

**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**

TRACKING NO.: 2024-034

Approved pursuant to the Delegated Authority contained in Item EX20.2 entitled "Advancing the SmartTrack Stations Program" as adopted by City Council on February 2, 3 and 5, 2021.			
Prepared By:	Leila Valenzuela	Division:	Corporate Real Estate Management
Date Prepared:	January 23, 2024	Phone No.:	(416) 392-7174
<b>Approval Authority</b>	<b>Deputy City Manager, Corporate Services ("DCM, CS") has approval authority to approve the disposal to Metrolinx of certain City property required for the implementation of the SmartTrack Stations Program for nominal consideration, on terms satisfactory to the DCM, CS and in a form acceptable to the City Solicitor.</b>		
<b>Signing Authority</b>	<b>Deputy City Manager, Corporate Services has signing authority on behalf of the City for Documents required to implement matters for which he or she also has delegated approval authority.</b>		
<b>Purpose</b>	To obtain authority to enter into a licence agreement with Metrolinx with respect to three one-foot reserve strips located along Finch Avenue East from Kennedy Road to the railway corridor for all works and uses in connection with the construction of the Finch-Kennedy station (the "Licence").		
<b>Property</b>	Three 1-foot reserve strips along Finch Avenue East described below and as shown on the Location Map and Sketch of the Licensed Areas attached hereto as Appendix "A" (collectively the "Licensed Areas"):		
	<ol style="list-style-type: none"> <li>South side of Finch Ave. E., between Kennedy Road and the rail corridor: PIN 06102-0377 (LT)</li> <li>South side of Finch Ave. E., between the rail corridor and Baylawn Drive: PIN 06101-0235 (LT)</li> <li>North side of Finch Ave. E., between Milliken Blvd. and the rail corridor: PIN 06020-0098 (LT)</li> </ol>		
<b>Actions</b>	<ol style="list-style-type: none"> <li>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 and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.</li> </ol>		
<b>Financial Impact</b>	Licence fees payable for the Licensed Areas are for nominal consideration in accordance with the Term Sheet attached to Item EX20.2 adopted by City Council on February 2, 3 and 5 2021 entitled <i>Advancing the SmartTrack Stations Program</i> authorized the nominal consideration.		
	The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.		
<b>Comments</b>	Metrolinx requires the Licence for temporary access and construction staging purposes for the Finch-Kennedy station (the "Project") as part of the SmartTrack Station Program (the "Program").		
	On June 14 and 15, 2023, Council adopted Item EX5.2 titled <i>Smart Track Stations Program – Provincial Funding Update</i> . Upon its adoption, Metrolinx and the City entered into the SmartTrack Stations Program Main Agreement dated September 15, 2023 in respect of matters pertaining to the Program (the "STMA"). The STMA contains a Real Estate Protocol set out in its Schedule "B" (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 STMA, including the Project.		
	The form of the Licence is substantially in the form appended to the Real Estate Protocol.		
<b>Terms</b>	Term: 5 years commencing from the date of the full execution of the Licence, with an option to extend for a further period of up to twelve months in favour of Metrolinx		
	Fee: Nominal		
	Early Termination: Metrolinx has the right to terminate the Licence upon 30 days of prior written notice to the City.		
	Use: All works and uses in connection with the construction of the Project, including but not limited to (1) construction staging, laydown and storage of construction materials and equipment and (2) access, ingress, egress and the removing, processing, and hauling of materials.		
<b>Property Details</b>	<b>Ward:</b>	22 – Scarborough Agincourt	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>	Width: 1 foot Length: Varies	
	<b>Approximate Area:</b>	(1) 8.10 m <sup>2</sup> (2) 62.70 m <sup>2</sup> (3) 43.0 m <sup>2</sup>	
	<b>Other Information:</b>		

Consultation with Councillor(s)														
Councillor:	Councillor Jamaal Myers						Councillor:							
Contact Name:	Adam Reinhardt						Contact Name:							
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Contacted by:	Phone		E-mail		Memo		Other
Comments:	Advised						Comments:							
Consultation with Divisions and/or Agencies														
Division:	Financial Planning						Division:							
Contact Name:	Ciro Tarantino						Contact Name:							
Comments:	Concurred						Comments:							
Legal Division Contact														
Contact Name:	Michelle Xu													

DAF Tracking No.: 2024-034	Date	Signature
Recommended by: Vinette Prescott-Brown, Manager, Real Estate	Jan. 25, 2024	Signed by Vinette Prescott-Brown
Recommended by: Alison Folosea, Director, Real Estate Services	Jan. 29, 2024	Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: <b>Executive Director, Corporate Real Estate Management Patrick Matozzo</b>	Jan. 29, 2024	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: <b>Deputy City Manager, Corporate Services David Jollimore</b>	Jan. 29, 2024	Signed by David Jollimore

# Appendix "A"

## Location Map and Sketch of Licensed Areas

