

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

TRACKING NO.: 2023-087

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:	March 28, 2023	Phone No.:	(416) 392-8160

Purpose	To obtain authority for the City to enter into a licence agreement (the "Licence") with Metrolinx for lands at 870 Queen Street East and 80 McGee Street, 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 Riverside area, being part of 870 Queen Street East shown as Parts 1 & 2 on Dwg. No. SK-PIN-210750295 and part of 80 McGee Street shown as Part 1 on Dwg. No. SK-PIN-210760202 (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 \$40,398 (plus HST) over the two (2) year term of the agreement. Revenues will be directed to the 2023 Council Approved Operating Budget for Corporate Real Estate Management under cost centre 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"> <thead> <tr> <th>Year</th> <th>Amount:</th> </tr> </thead> <tbody> <tr> <td>2023</td> <td>\$15,149</td> </tr> <tr> <td>2024</td> <td>\$20,199</td> </tr> <tr> <td>2025</td> <td>\$5,050</td> </tr> <tr> <td>Total</td> <td>\$40,398 (plus HST)</td> </tr> </tbody> </table> <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>	Year	Amount:	2023	\$15,149	2024	\$20,199	2025	\$5,050	Total	\$40,398 (plus HST)
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2023	\$15,149										
2024	\$20,199										
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Total	\$40,398 (plus HST)										
Comments	<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 retaining wall 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 have been consulted and have no objections to granting 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, two (2) years, with one (1) option to extend for a period of four (4) 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: \$40,398 (plus HST) for the two (2) year term</p>										

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	870 Queen St E: 601 m ² ± (6,469 ft ² ±) 80 McGee St.: 68.7 m ² ± (739.5 ft ² ±)
	Other Information:	

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 & Parks & 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>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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>Delegated to more senior positions.</p> <p><input checked="" 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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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 & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</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 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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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 (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers 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:	Paula Fletcher	Councillor:	
Contact Name:	Nicolas Valverde	Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> 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:	No objections	Comments:	

Consultation with Divisions and/or Agencies

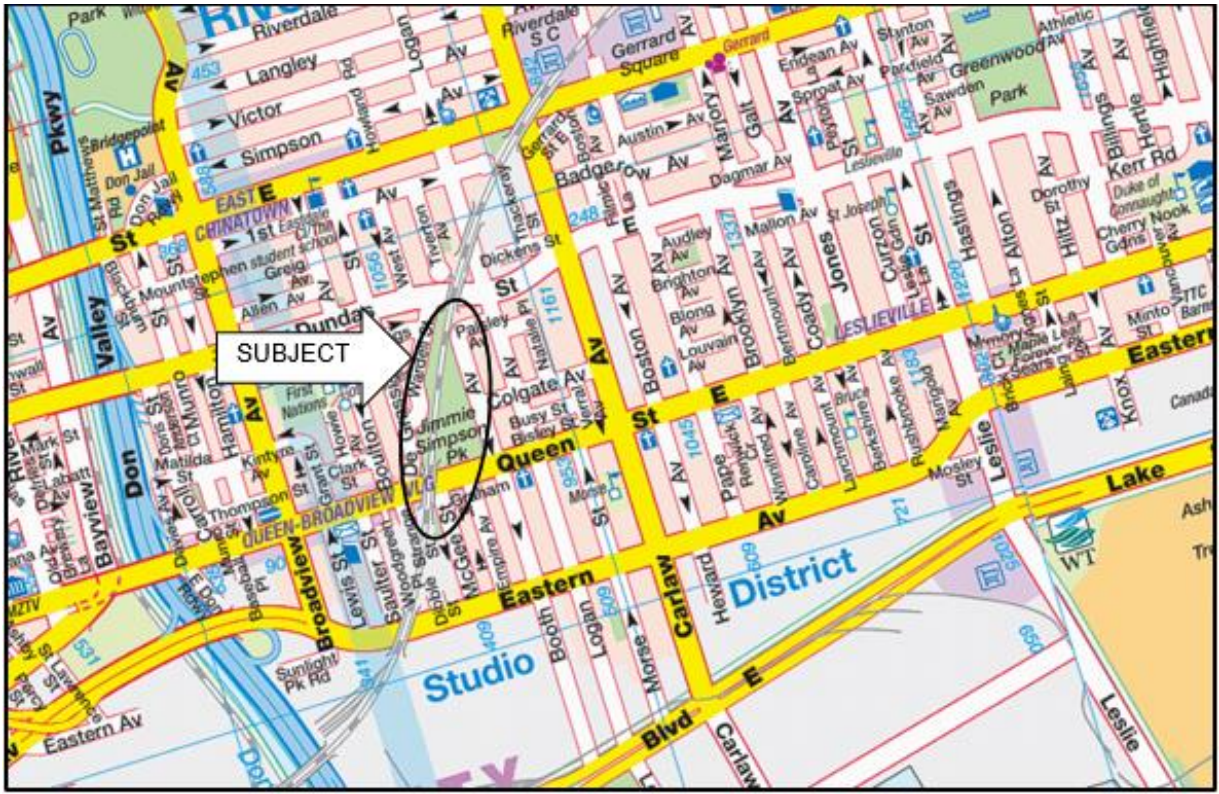
Division:	PF&R	Division:	Financial Planning
Contact Name:	Tina Fernandes	Contact Name:	Filisha Jenkins
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

Legal Services Division Contact

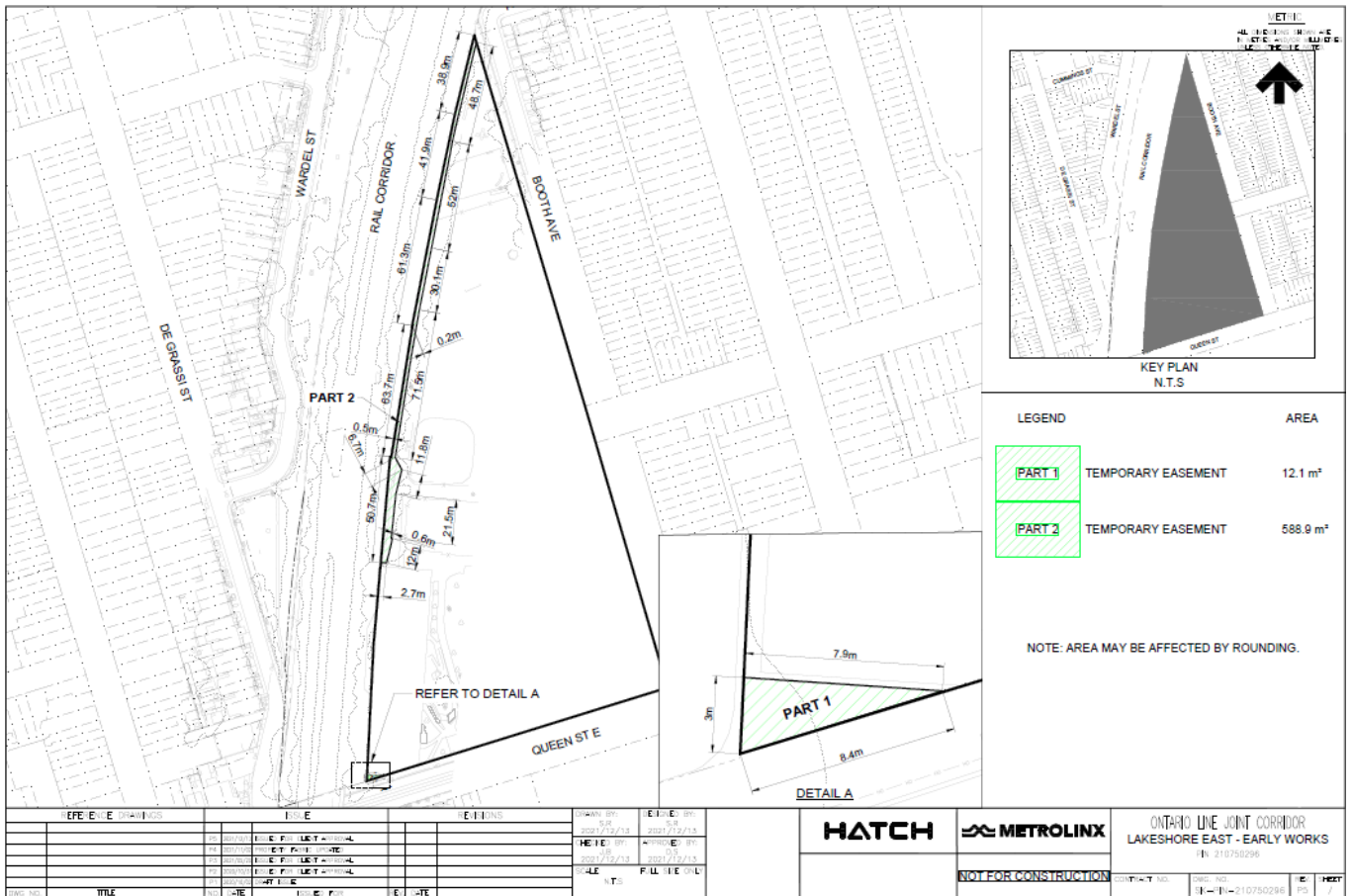
Contact Name:	Luxmen Aloysius
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DAF Tracking No.: 2023-087	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	March 28, 2023	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Leila Valenzuela	March 28, 2023	Signed by Leila Valenzuela
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A": Location Map & Property Plates



Part of 870 Queen Street East (Parts 1 & 2 on Dwg. No. SK-PIN-210750296)



Part of 80 McGee Street (Part 1 on Dwg. No. SK-PIN-210760202)

