



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

TRACKING NO.: 2024-087

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:	April 12, 2024	Phone No.:	(416) 338-5045														
Purpose	To obtain authority to enter into a licence agreement (the "Licence") with Metrolinx for lands located in the Corktown Common 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 Corktown Common Area, being part of PIN 21077-0356 (LT) shown as Part 5 on Drawing Number PPL0300-02-SF909 (the "Long Term Access Area"), and part of PIN 21077-0156 (LT) shown as Part 3 on Drawing Number PL0500-02-EX937 (the "Short Term Access Area" and collectively with Long Term Access Area, 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 \$107,186.50 (plus HST) over the five (5) year term of the agreement. Revenues will be directed to the 2024 Council Approved Operating Budget for Parks, Forestry & Recreation under cost centre in P00147 and functional area code 1820100000, and will be included in future operating budget submissions for Council consideration.</p> <p>Revenues remitted to the City for each fiscal year are as follows:</p> <table border="1"> <thead> <tr> <th>Year</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>2024</td><td>\$26,260.80</td></tr> <tr> <td>2025</td><td>\$20,231.43</td></tr> <tr> <td>2026</td><td>\$20,231.43</td></tr> <tr> <td>2027</td><td>\$20,231.43</td></tr> <tr> <td>2028</td><td>\$20,231.43</td></tr> <tr> <td>Total</td><td>\$107,186.50 (plus HST)</td></tr> </tbody> </table> <p>The Chief Financial Officer and Treasurer have reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>			Year	Amount	2024	\$26,260.80	2025	\$20,231.43	2026	\$20,231.43	2027	\$20,231.43	2028	\$20,231.43	Total	\$107,186.50 (plus HST)
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Total	\$107,186.50 (plus HST)																
Comments	<p>On December 15, 2021, the City Council adopted item EX28.12 "Metrolinx Subways Program – Real Estate Protocol and Land Valuation Principles for Subways and GO Expansion Programs." Upon its adoption, the City, TTC and Metrolinx entered into an agreement dated June 16, 2022 ("Subways Master Agreement") which included a schedule which outlined the process for real estate transactions related to subway projects (the "Real Estate Protocol"). The Real Estate Protocol provides a clear process for the City, TTC, 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.</p> <p>Metrolinx requires temporary access to, and use of the Licensed Area for expansion of its nearby rail corridor, in connection with the Ontario Line. Staff from Parks, Forestry and Recreation, Toronto Water and Toronto and Region Conservation Authority have no objection to the granting of the Licence. The form of the Licence is substantially in the form appended to the Real Estate Protocol.</p> <p>The proposed fee and other terms and conditions of the Agreement to be fair and reasonable, reflective of market value.</p>																
Terms	<p>Short Term Access: three (3) months, commencing on April 25 and ending on July 24, 2024.</p> <p>Long Term Access: five (5) years, commencing on April 25 and ending on April 24, 2029, with 4 options to extend the term for one (1) year each, upon six (6) months' prior written notice to the City.</p>																
Property Details	<table border="1"> <tr> <td>Ward:</td><td>Ward 13 - Toronto Centre and Ward 10 - Spadina-Fort York</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td>629.8 m² ± 761.2 m²</td></tr> <tr> <td>Approximate Area:</td><td>1391 m²</td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>	Ward:	Ward 13 - Toronto Centre and Ward 10 - Spadina-Fort York	Assessment Roll No.:		Approximate Size:	629.8 m ² ± 761.2 m ²	Approximate Area:	1391 m ²	Other Information:							
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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/REOLs:</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/REOLs.</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:	Councillor Malik	Councillor:	Councillor Moise
Contact Name:	Councillor Malik	Contact Name:	Councillor Moise
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 checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Advised	Comments:	Advised

Consultation with Divisions and/or Agencies

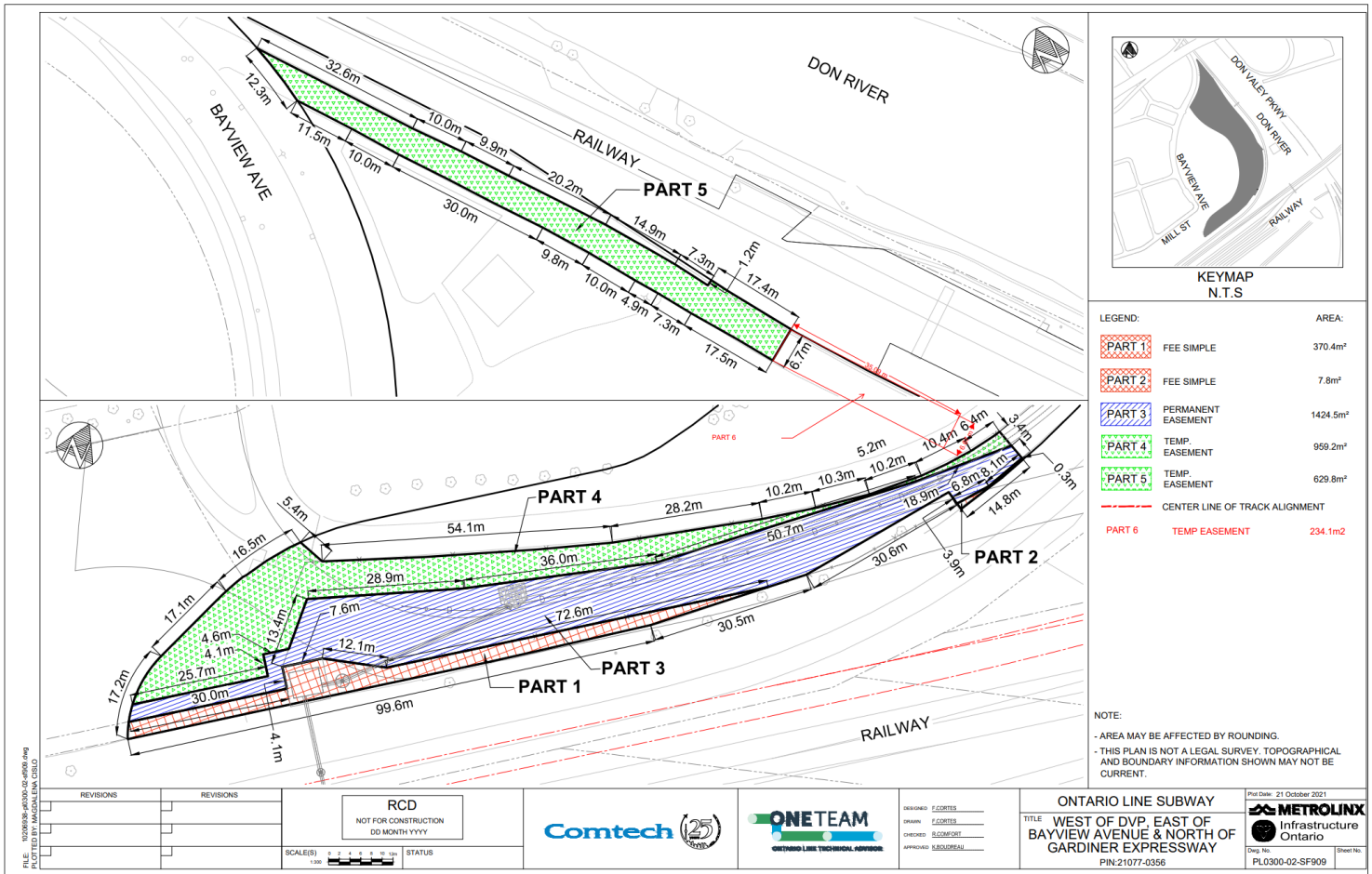
Division:	PF&R	TRCA	Division:	Financial Planning
Contact Name:	Mark Ventresca	Edlyn Wong	Contact Name:	Ciro Tarantino
Comments:	Included in Licence	Approved	Comments:	No Comments

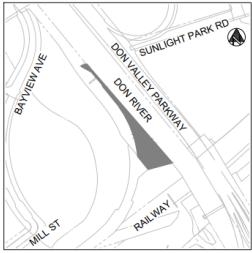
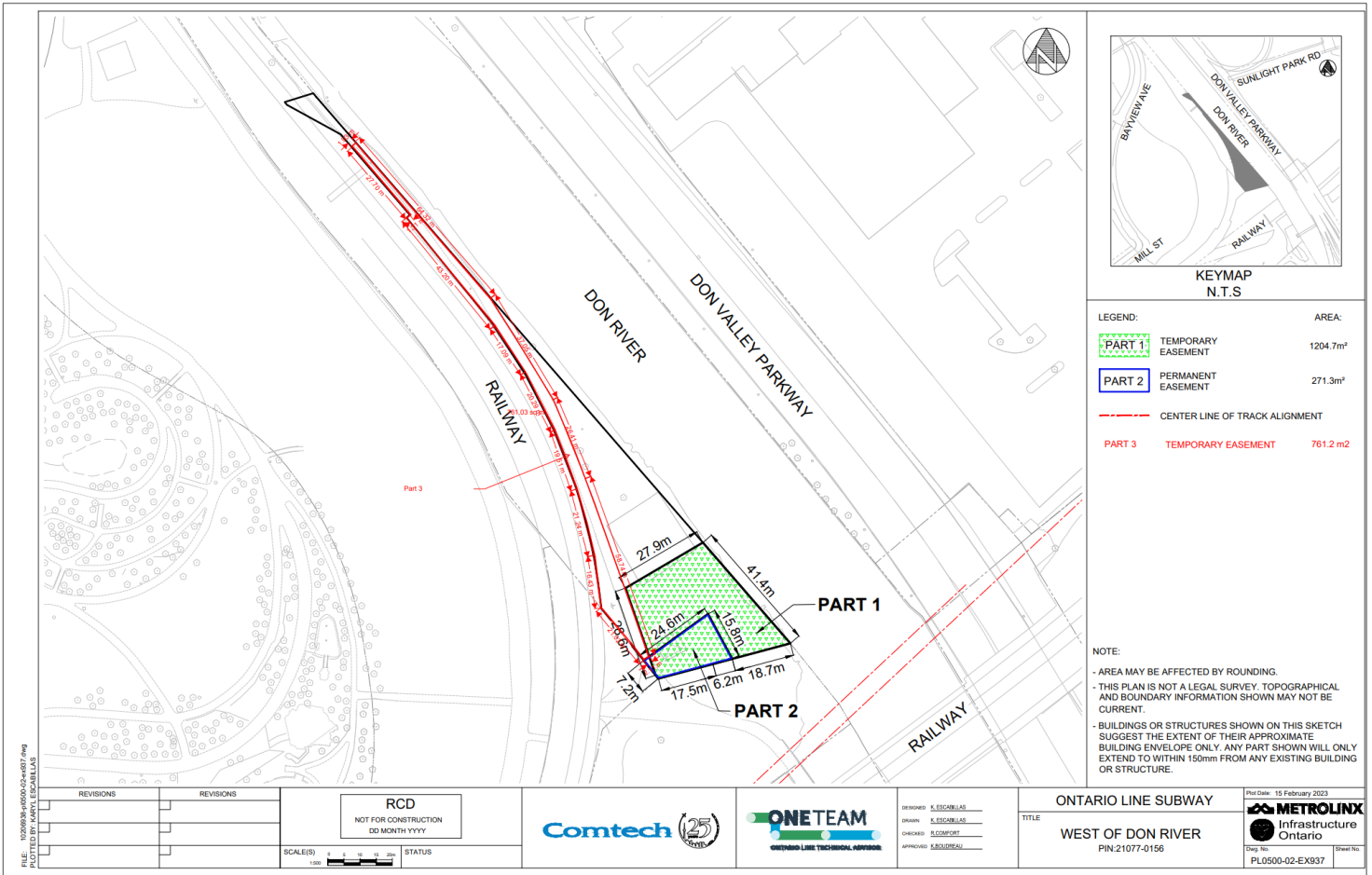
Legal Services Division Contact

Contact Name:	
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DAF Tracking No.: 2024-087	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 15, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	April 18, 2024	Signed by Alison Folosea

APPENDIX "A"





LEGEND:		AREA:
PART 1	TEMPORARY EASEMENT	1204.7m ²
PART 2	PERMANENT EASEMENT	271.3m ²
---	CENTER LINE OF TRACK ALIGNMENT	
---	PART 3 TEMPORARY EASEMENT	761.2 m ²

NOTE:

- AREA MAY BE AFFECTED BY ROUNDING.
- THIS PLAN IS NOT A LEGAL SURVEY. TOPOGRAPHICAL AND BOUNDARY INFORMATION SHOWN MAY NOT BE CURRENT.
- BUILDINGS OR STRUCTURES SHOWN ON THIS SKETCH SUGGEST THE EXTENT OF THEIR APPROXIMATE BUILDING ENVELOPE ONLY. ANY PART SHOWN WILL ONLY EXTEND TO WITHIN 150mm FROM ANY EXISTING BUILDING OR STRUCTURE.

FILE: 10206030-0000-02-00-0000.dwg
PLOTTED BY: KARYL ESCOBAR

REVISIONS	REVISIONS

RCD NOT FOR CONSTRUCTION DD MONTH YYYY
SCALE(S) 1:500
STATUS



DESIGNED: K. ESCOBAR
DRAWN: K. ESCOBAR
CHECKED: K. ESCOBAR
APPROVED: K. ESCOBAR

ONTARIO LINE SUBWAY
TITLE
WEST OF DON RIVER PIN:21077-0156

Plot Date: 15 February 2023
METROLINX Infrastructure Ontario
Dwg No: PL0500-02-EX937
Sheet No: