

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-072

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

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management
Date Prepared:	March 20, 2024	Phone No.:	416-397-0806
Purpose	To enter into a licence extension agreement with Metrolinx with respect to the property municipally known as 200 Eglinton Avenue West for the purposes of extending the licence term in connection with works required for the Eglinton Crosstown Light Rail Transit Project (the "Licence Agreement").		
Property	Part of the property municipally known as 200 Eglinton Avenue West, shown as Parts 1 and 3 on Sketch No. ECLE1-13-SK010F-OL_CTS in Appendix "B" (the "Licensed Area").		
Actions	1. Authority to be granted to enter into the Licence Extension Agreement with Metrolinx, substantially on the terms and conditions outlined 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 extension of the licence term will provide a licence fee revenue to the City in the amount of \$60,697 plus HST for the extended term. There is a further revenue from parking fees in the amount of \$68,040 (inclusive of HST). The City will receive an additional amount of \$17,328 plus HST, if Metrolinx exercise the option for the further 6 months extension. The revenue will be directed to 2024 Council Approved Operating Budget for Parks, Forestry and Recreation under cost centre P12642.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>The City entered into a licence agreement with Metrolinx to occupy the Licensed Area for a five-year term commencing on July 29, 2016, as authorized by DAF No. 2016-158 (the "Original Licence").</p> <p>The Original Licence was amended by an agreement made August 19, 2016, to amend the licence fee. The Original Licence was further amended by an agreement made August 2, 2017, to include an additional licensed area, as authorized by DAF No. 2017-215. The Original Licence was further extended by the agreement made November 8, 2022, and authorized by DAF No. 2022-079 for one (1) year term from July 29, 2021, to July 28, 2022. The Original Licence and the amending and extending agreements are hereafter referred to collectively as the "Licence".</p> <p>Construction on the Project is still ongoing, and Metrolinx has continued to occupy the Licensed Area. Metrolinx has requested a licence extension until April 30, 2024. Parks, Forestry and Recreation has no objection to the extension.</p> <p>The proposed licence fee and other major terms and conditions of the Licence Extension Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
Terms	<p>All terms and conditions of the Licence will remain unchanged, except for:</p> <p>Term: One (1) year, nine (9) months, and two (2) days from July 29, 2022 to April 30, 2024.</p> <p>Licence fee: \$60,697 plus HST for the extended term.</p> <p>Option to extend: One option for six (6) months with thirty (30) days written notice for a fee of \$17,328 plus HST..</p> <p>Parking spaces: The use of parking spaces has been terminated as of July 29, 2023. Parking fees for the period from July 29, 2022, to July 28, 2023, is charged at \$162 per space per month for thirty-five (35) spots.</p>		
Property Details	Ward:	8 – Eglinton-Lawrence	
	Assessment Roll No.:	Part of 1904-11-4-540-09300	
	Approximate Size:	Irregular in shape	
	Approximate Area:	2,354.4 m2 ± (25,342.5 ft2 ±)	
	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/REOs:</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/REOs.</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:	Mike Cole	Councillor:	
Contact Name:	Andy Stein	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <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:	

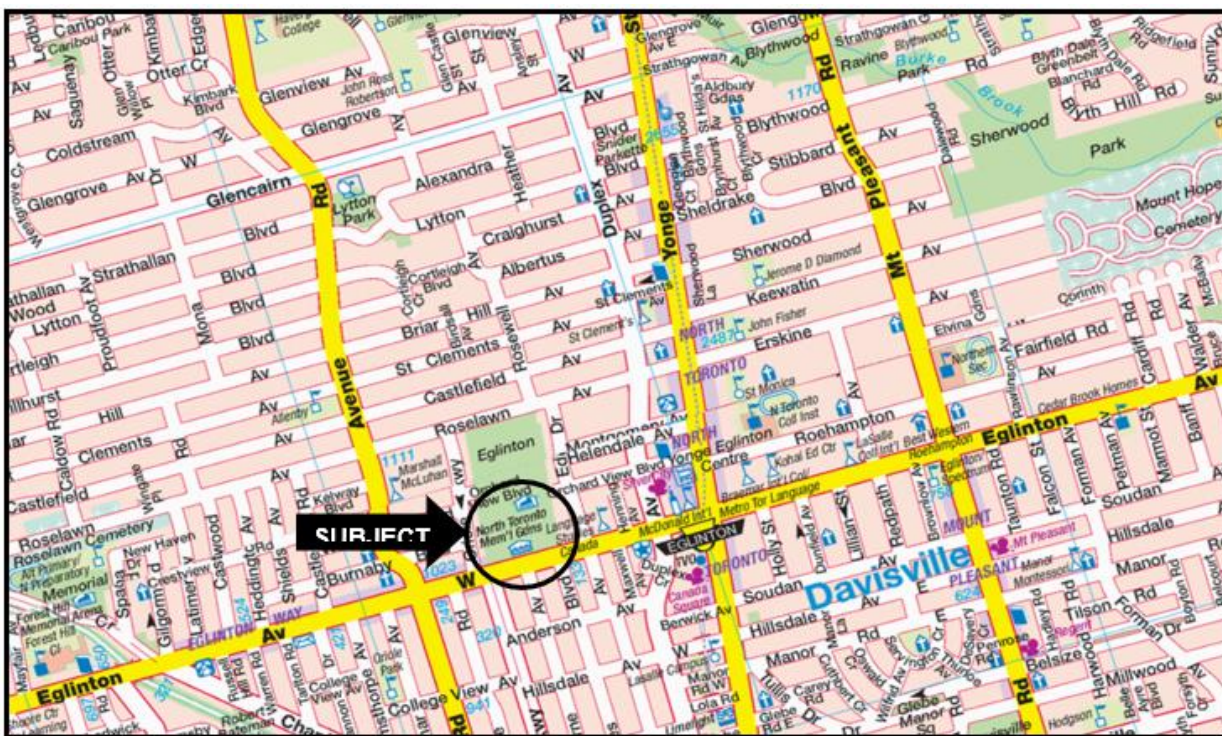
Consultation with Divisions and/or Agencies

Division:	PF&R	Division:	Financial Planning
Contact Name:	Tara Coley	Contact Name:	Ciro Tarantino
Comments:	No objections	Comments:	No comments

Legal Services Division Contact

Contact Name:	
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DAF Tracking No.: 2024-072	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	March 21, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	March 26, 2024	Signed by Alison Folosea



APPENDIX "B"

Licensed Area

MODIFIED: JUNE 29, 2017

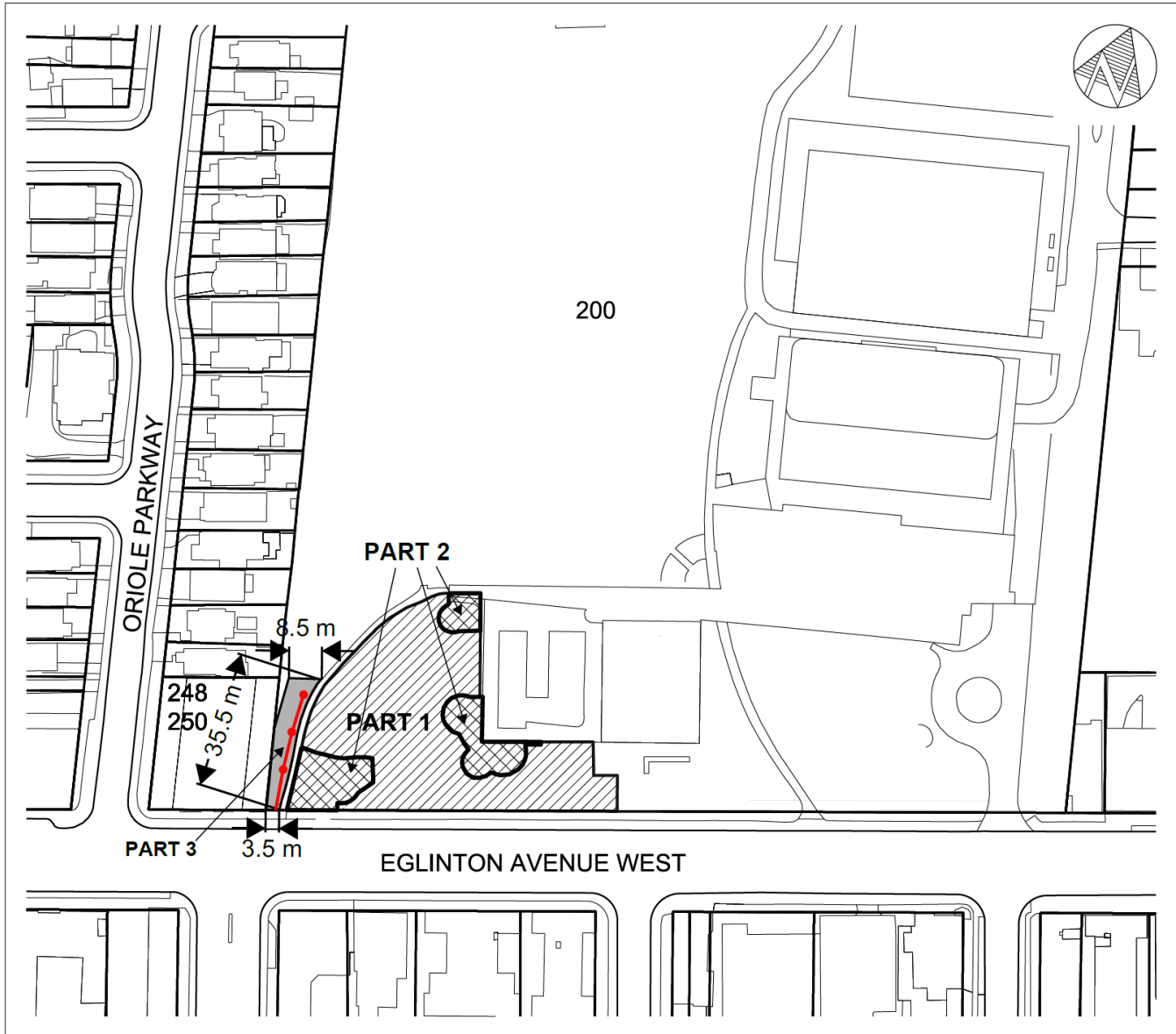
REVISION: 02



Contract: #
ECLE1

Project
EGLINTON CROSSTOWN

P.I.N. Number 21170 - 0121
21170 - 0125
21170 - 0126



	TEMPORARY SURFACE EASEMENT
	TREE PROTECTION AREA
	TEMPORARY EASEMENT FOR DEWATERING

LEGEND

	EXISTING PROPERTY LINE
	APPROXIMATE SURFACE DEEPWELL LOCATION
	CONDUIT

AREA REQUIREMENTS (APPROXIMATE)

PART 1	2323 m ²
PART 2	598 m ²
PART 3	199 m ²

NOTE: AREA MAY BE AFFECTED BY ROUNDING.

Title
200 EGLINTON WEST

Dwg. No.
ECLE1-13-SK010F-OL_CTS

Scale 0 15 30 45 60m
1:1500