

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

TRACKING NO.: 2023-278

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:	October 16, 2023	Phone No.:	(416) 392-8160

Purpose	To obtain authority to enter into a licence agreement (the "Licence") with Metrolinx for portions of public highway lands in the area bounded by Queen Street East and West, Parliament Street, Gardiner Expressway and Bathurst Street, for the purposes of all works and uses in connection with the construction of the Ontario Line Project (the "Project").
Property	Portions of public highway lands located in Wards 10 and 13, bounded by Queen Street East and West, Parliament Street, Gardiner Expressway and Bathurst Street (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	According to the Real Estate Protocol (defined below), the Licence will be for nominal consideration, as the Licensed Area is public highway lands. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	Metrolinx requires the Licence for construction of the Ontario Line tunnel, which includes due diligence works, utility works, excavation, subsurface cavern mining and some surface excavation. Some of the Licensed Area is subject to be transferred to Metrolinx by way of fee simple or permanent easement. On December 15, 2021, City Council adopted EX28.12 titled "Metrolinx Subways Program – Real Estate Protocol and Land Valuation Principles for Subways and GO Expansion Programs". Upon its adoption, the City and Metrolinx entered into an agreement dated June 16, 2022, which included a schedule that outlined the process for real estate transactions related to the Subway Program (the "Real Estate Protocol"). The Real Estate Protocol provides a clear process for the City and Metrolinx 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 Ontario Line. Staff from Toronto Transit Commission, Transportation Services, Engineering & Construction Services, Toronto Water and Economic Development and Culture have no objection the granting of the Licence. The form of the Licence is substantially in the form appended to the Real Estate Protocol.
Terms	Term: For temporary requirements only, five (5) years, with options to extend up to a maximum of four (4) additional years, upon six (6) months prior written notice to the City. 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. Fee: Nominal

Property Details	Ward:	10 – Toronto-Danforth 13 – Toronto Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	58,019 m ² ± (14.3 ac ±)
	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 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 checked="" 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:	Ausma Malik	Councillor:	Chris Moise
Contact Name:	Ausma Malik	Contact Name:	Chris Moise
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"/> X E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Consulted	Comments:	Consulted

Consultation with Divisions and/or Agencies

Division:	TS, TW, TTC, ECS, EDC	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

Legal Services Division Contact

Contact Name: Luxmen Aloysius

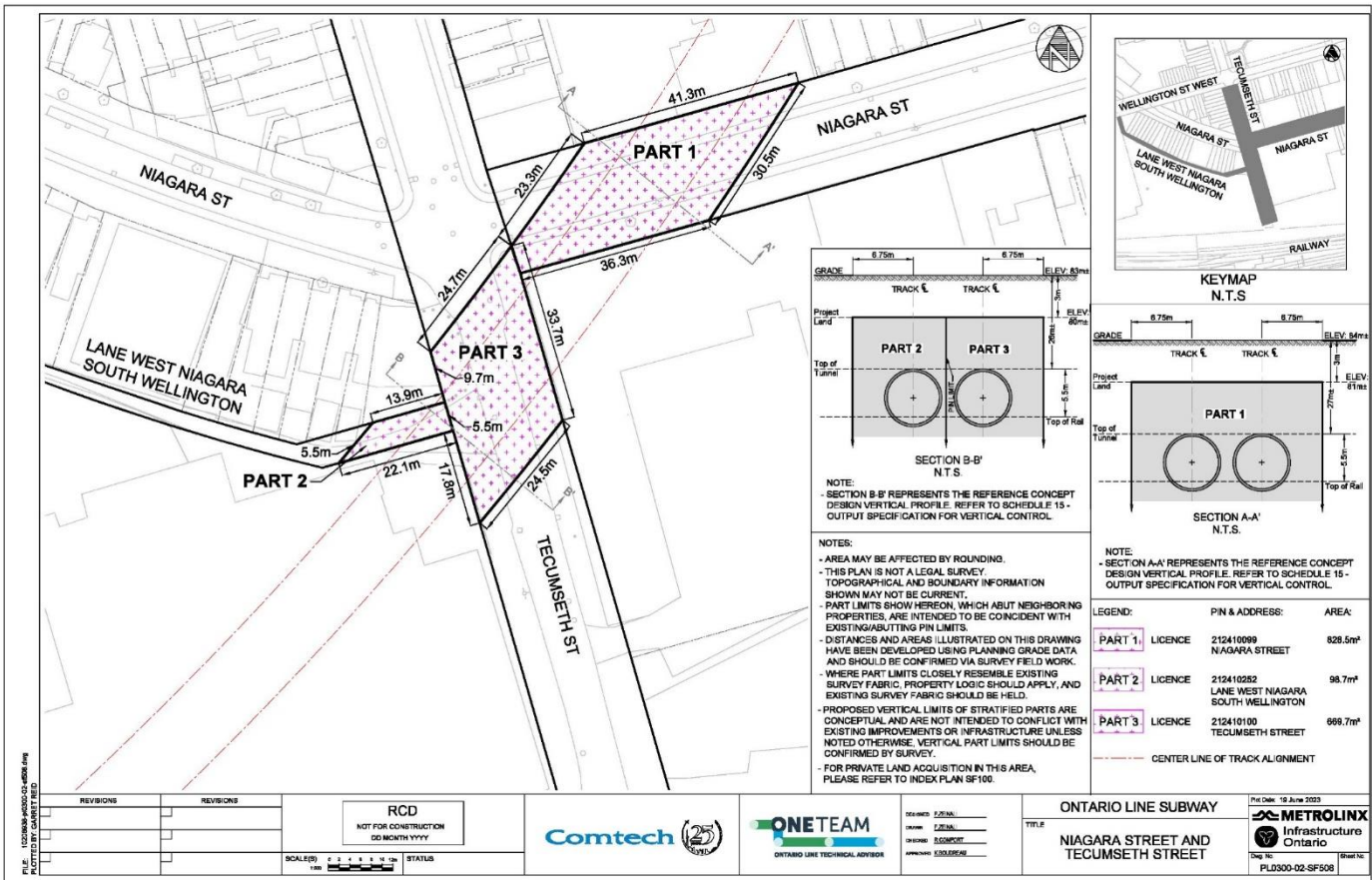
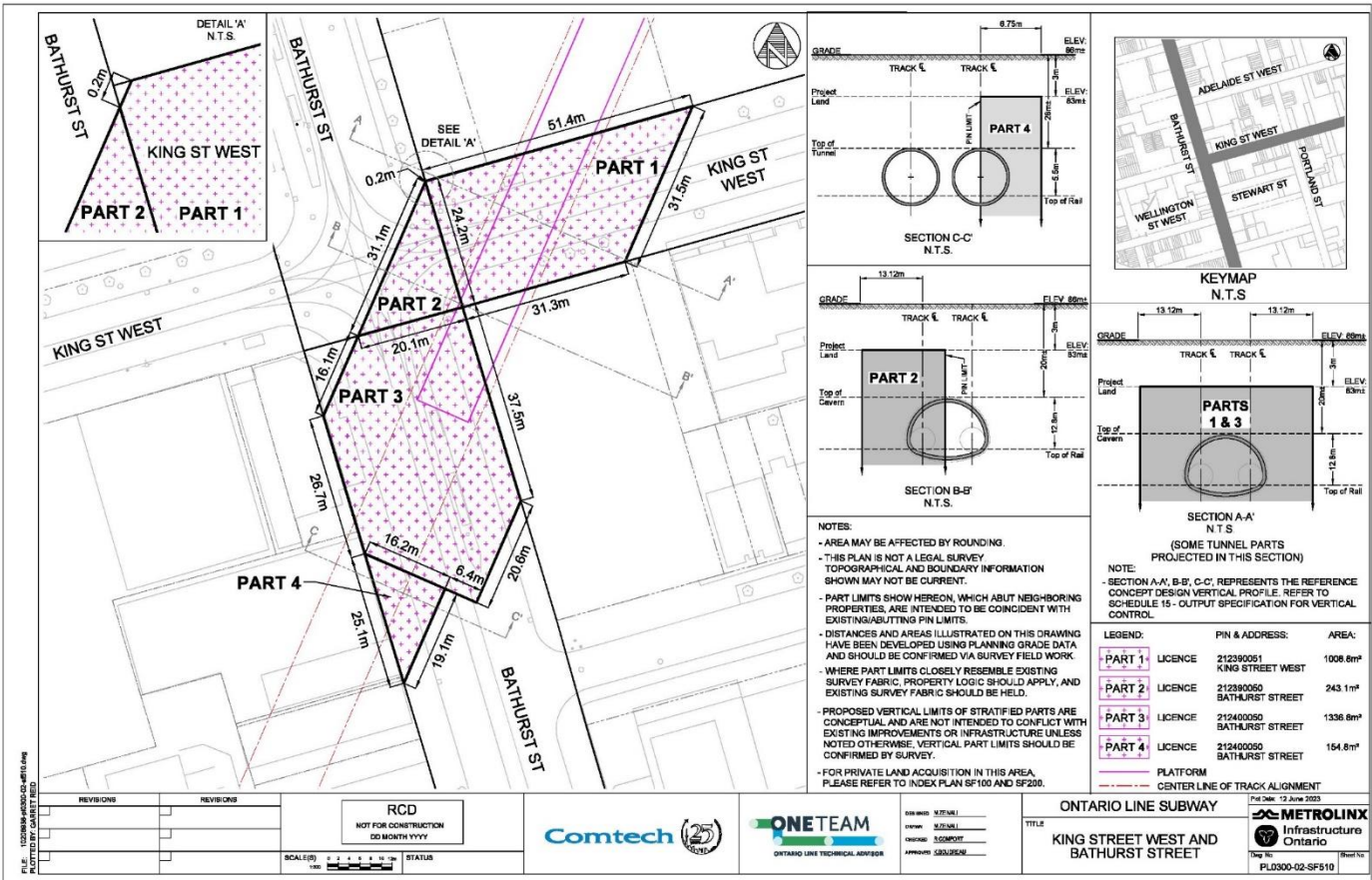
DAF Tracking No.: 2023-278	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	October 16, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	October 19, 2023	Signed by Alison Folosea

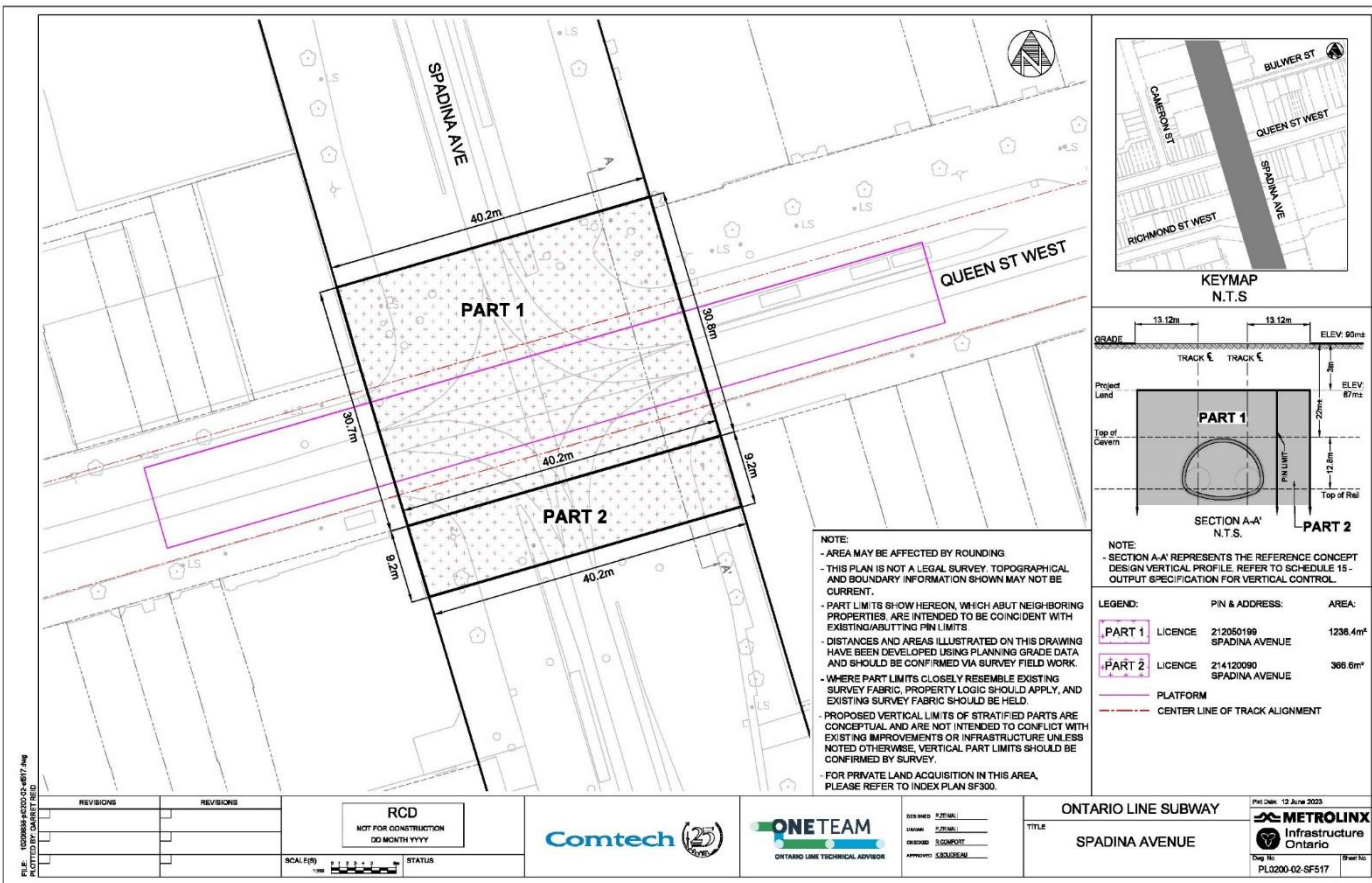
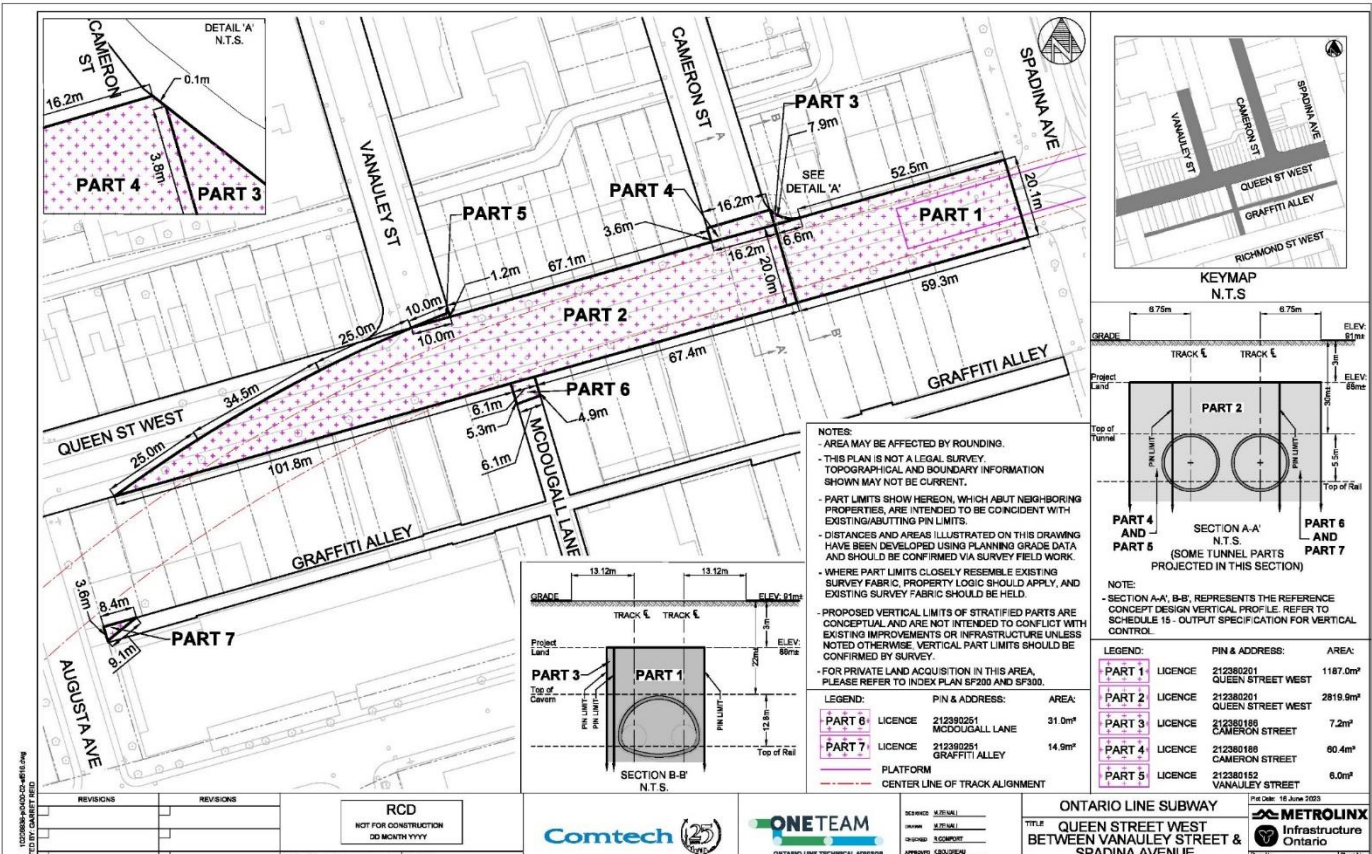
APPENDIX "A" PINs and Property Plates

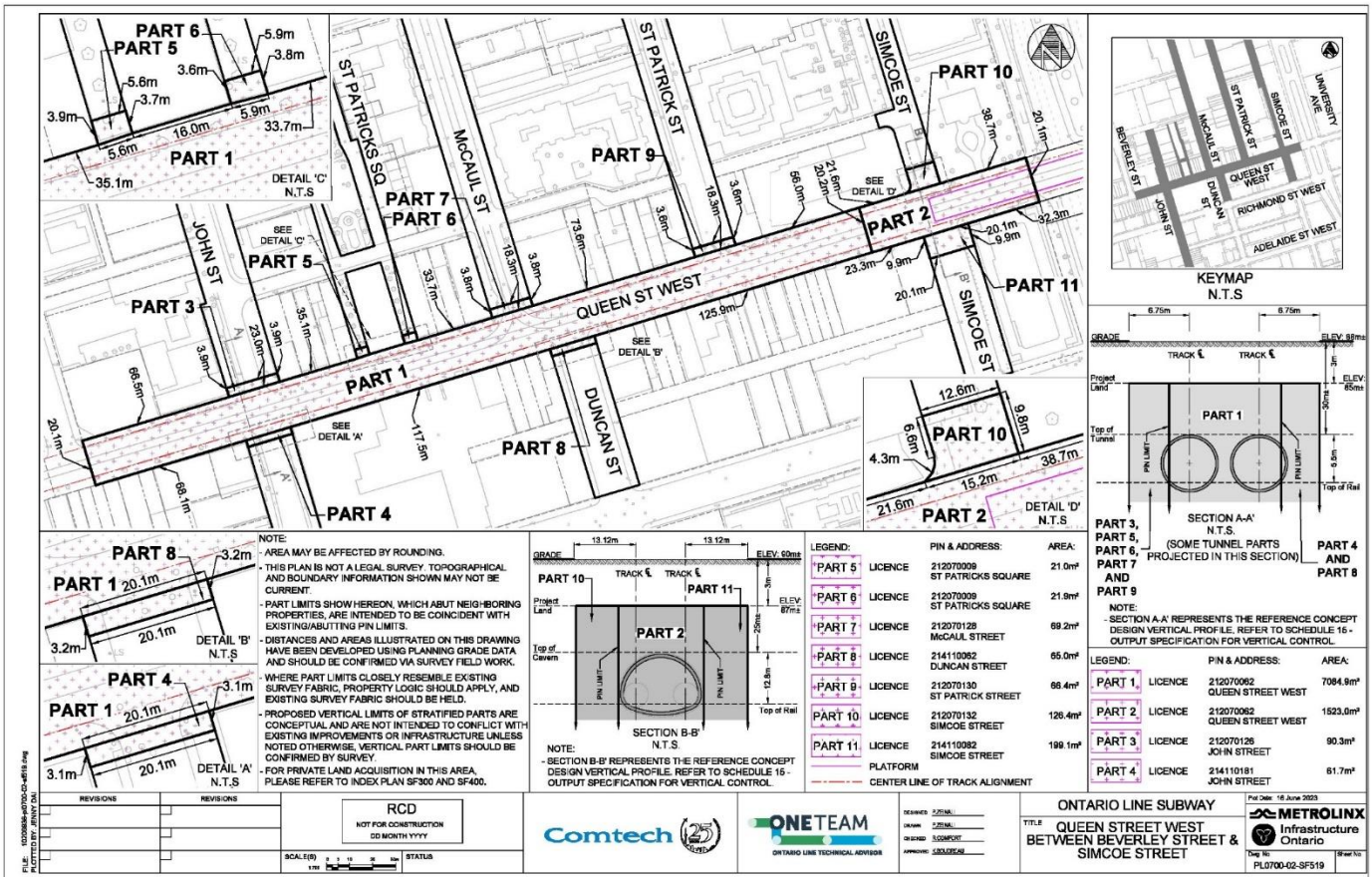
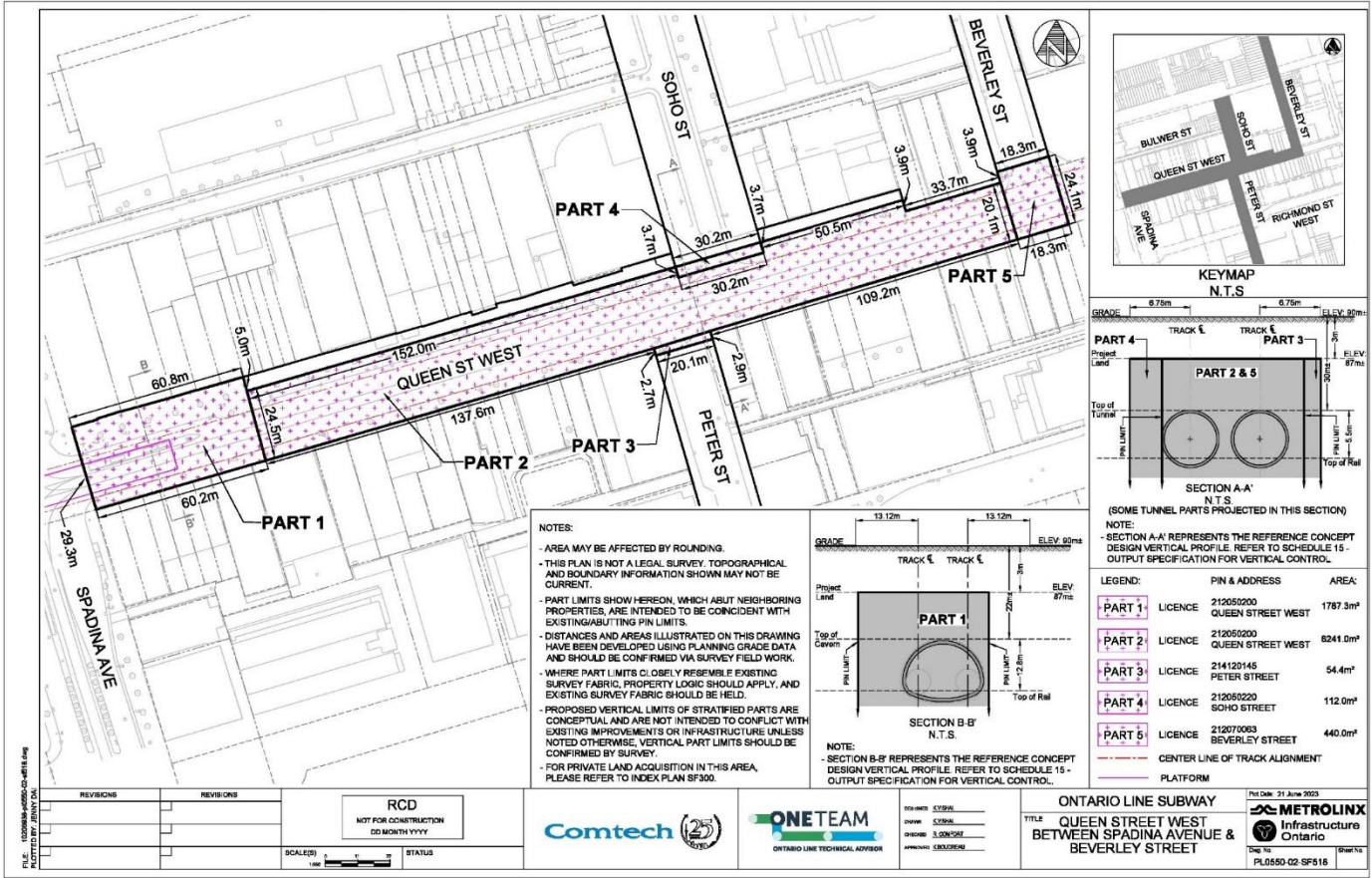


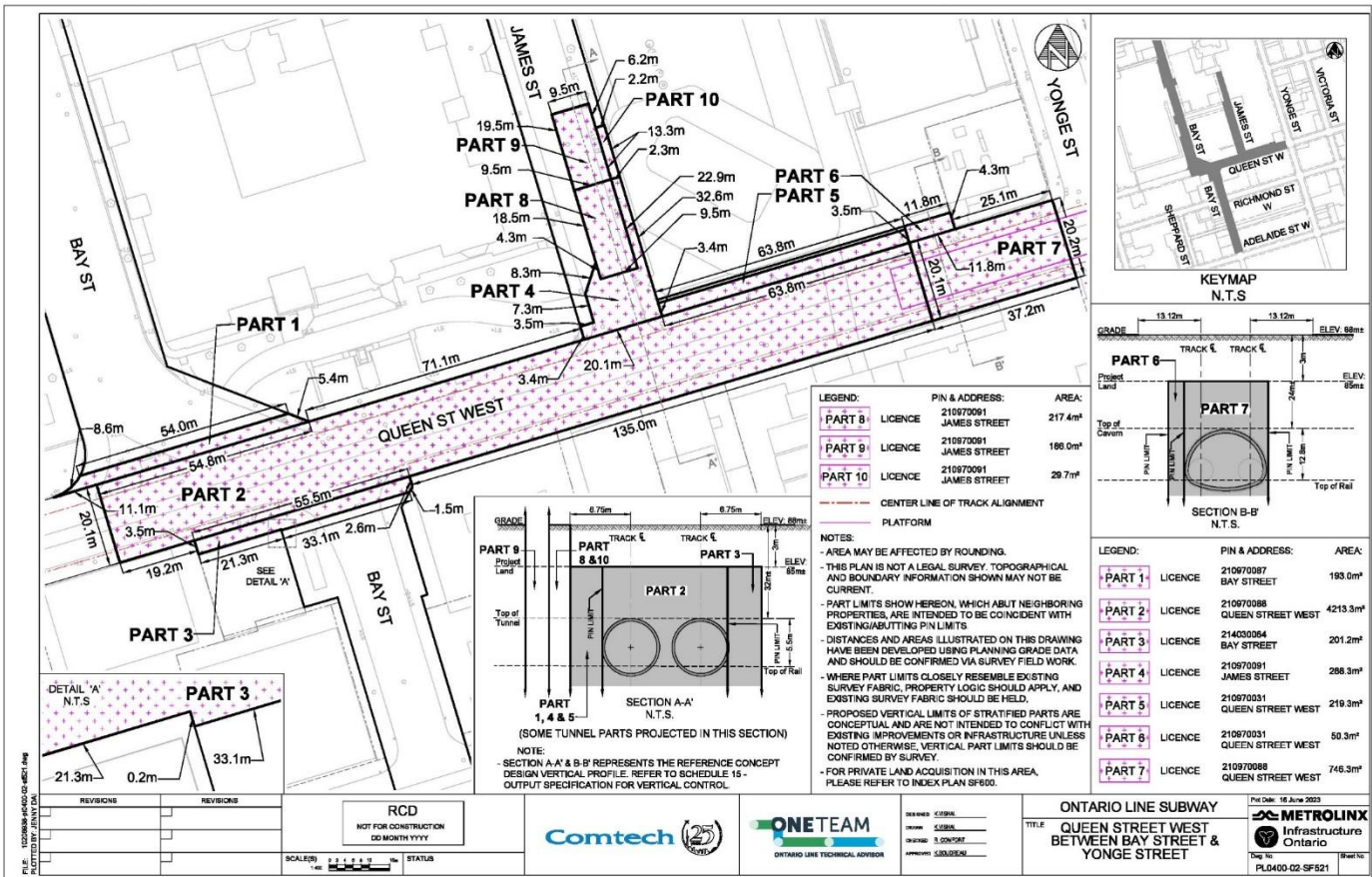
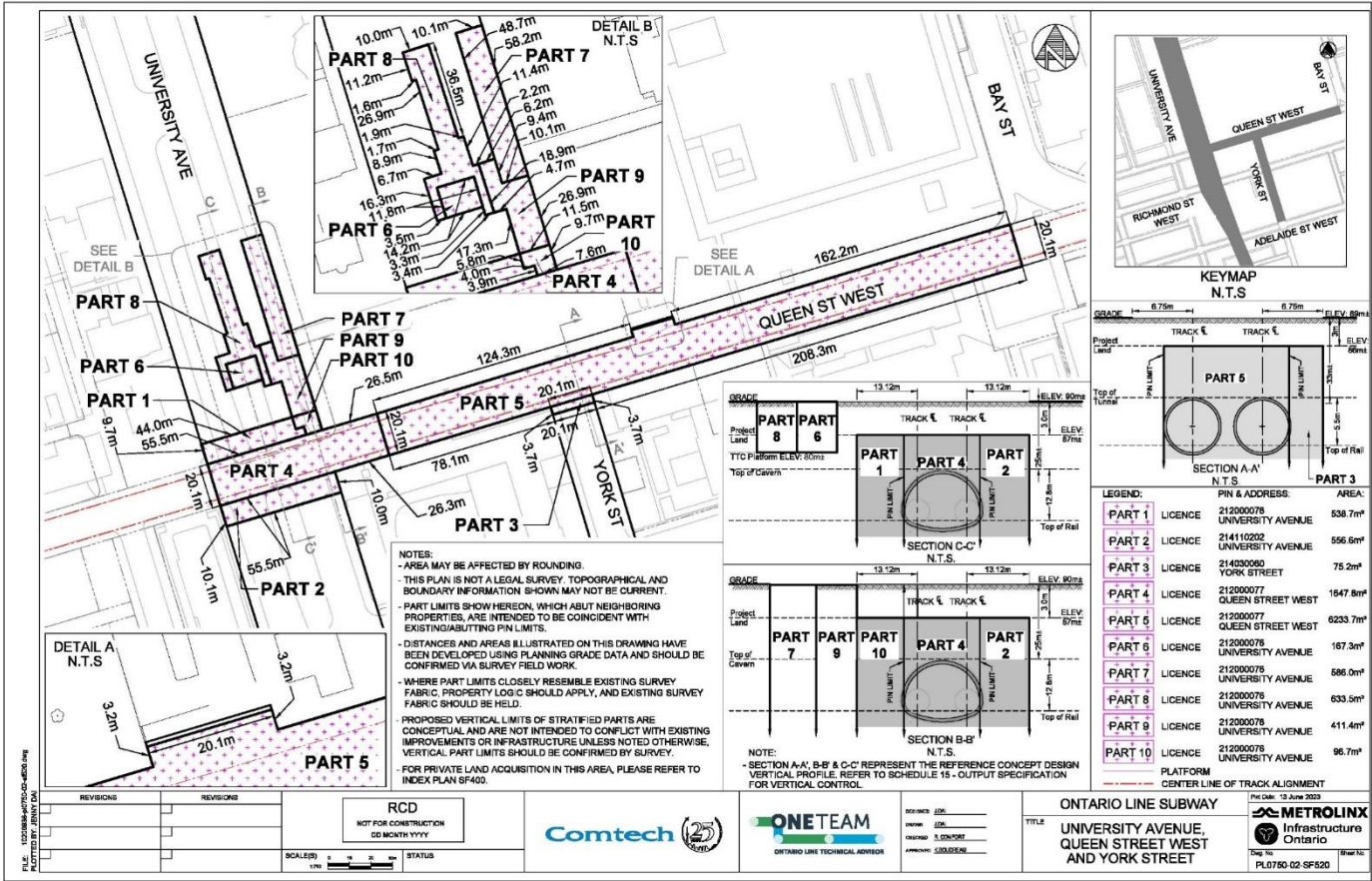
Ward 10 PINs			
1	21239-0050 (LT)	16	21412-0145 (LT)
2	21239-0051 (LT)	17	21207-0062 (LT)
3	21240-0050 (LT)	18	21207-0132 (LT)
4	21241-0099 (LT)	19	21411-0082 (LT)
5	21241-0100 (LT)	20	21207-0009 (LT)
6	21241-0252 (LT)	21	21207-0126 (LT)
7	21238-0201 (LT)	22	21207-0128 (LT)
8	21238-0186 (LT)	23	21207-0130 (LT)
9	21239-0251 (LT)	24	21411-0181 (LT)
10	21238-0152 (LT)	25	21411-0062 (LT)
11	21205-0199 (LT)	26	21200-0076 (LT)
12	21412-0090 (LT)	27	21411-0202 (LT)
13	21205-0200 (LT)	28	21403-0060 (LT)
14	21205-0220 (LT)	29	21200-0077 (LT)
15	21207-0063 (LT)		

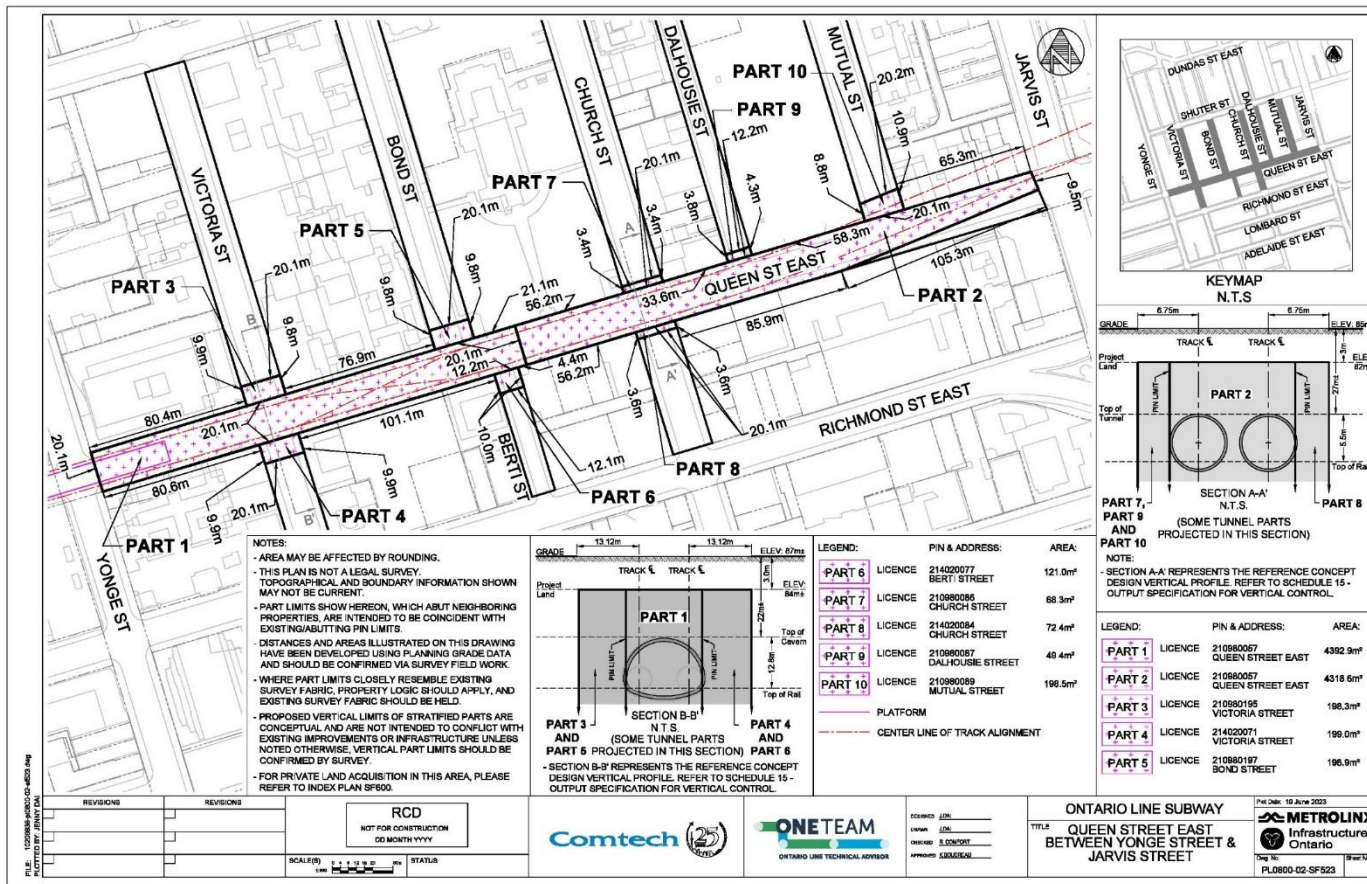
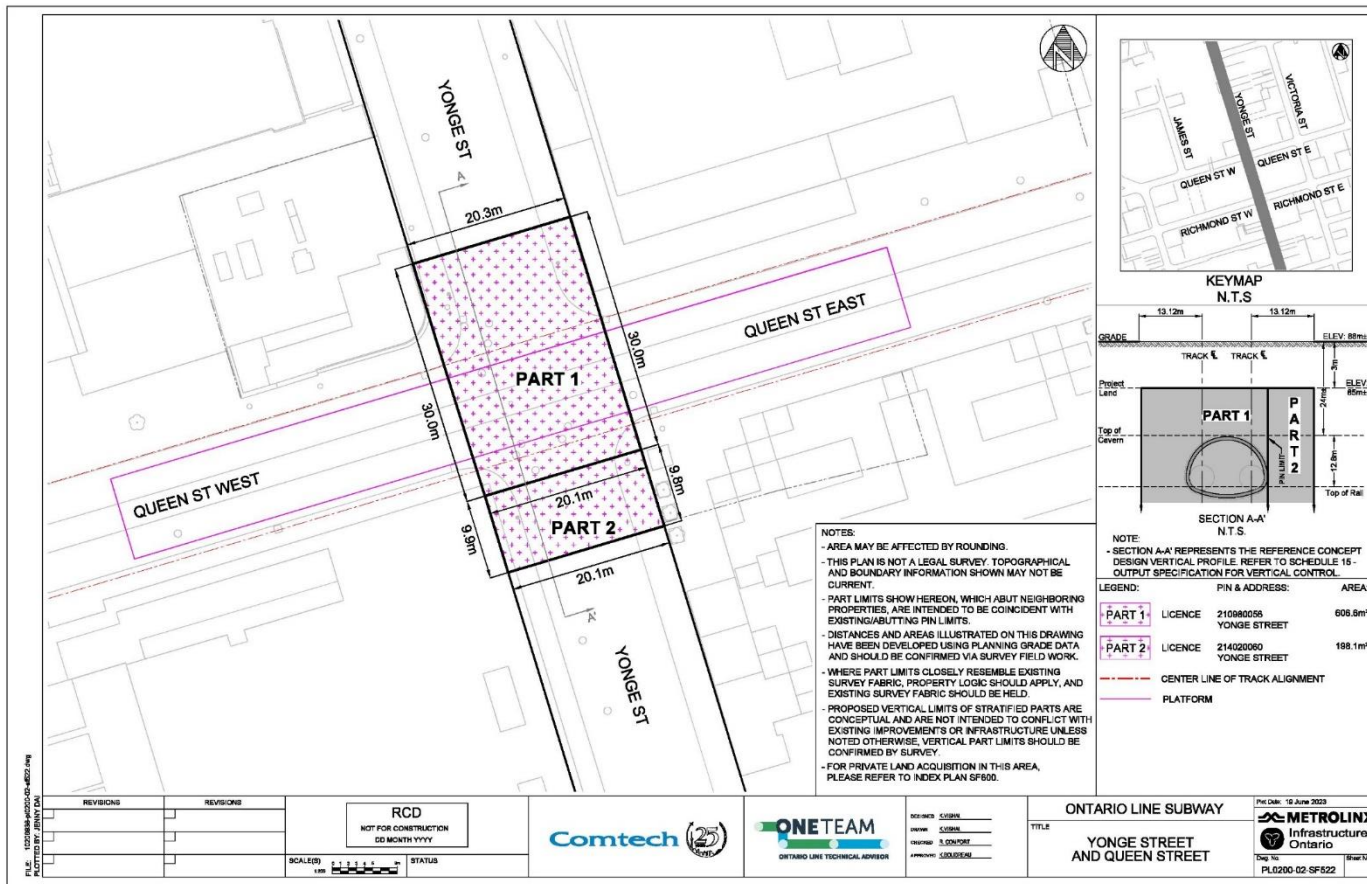
Ward 13 PINs			
1	21097-0087 (LT)	16	21402-0084 (LT)
2	21097-0088 (LT)	17	21091-0052 (LT)
3	21403-0064 (LT)	18	21077-0075 (LT)
4	21097-0091 (LT)	19	21077-0077 (LT)
5	21097-0031 (LT)		
6	21098-0056 (LT)		
7	21402-0060 (LT)		
8	21098-0057 (LT)		
9	21098-0195 (LT)		
10	21402-0071 (LT)		
11	21098-0197 (LT)		
12	21098-0086 (LT)		
13	21098-0087 (LT)		
14	21098-0089 (LT)		
15	21402-0077 (LT)		

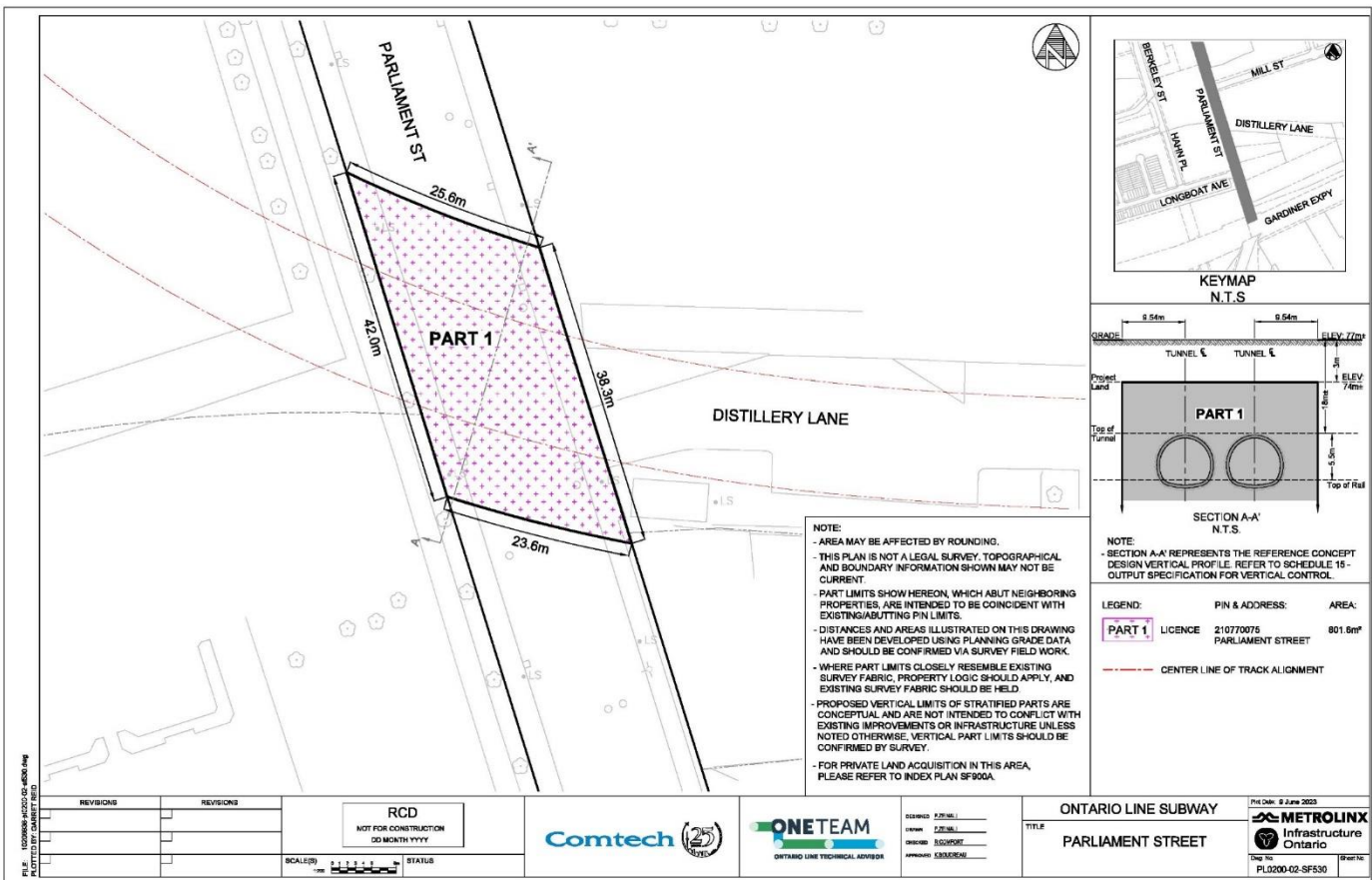
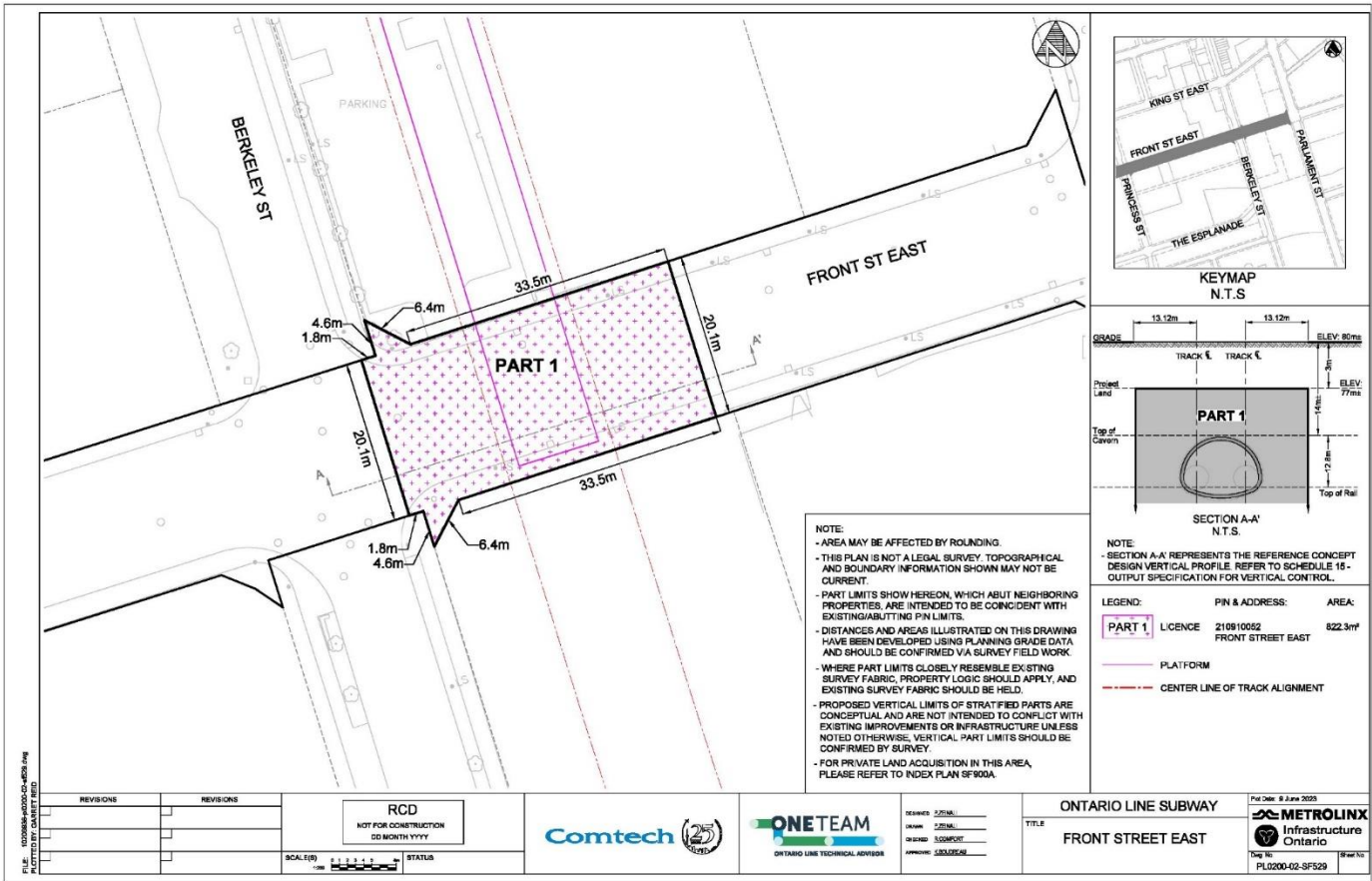


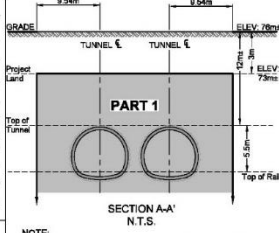
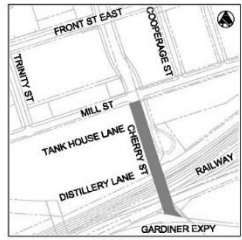
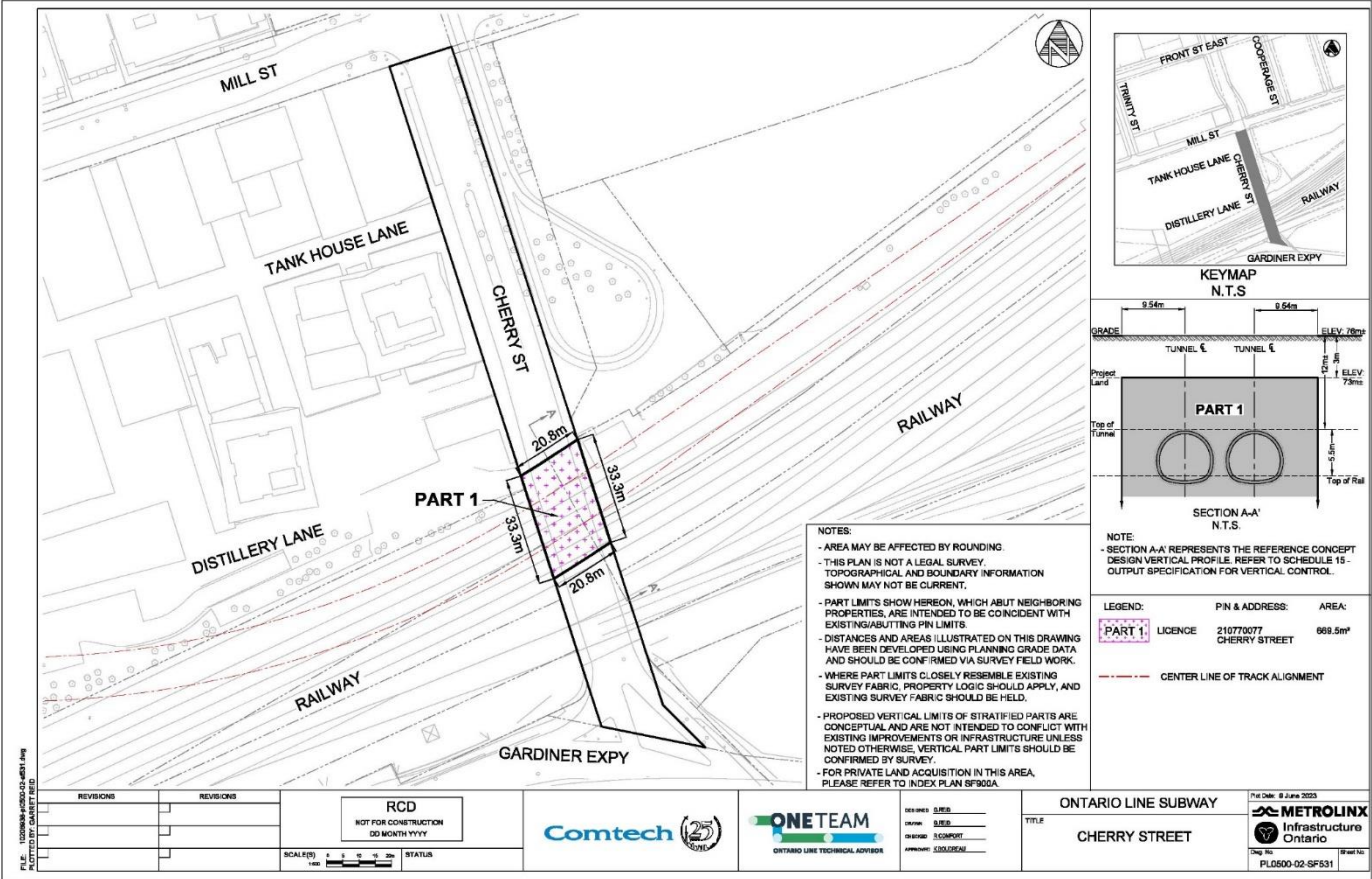












- NOTES:**
- AREA MAY BE AFFECTED BY ROUNDING
 - THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.
 - PART LIMITS SHOW HEREON, WHICH ABUT NEIGHBORING PROPERTIES, ARE INTENDED TO BE COINCIDENT WITH EXISTING/ADJUTING P/N LIMITS.
 - DISTANCES AND AREAS ILLUSTRATED ON THIS DRAWING HAVE BEEN DEVELOPED USING PLANNING GRADE DATA AND SHOULD BE CONFIRMED VIA SURVEY FIELD WORK.
 - WHERE PART LIMITS CLOSELY RESEMBLE EXISTING SURVEY FABRIC, PROPERTY LOGIC SHOULD APPLY, AND EXISTING SURVEY FABRIC SHOULD BE HELD.
 - PROPOSED VERTICAL LIMITS OF STRATIFIED PARTS ARE CONCEPTUAL AND ARE NOT INTENDED TO CONFLICT WITH EXISTING IMPROVEMENTS OR INFRASTRUCTURE UNLESS NOTED OTHERWISE, VERTICAL PART LIMITS SHOULD BE CONFIRMED BY SURVEY.
 - FOR PRIVATE LAND ACQUISITION IN THIS AREA, PLEASE REFER TO INDEX PLAN SF900A.

NOTE:
- SECTION A-A' REPRESENTS THE REFERENCE CONCEPT DESIGN VERTICAL PROFILE. REFER TO SCHEDULE 15 - OUTPUT SPECIFICATION FOR VERTICAL CONTROL.

LEGEND:	P/N & ADDRESS:	AREA:
PART 1	LICENCE 216776077 CHERRY STREET	668.5m ²

CENTER LINE OF TRACK ALIGNMENT

NO.	REVISIONS	DATE	BY	CHKD

RCD
NOT FOR CONSTRUCTION
DD MONTH YYYY



DESIGNED: <u> </u>	DATE: <u> </u>
DRAWN: <u> </u>	DATE: <u> </u>
CHECKED: <u> </u>	DATE: <u> </u>
APPROVED: <u> </u>	DATE: <u> </u>

ONTARIO LINE SUBWAY
TITLE
CHERRY STREET

PLD Date: 02 June 2023

PL0500-02-SF331

P.L.E. 12099864-02-02-02-02-02