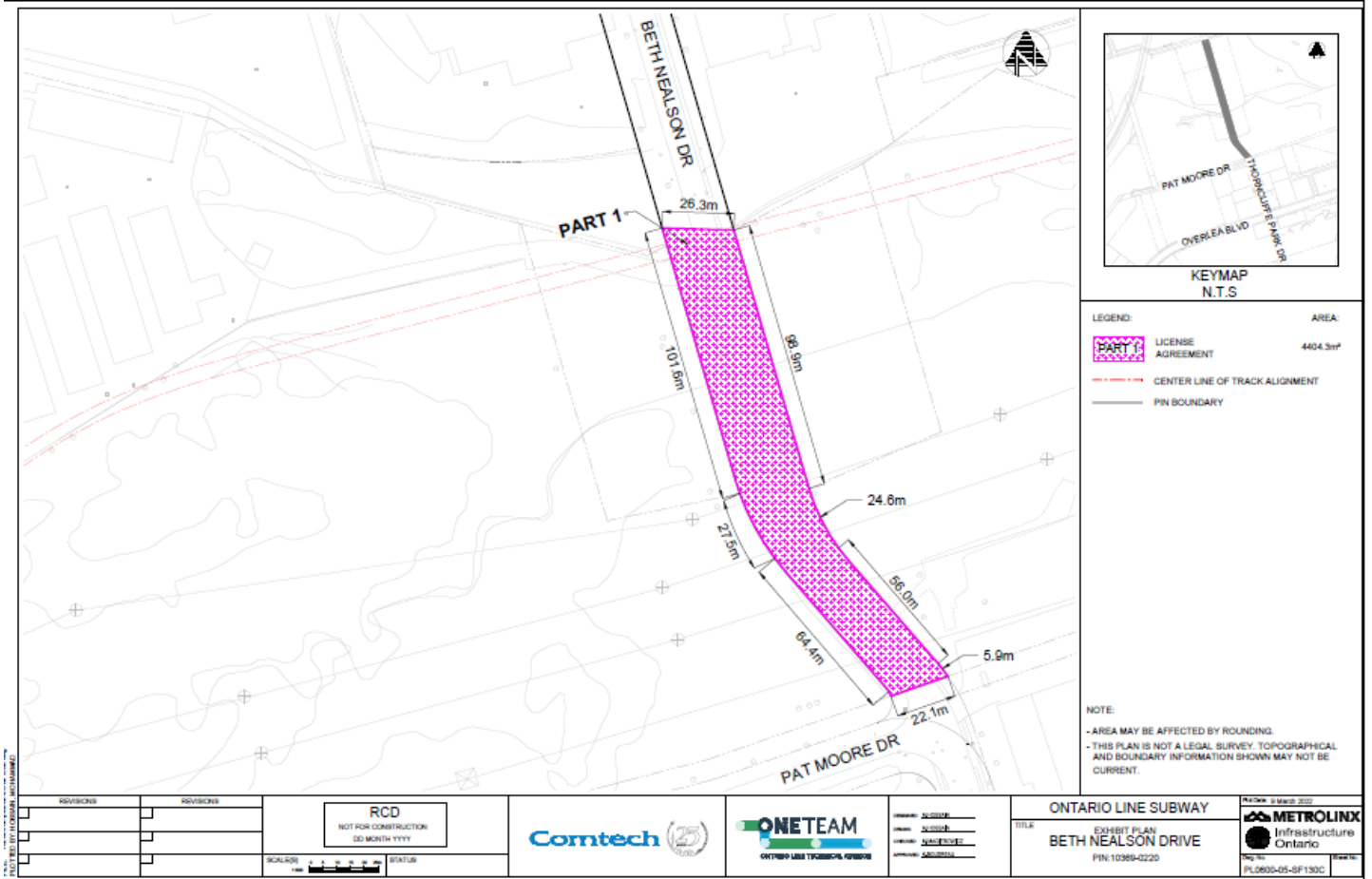
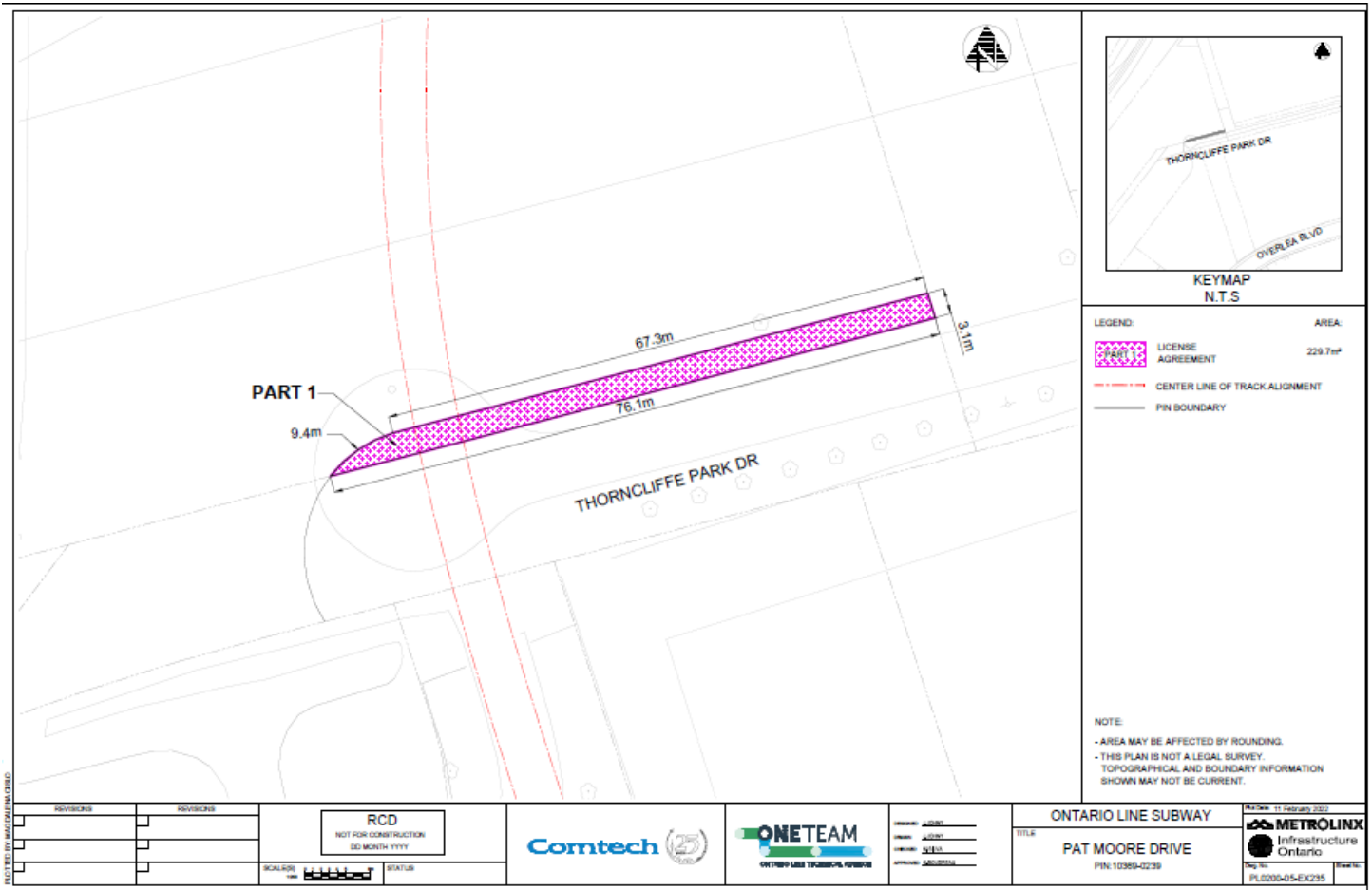
Map No: PL0250-05-EX185

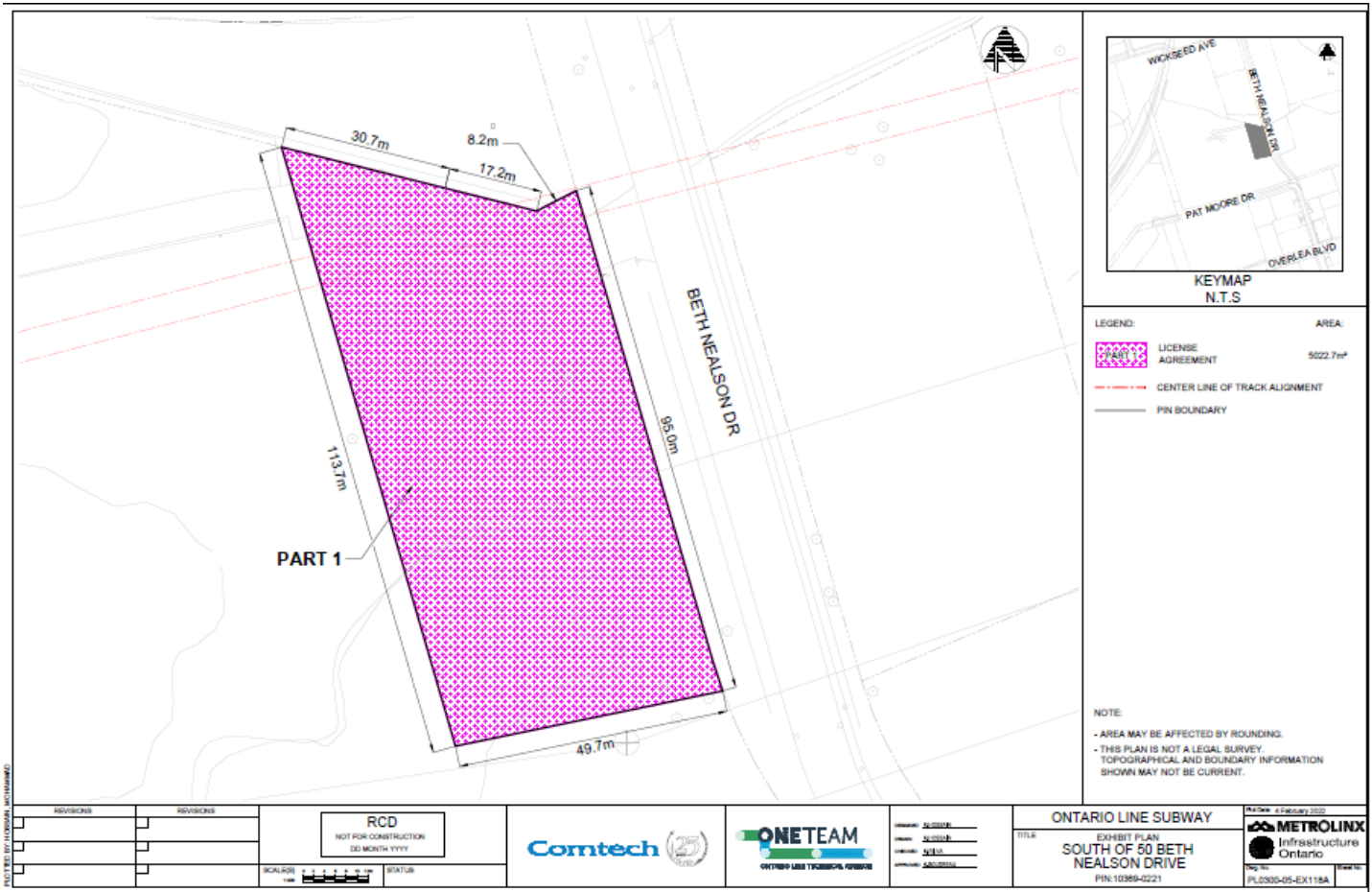


Walmsley Brook Crossing PINS

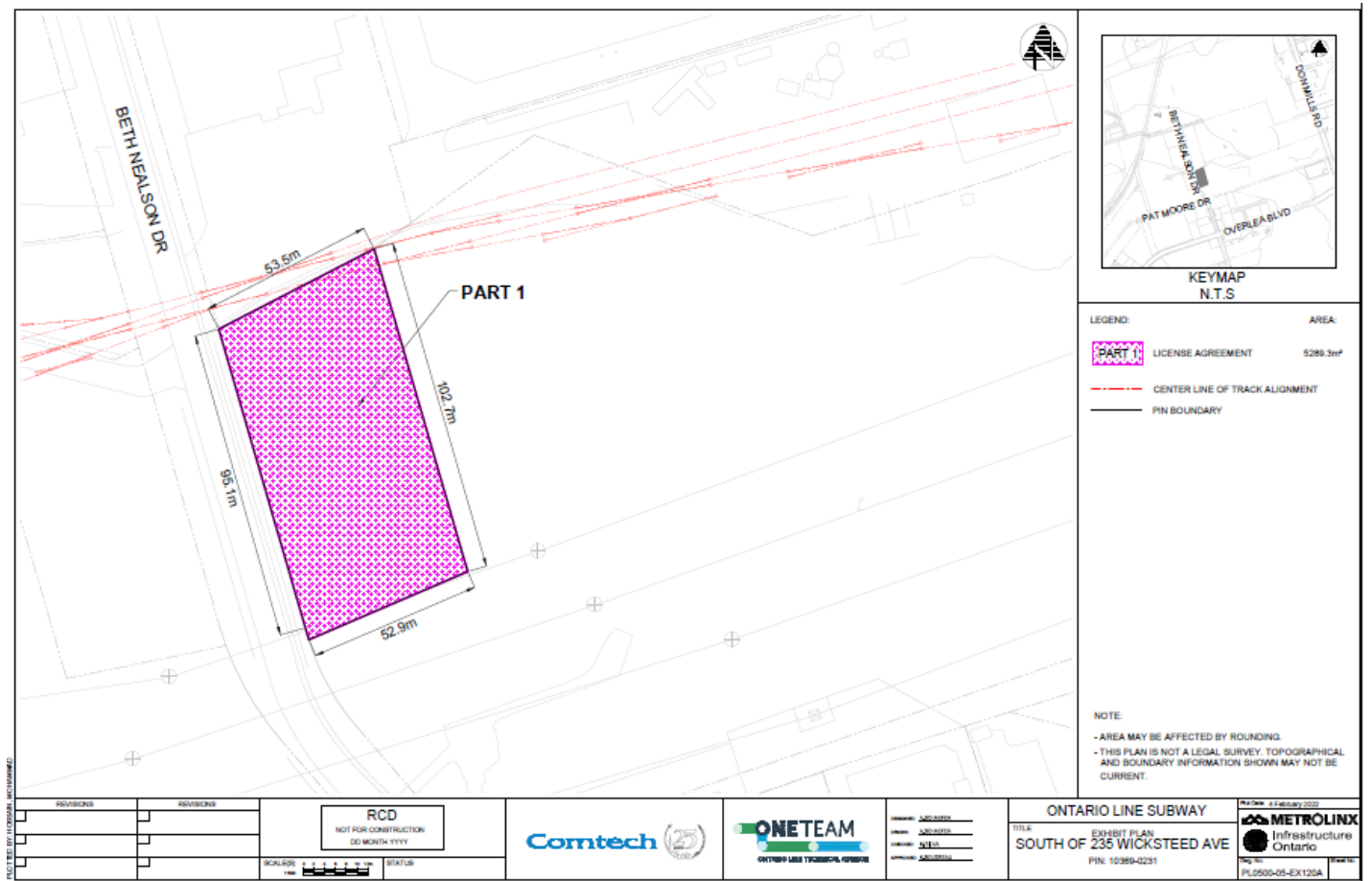


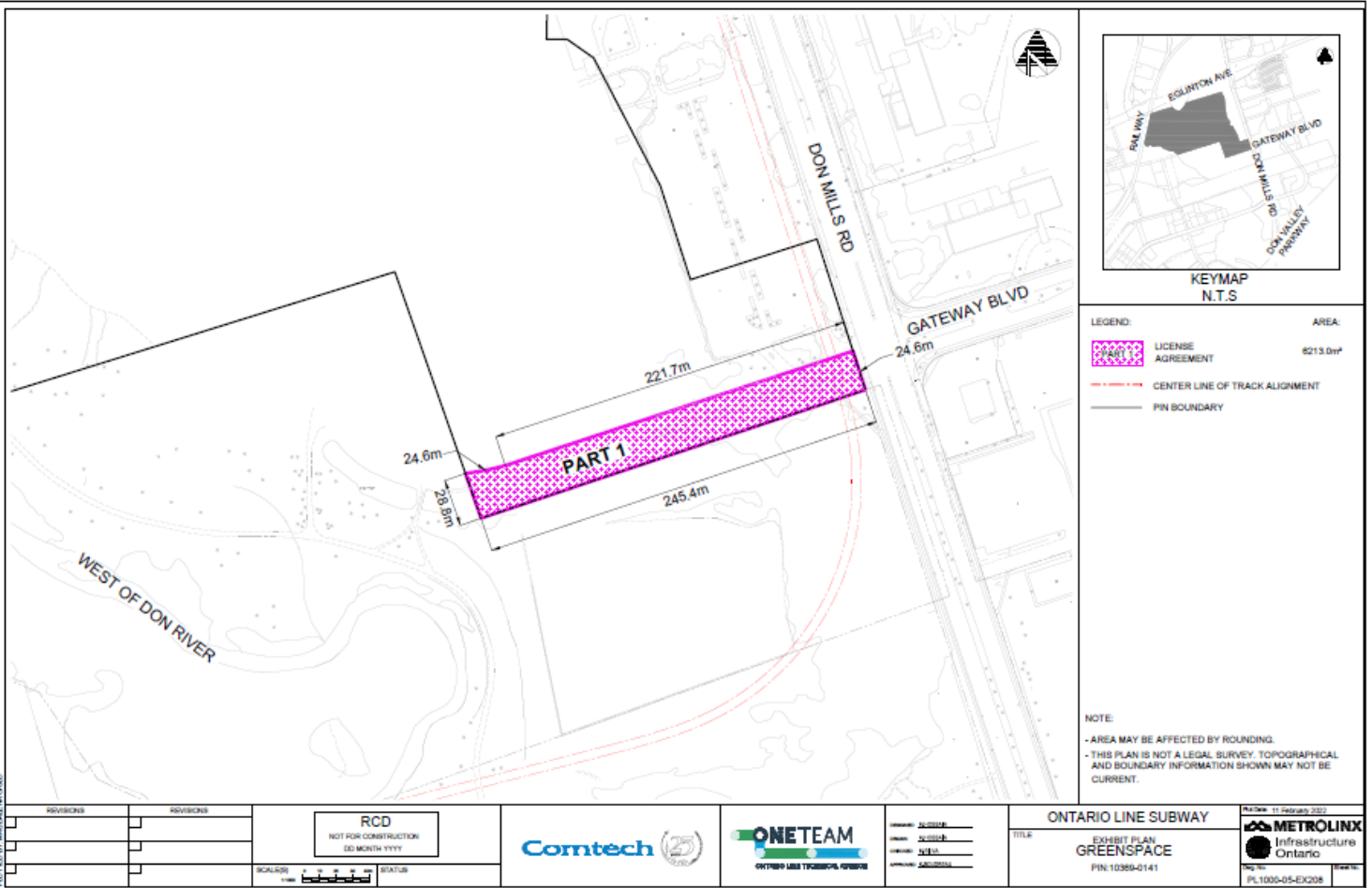
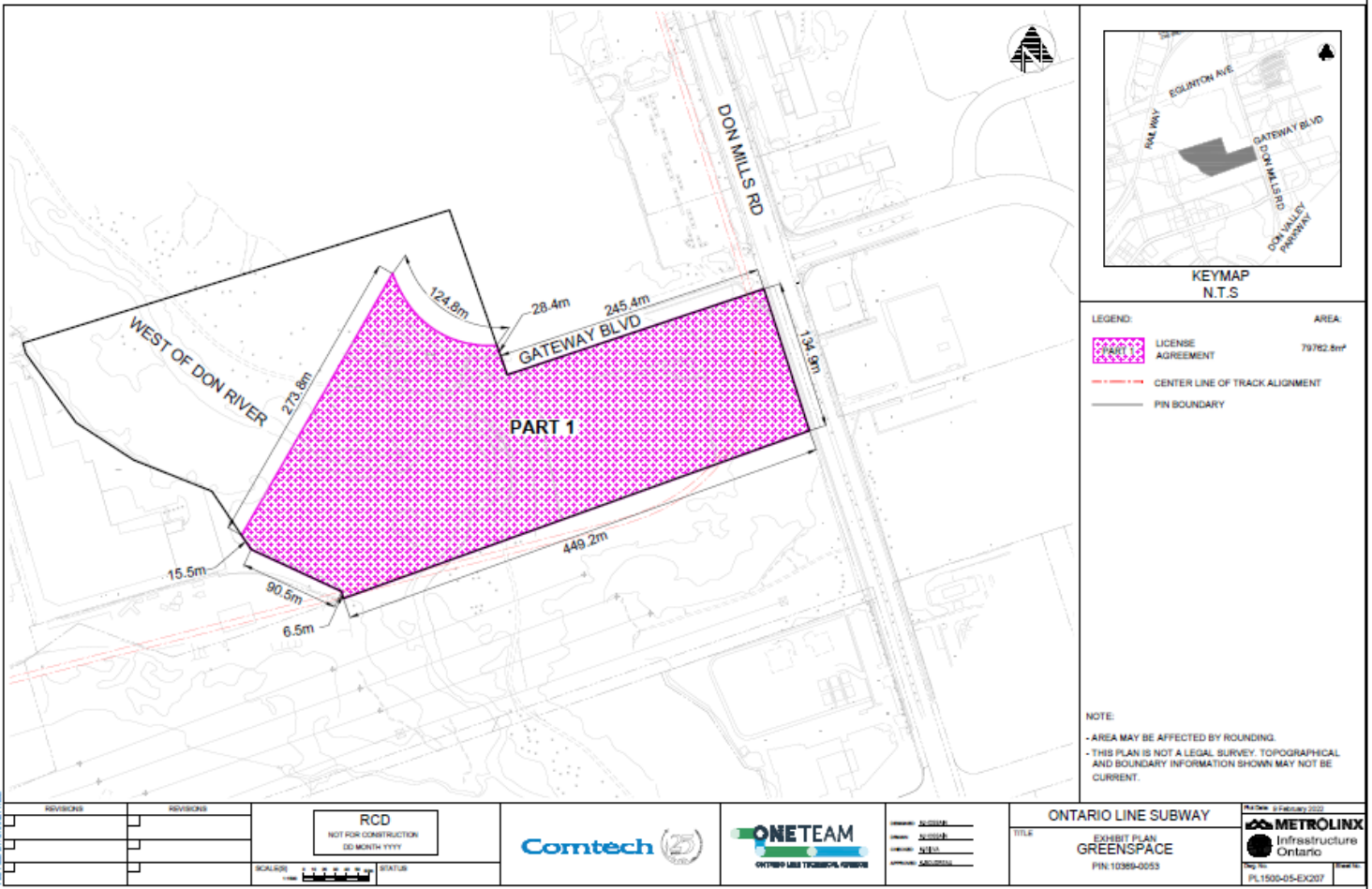


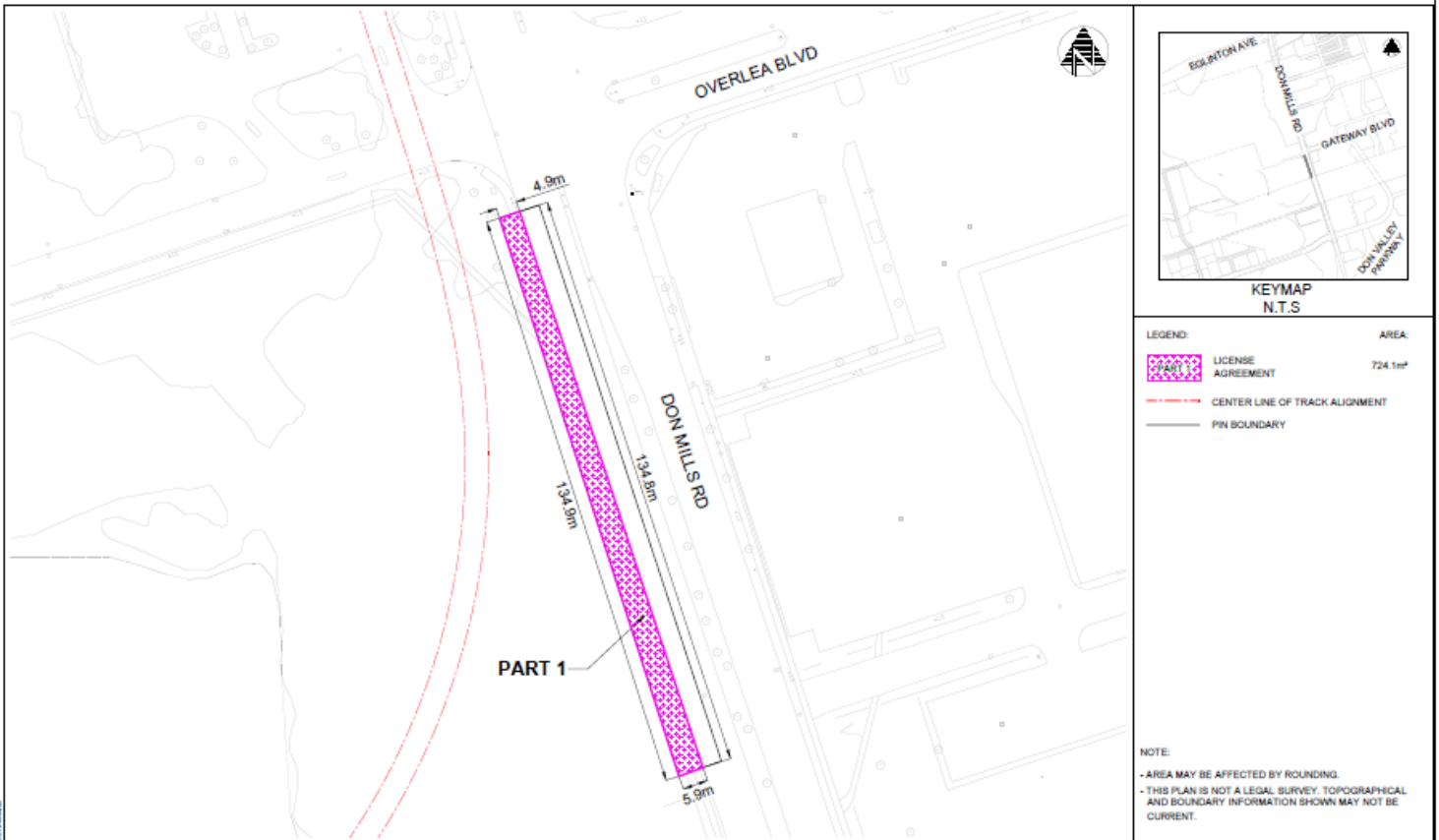




West Don River Crossing PINS



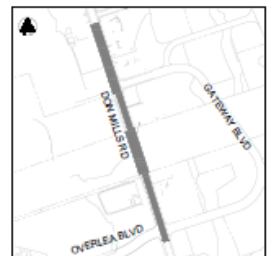
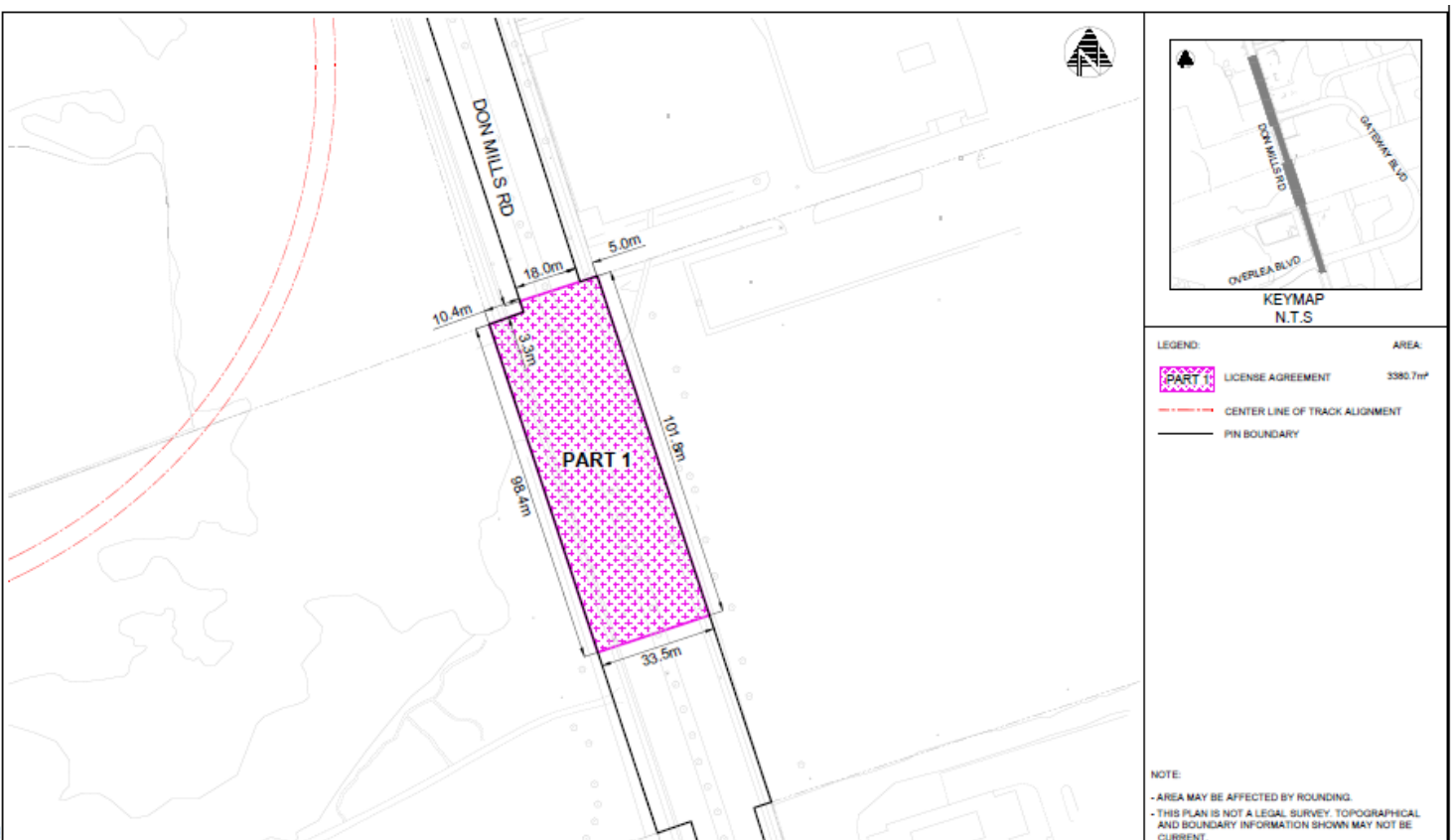




LEGEND:	AREA:
PART 1 LICENSE AGREEMENT	724.1m ²
CENTER LINE OF TRACK ALIGNMENT	
PIN BOUNDARY	

NOTE:
 - AREA MAY BE AFFECTED BY ROUNDING.
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.

<table border="1"> <tr> <th>REVISIONS</th> <th>REVISIONS</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISIONS	REVISIONS					<table border="1"> <tr> <td>RCD NOT FOR CONSTRUCTION DD MONTH YYYY</td> </tr> <tr> <td>SCALE: 1:1000</td> </tr> <tr> <td>STATUS</td> </tr> </table>	RCD NOT FOR CONSTRUCTION DD MONTH YYYY	SCALE: 1:1000	STATUS			<table border="1"> <tr> <td>DATE: 10/08/2022</td> </tr> <tr> <td>BY: [Signature]</td> </tr> <tr> <td>CHECKED: [Signature]</td> </tr> <tr> <td>APPROVED: [Signature]</td> </tr> </table>	DATE: 10/08/2022	BY: [Signature]	CHECKED: [Signature]	APPROVED: [Signature]	<table border="1"> <tr> <td>ONTARIO LINE SUBWAY</td> <td> <table border="1"> <tr> <td>DATE: 10 October 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX0048</td> </tr> </table> </td> </tr> <tr> <td>TITLE: EXHIBIT PLAN PART OF DON MILLS ROAD PIN: 10371-0048</td> <td></td> </tr> </table>	ONTARIO LINE SUBWAY	<table border="1"> <tr> <td>DATE: 10 October 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX0048</td> </tr> </table>	DATE: 10 October 2022	METROLINX Infrastructure Ontario	FILE NO: PL0505-05-EX0048	TITLE: EXHIBIT PLAN PART OF DON MILLS ROAD PIN: 10371-0048	
REVISIONS	REVISIONS																								
RCD NOT FOR CONSTRUCTION DD MONTH YYYY																									
SCALE: 1:1000																									
STATUS																									
DATE: 10/08/2022																									
BY: [Signature]																									
CHECKED: [Signature]																									
APPROVED: [Signature]																									
ONTARIO LINE SUBWAY	<table border="1"> <tr> <td>DATE: 10 October 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX0048</td> </tr> </table>	DATE: 10 October 2022	METROLINX Infrastructure Ontario	FILE NO: PL0505-05-EX0048																					
DATE: 10 October 2022																									
METROLINX Infrastructure Ontario																									
FILE NO: PL0505-05-EX0048																									
TITLE: EXHIBIT PLAN PART OF DON MILLS ROAD PIN: 10371-0048																									



LEGEND:	AREA:
PART 1 LICENSE AGREEMENT	3380.7m ²
CENTER LINE OF TRACK ALIGNMENT	
PIN BOUNDARY	

NOTE:
 - AREA MAY BE AFFECTED BY ROUNDING.
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.

<table border="1"> <tr> <th>REVISIONS</th> <th>REVISIONS</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISIONS	REVISIONS					<table border="1"> <tr> <td>RCD NOT FOR CONSTRUCTION DD MONTH YYYY</td> </tr> <tr> <td>SCALE: 1:1000</td> </tr> <tr> <td>STATUS</td> </tr> </table>	RCD NOT FOR CONSTRUCTION DD MONTH YYYY	SCALE: 1:1000	STATUS			<table border="1"> <tr> <td>DATE: 11 February 2022</td> </tr> <tr> <td>BY: [Signature]</td> </tr> <tr> <td>CHECKED: [Signature]</td> </tr> <tr> <td>APPROVED: [Signature]</td> </tr> </table>	DATE: 11 February 2022	BY: [Signature]	CHECKED: [Signature]	APPROVED: [Signature]	<table border="1"> <tr> <td>ONTARIO LINE SUBWAY</td> <td> <table border="1"> <tr> <td>DATE: 11 February 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX227</td> </tr> </table> </td> </tr> <tr> <td>TITLE: DON MILLS ROAD PIN: 10371-0090</td> <td></td> </tr> </table>	ONTARIO LINE SUBWAY	<table border="1"> <tr> <td>DATE: 11 February 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX227</td> </tr> </table>	DATE: 11 February 2022	METROLINX Infrastructure Ontario	FILE NO: PL0505-05-EX227	TITLE: DON MILLS ROAD PIN: 10371-0090	
REVISIONS	REVISIONS																								
RCD NOT FOR CONSTRUCTION DD MONTH YYYY																									
SCALE: 1:1000																									
STATUS																									
DATE: 11 February 2022																									
BY: [Signature]																									
CHECKED: [Signature]																									
APPROVED: [Signature]																									
ONTARIO LINE SUBWAY	<table border="1"> <tr> <td>DATE: 11 February 2022</td> </tr> <tr> <td>METROLINX Infrastructure Ontario</td> </tr> <tr> <td>FILE NO: PL0505-05-EX227</td> </tr> </table>	DATE: 11 February 2022	METROLINX Infrastructure Ontario	FILE NO: PL0505-05-EX227																					
DATE: 11 February 2022																									
METROLINX Infrastructure Ontario																									
FILE NO: PL0505-05-EX227																									
TITLE: DON MILLS ROAD PIN: 10371-0090																									