

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

TRACKING NO.: 2023-258

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

Prepared By:	Fiona Thomas	Division:	Corporate Real Estate Management
Date Prepared:	October 11, 2023	Phone No.:	(416) 338-5045

Purpose	To obtain authority for the City to enter into a licence agreement (the "Licence") with Metrolinx for temporary subsurface access to and use of lands listed in Appendix "A" and as shown in Appendix "B" (the Licensed Areas) for tunneling works associated with the Yonge North Subway Extension ("YNSE").
Property	Portions of public highway lands owned by the City as listed in Appendix "A" and shown in Appendix "B" (the "Licenced Areas").
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	Under the Real Estate Protocol, the Licence will be for nominal consideration, as the Licenced Areas are subsurface public highway lands.
Comments	<p>Metrolinx will be conducting works in connection with the YNSE, which requires temporary subsurface access to, and use of the Licensed Areas . The City has agreed to grant the Licence to Metrolinx as an interim measure for the advance tunnel contract scope for YNSE pending a permanent easement.</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. Staff from Transportation Services and Toronto Water have no objection to the granting of the Licence. The form of the Licence is substantially in the form appended to the RE Protocol.</p>
Terms	<p>Term: Five (5) years, with one (1) option to extend for a period up to twelve (12) months, or the Licenced Area is transferred to Metrolinx by way of a permanent easement, upon six (6) months prior written notice to the City</p> <p>Licence Fee: \$2 per annum, plus HST</p> <p>Restoration: Metrolinx shall, prior to the expiry of the Licence, repair at its own expense and to the satisfaction of the City, all damage to the Licensed Areas and shall restore the Licensed Areas to substantially the same condition that the Licensed Areas were in prior to the commencement of the Licence.</p>

Property Details	Ward:	18 – Willowdale
	Assessment Roll No.:	
	Approximate Size:	8161 m ² + 8900 m ² + 13181 m ² + 8508 m ² + 590 m ² + 74 m ² + 97 m ² + 74 m ² + 89 m ²
	Approximate Area:	39674 m 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/Licensor):</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 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 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>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:	Lily Cheng	Councillor:	
Contact Name:	Lily Cheng	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:	Toronto Water	Division:	Financial Planning	Transportation Services
Contact Name:	Ramona Mirtorabi	Contact Name:	Ciro Tarantino	Garvin Tom
Comments:	Comments Incorporated into Licence	Comments:	No Comments	No Comments

Legal Services Division Contact

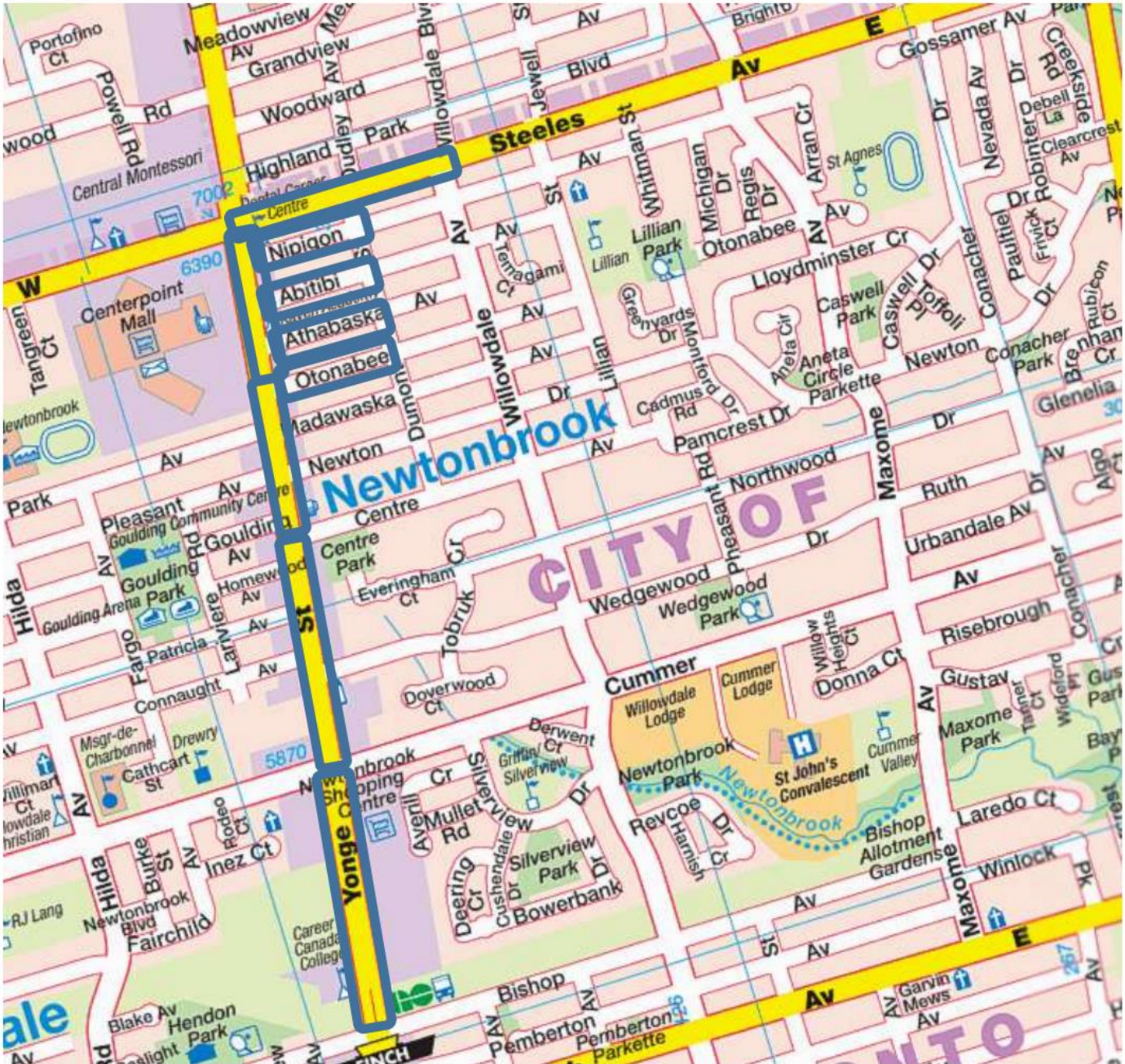
Contact Name:

DAF Tracking No.: 2023- 258	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	October 11, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	October 13, 2023	Signed by Alison Folosea

Appendix "A"
CITY LANDS

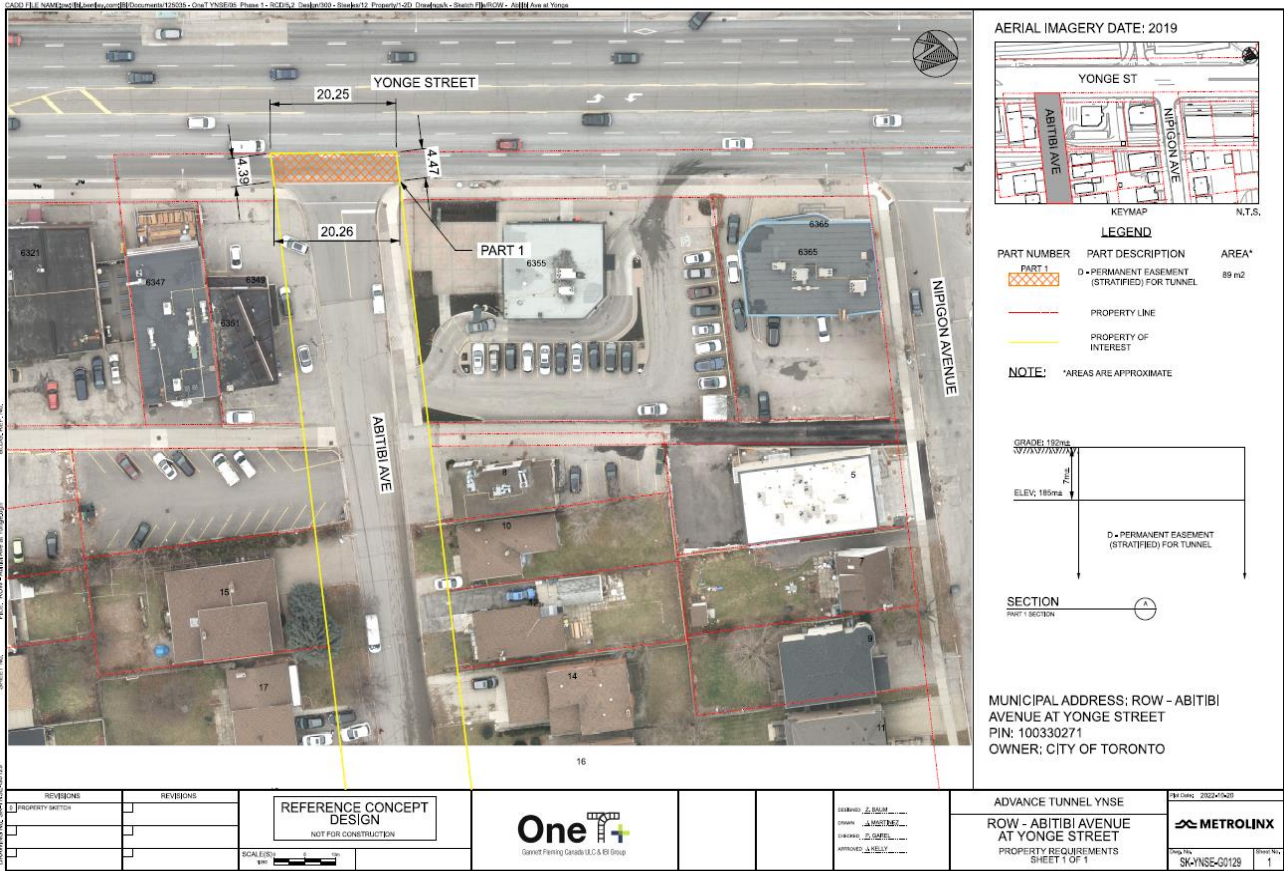
Property No.	PIN	Property Address	Area (Acres/SF)	Sketch	R-Plan	Ward #	Nearest Main Intersection
1	10033-0271	Abitibi Ave. ROW	89 m ²	SK- YNSE- G0129	BA-1187	18	Yonge St. & Steeles Ave. W.
2	10033-0269	Athabaska Ave. ROW	74 m ²	SK- YNSE- G0128	BA-1028	18	Yonge St. & Steeles Ave. W.
3	10033-0273	Nipigon Ave. ROW	97 m ²	SK- YNSE- G0130	BA-825	18	Yonge St. & Steeles Ave. W.
4	10033-0267	Otonabee Ave. ROW	74 m ²	SK- YNSE- G0127	BA-936	18	Yonge St. & Steeles Ave. W.
5	10033-0278	Steeles Ave. E. ROW	590 m ²	SK- YNSE- G0131	L-236-112	18	Yonge St. & Steeles Ave. W.
6	10034-0224	Yonge St. ROW	8508 m ²	SK- YNSE- G0125	64R-4088 64R-4089	18	Yonge St. & Steeles Ave. W.
7	10035-0272	Yonge St. ROW	13181 m ²	SK- YNSE- G0124	64R-4087 64R-4088	18	Yonge St. & Steeles Ave. W.
8	10036-0240	Yonge St. ROW	8900 m ²	SK- YNSE- G0123	64R-4124 64R-4125	18	Yonge St. & Steeles Ave. W.
9	10033-0292	Yonge St. ROW	8161 m ²	SK- YNSE- G0126	64R-4089 64R-4090	18	Yonge St. & Steeles Ave. W.

Appendix "B" Location Map

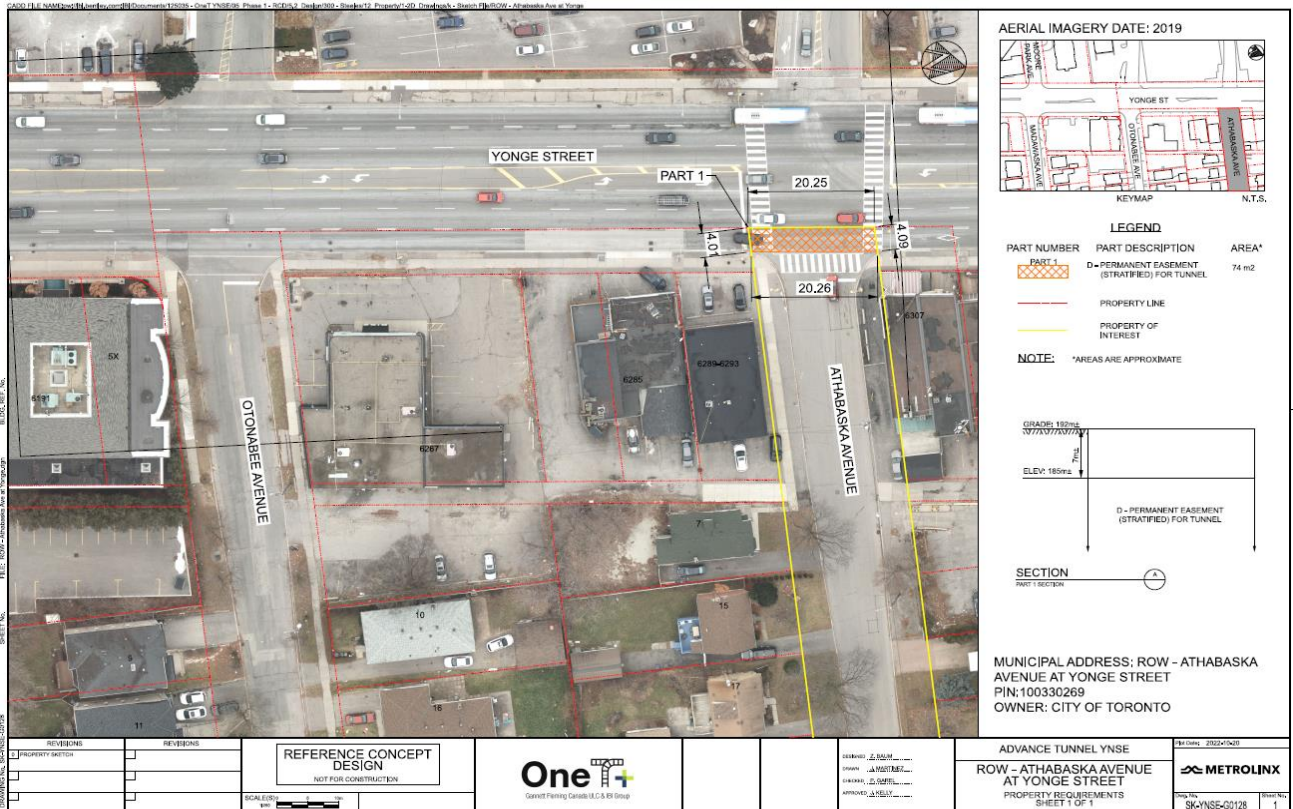


SKETCH OF LICENSED AREAS / REFERENCE PLANS

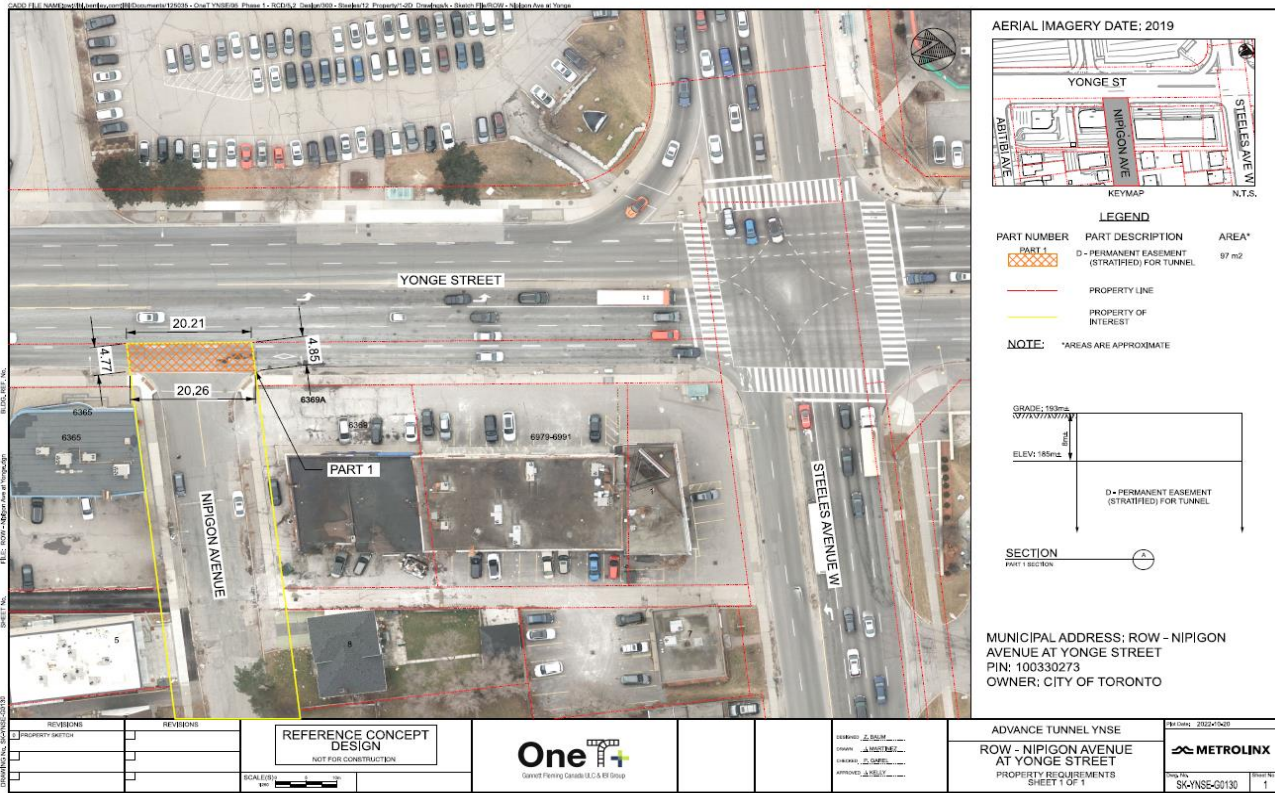
Property #1
PIN 10033-0271



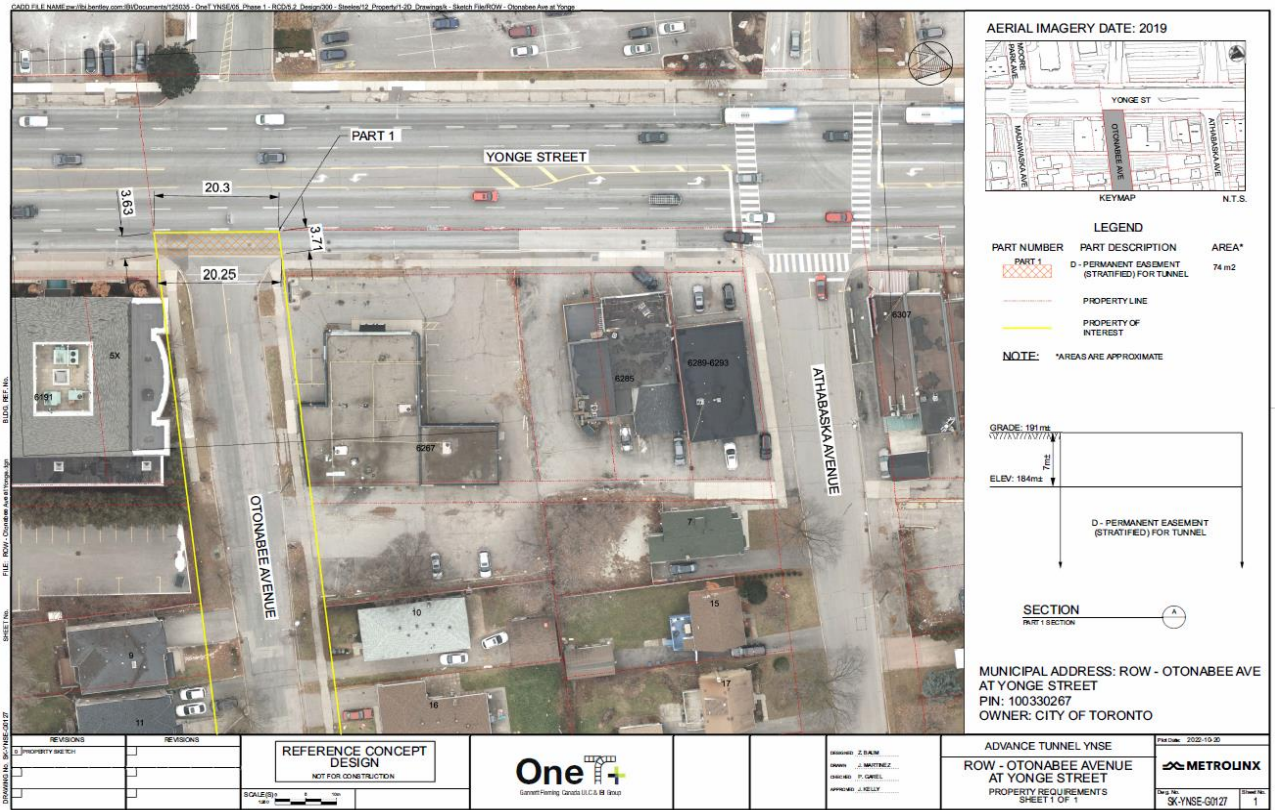
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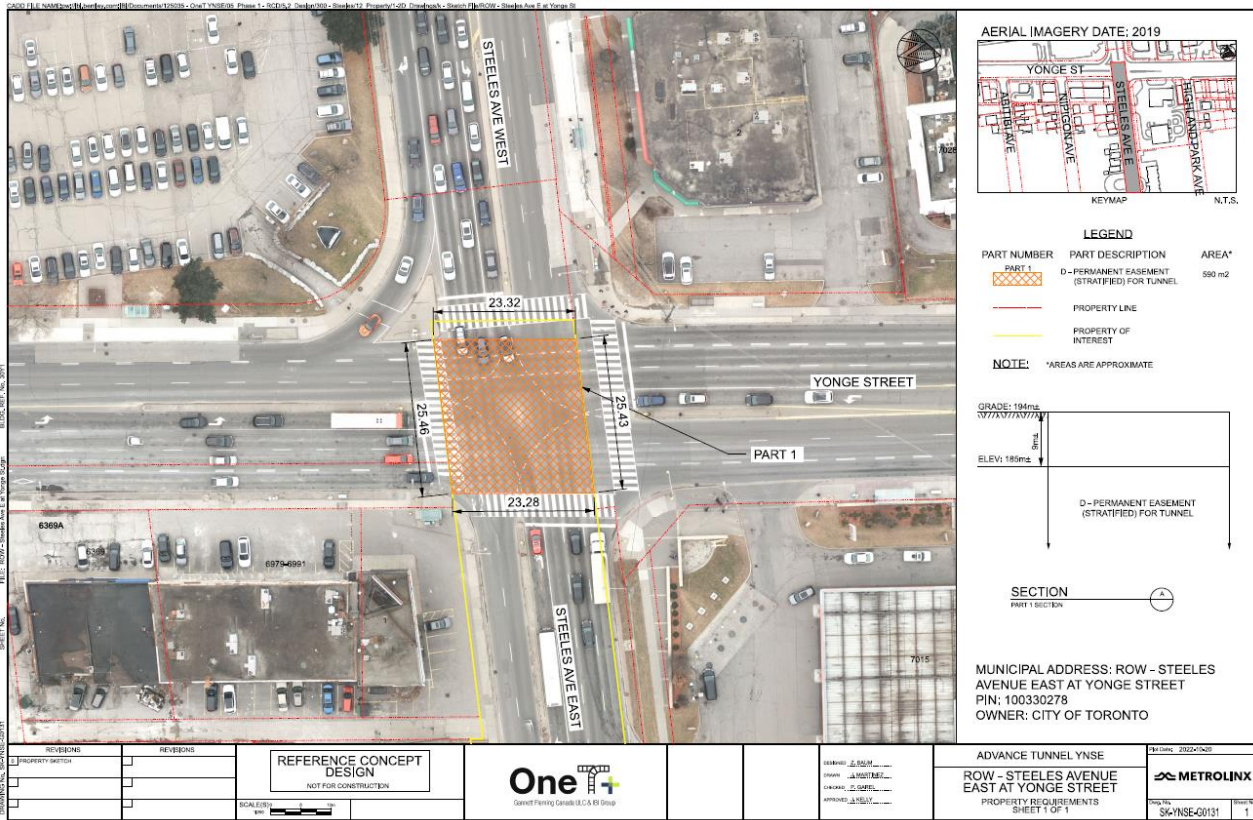
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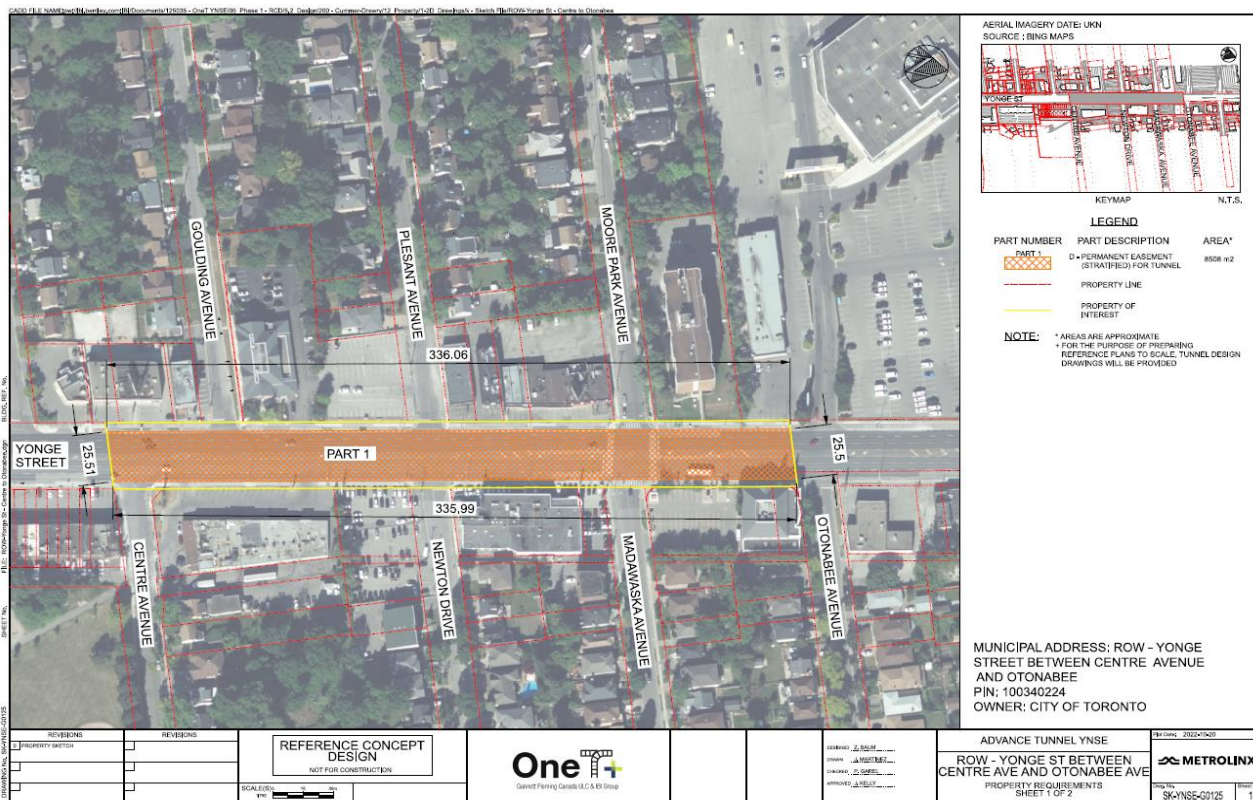
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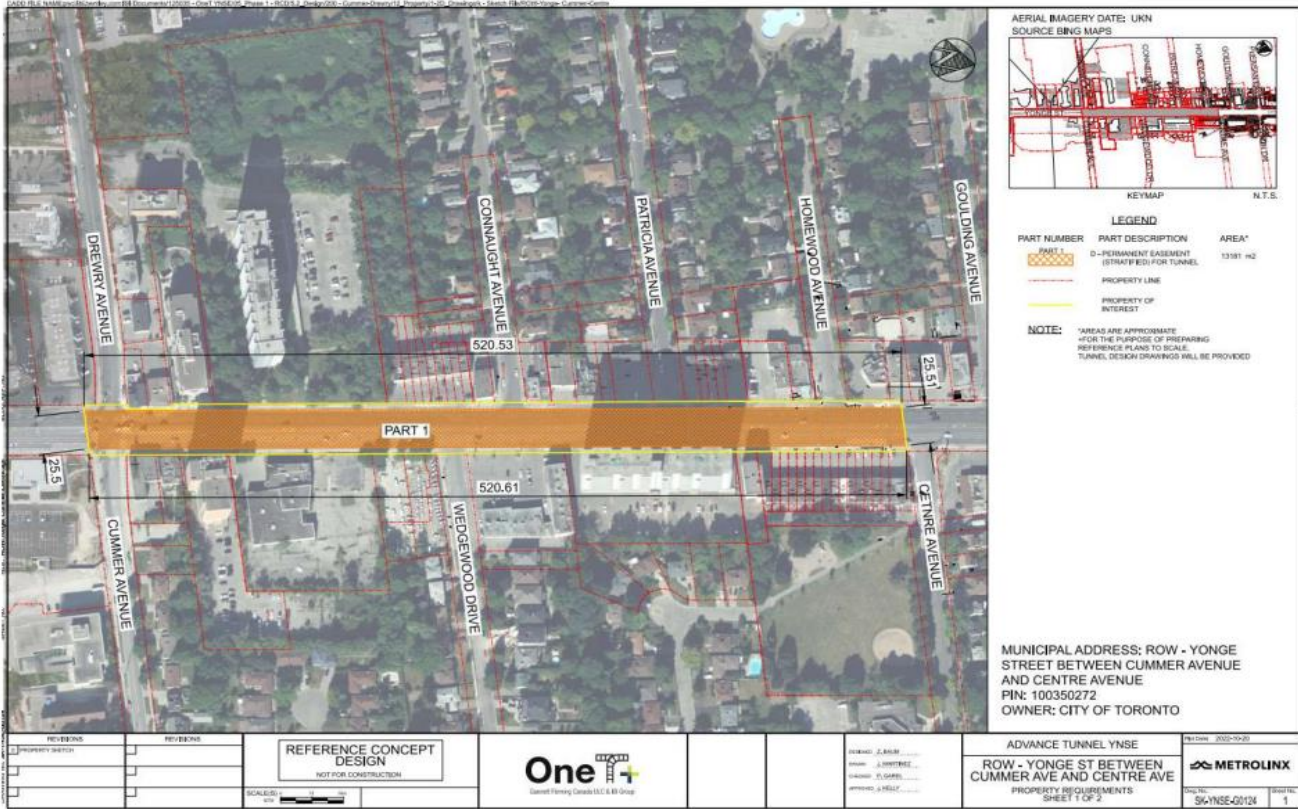
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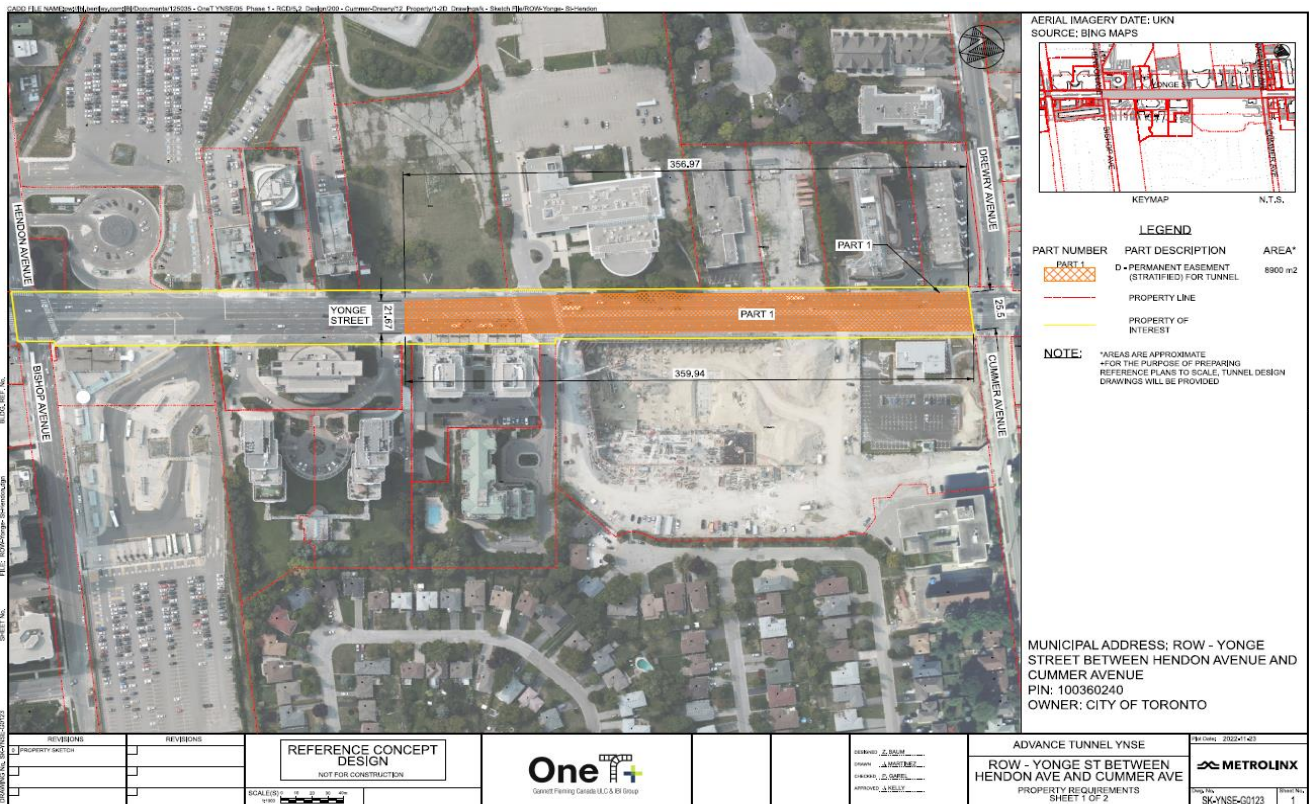
Property #6
PIN 10034-0224



Property #7
PIN 10035-0272



Property #8
PIN 10036-0240



Property #9
PIN 10033-0292

