

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.:2024-120

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	May 15, 2024	Phone No.:	(416) 397-7481
Purpose	To obtain authority to enter into a licence agreement with Metrolinx with respect to a portion of the property municipally known as 520 Lake Shore Blvd. East for the purposes of temporary non-exclusive use to facilitate general maintenance and construction related activities to the rehabilitation and expansion of the Union Station Rail Corridor East Track Enhancement project (the "Licence Agreement").		
Property	Parts of the property municipally known as 520 Lake Shore Blvd. East, shown in Appendix "B", being Part 1 on PS Sketch No. 159503 dated November 23, 2023, having a total area of approximately 1,727.20 square metres (the "Licensed Area").		
Actions	1. Authority be granted to enter into the Licence Agreement 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>Total revenue to be remitted to the City is \$409,760.51 (plus HST) for the initial term. If Metrolinx exercises its two options to extend for up to six months, the total revenue to the City will be \$472,693.01 (plus HST). The revenues will be directed to the 2024 Approved Operating Budget for CREM under cost centre FA1379 and functional area code 3220200000.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>Metrolinx requires access to its rail corridor from the Licensed Area to transport equipment to perform work necessary in connection with its Union Station Rail Corridor East Track Enhancement project ("the Project").</p> <p>The City has agreed to grant a temporary license to Metrolinx to enter and utilize the Licensed Area to undertake these works associated with the Project. The site, if adversely affected, will be restored prior to the expiry of the term of the Licence, and there will be no vehicle parking permitted within the Licensed Area.</p> <p>The proposed fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market value.</p>		
Terms	<p>Term: May 15, 2024 to July 31, 2027</p> <p>Option to Extend: Two (2) options to extend for up to ninety days each</p> <p>Licence Fee: \$409,760.51 (plus HST) for the initial term</p> <p>Use: General maintenance and construction related activities and associated works (including but not limited to any clearing or removal of vegetation, and construction staging and laydown) in, to, over, through, across, along and within the Licensed Area, and all related works and/or uses ancillary to the said purpose</p> <p>Insurance: Liability with limits of not less than Ten Million Dollars (\$10,000,000.00), per occurrence. The City is to be added as an additional insured</p> <p>Early Termination: Upon giving not less than thirty (30) days' prior written notice to the City. In the event of any early termination, any pre-paid portion of the License Fee shall be refunded to Metrolinx on a pro-rated basis.</p>		
Property Details	Ward:	Ward 10 – Spadina-Fort York	
	Assessment Roll No.:	19 04 071 130 012 00	
	Approximate Size:	Varies	
	Approximate Area:	1,727.20 m ² ± (18,591 ft ² ±)	
	Other Information:	N/A	

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:	Ausma Malik	Councillor:	
Contact Name:	Vienna O'Shea	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	Waterfront Toronto / Waterfront Secretariat	Division:	Financial Planning
Contact Name:	Steven Guan / Christian Gilles	Contact Name:	Ciro Tarantino
Comments:	No objections.	Comments:	Concurs

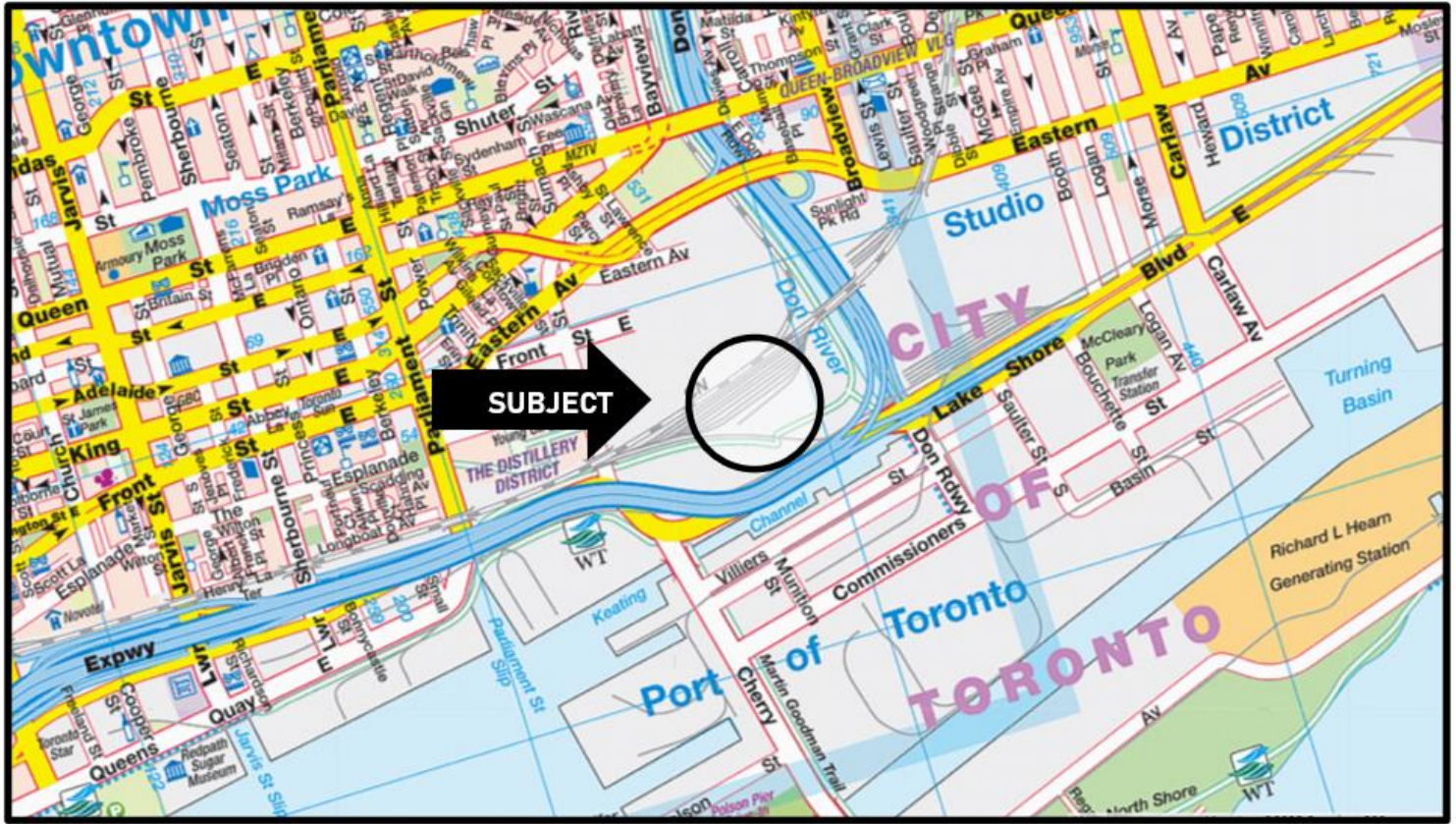
Legal Services Division Contact

Contact Name: Lisa Davies

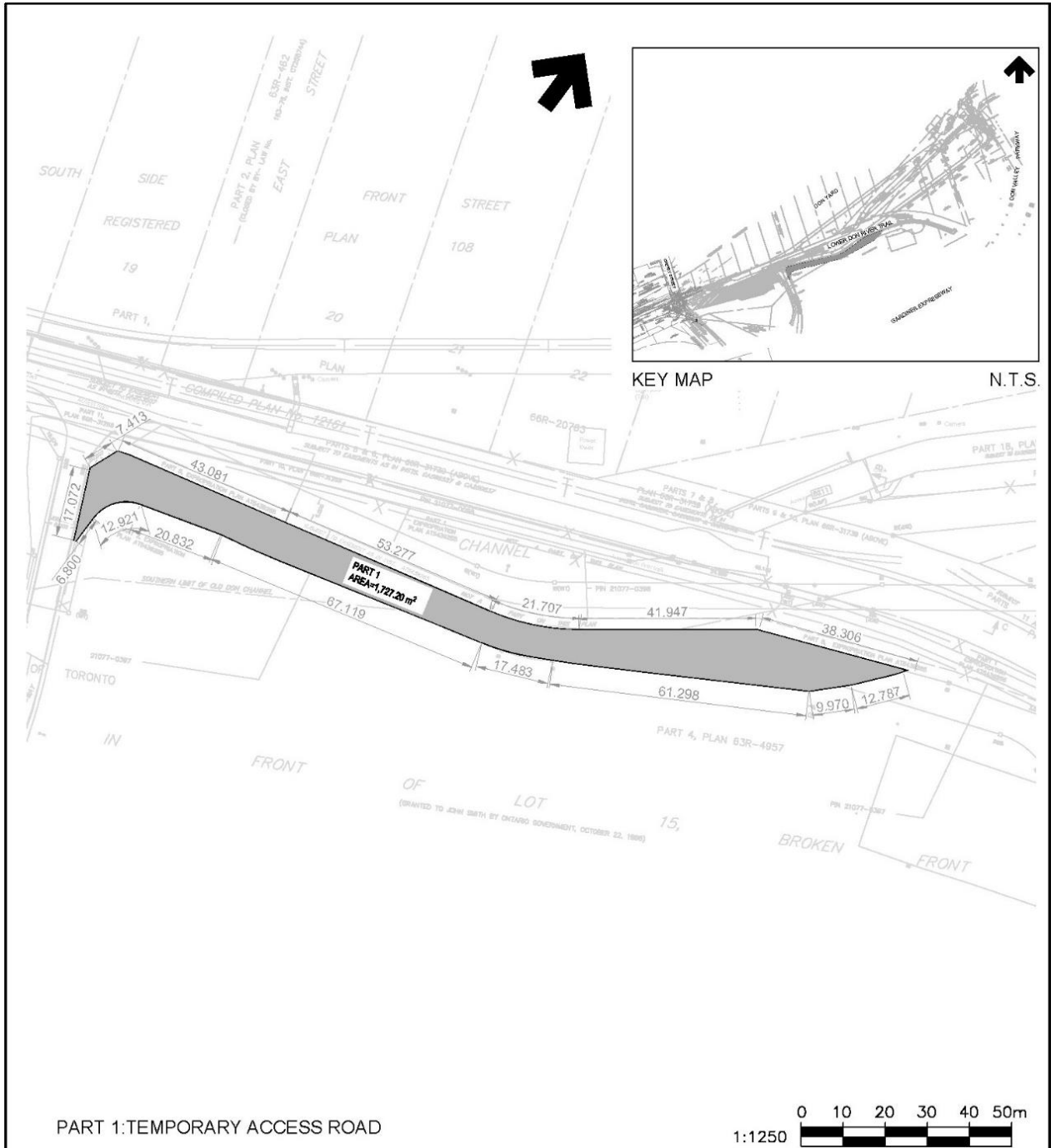
DAF Tracking No.: 2024-120	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	May 15, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	May 15, 2024	Signed by Alison Folosea

Appendix "A"

Location Map



Licensed Area



PART 1: TEMPORARY ACCESS ROAD

METROLINX
ONTRACK ALLIANCE

PROPERTY INFORMATION SHEET
PIN - 21077-0397
CITY OF TORONTO

CHECKED BY: G. HILL
PREPARED BY: G. VUKASINOVIC

METROLINX PROJECT NO. : 159503
DATE: NOVEMBER 28, 2023

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