

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, CORPORATE SERVICES
EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT

TRACKING NO.: 2024-141

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

Prepared By:	Bruno Iozzo	Division:	Corporate Real Estate Management										
Date Prepared:	July 17, 2024	Phone No.:	(416) 392-8151										
Purpose	To obtain authority to enter into a licence agreement with Metrolinx with respect to the property municipally known as 2467 Eglinton Avenue East, Toronto for all works and uses relating to the construction of certain improvements and works in connection with the Scarborough Subway Extension project (the "Agreement").												
Property	The southern parking lot area of the property municipally known as 2467 Eglinton Avenue East and legally described as Part of Lots 4 and 5, Plan 1697; as in SC317369, except Part 1 on Plan 64R-6495 and Part 1 on Plan 66R-28272, subject to SC300826, Scarborough, City of Toronto, being part of PIN 06493-0248 (LT) (the "Property") as shown on the Location Map attached hereto as Appendix "B" and on the property sketch attached hereto as Appendix "C".												
Actions	1. Authority be granted to enter into the Agreement with Metrolinx, substantially on the major terms and conditions set out in Appendix "A", and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.												
Financial Impact	There is no financial impact.												
Comments	<p>On December 15, 2021, City Council adopted Item EX28.12 titled "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 that 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 Scarborough Subway Extension ("the Project").</p> <p>Metrolinx intends to construct certain improvements and works in connection with the Project, which requires temporary access to and use of the Property as identified on the sketch shown in Appendix "C". The City has agreed to grant a temporary licence to Metrolinx to enter and utilize the Property to undertake these works associated with the Project. The form of the Agreement is substantially in the form appended to the Real Estate Protocol.</p> <p>On June 26th, 2024, City Council authorized staff report EX15.2 titled "Priorities in Transit Expansion and Transit-Oriented Communities Projects". The report contained a recommendation that required Metrolinx to provide the City with certain information prior to completing any further real estate transactions involving City lands. The Transit Expansion (TE) Division has confirmed that the Ward Councillor is comfortable proceeding with this land transaction based on the information provided by Metrolinx about its mitigation efforts related to construction impact to residential tenants and businesses. Therefore, TE confirms that Metrolinx has satisfied the conditions set out in EX15.2 relating to the Property.</p>												
Terms	Please see Appendix "A"												
Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>20 – Scarborough Southwest</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>1901 041 230 00201</td> </tr> <tr> <td>Approximate Size:</td> <td></td> </tr> <tr> <td>Approximate Area:</td> <td>7,131 square meters (or 76,757 square feet)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	20 – Scarborough Southwest	Assessment Roll No.:	1901 041 230 00201	Approximate Size:		Approximate Area:	7,131 square meters (or 76,757 square feet)	Other Information:	
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Other Information:													

B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Parthi Kandavel	Councillor:	
Contact Name:	Alexandra Kyriakos – Chief of Staff	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:	Fine to proceed	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks, Forestry and Recreation/Transit Expansion	Division:	Financial Planning
Contact Name:	Kellie Spence/Derrick Togo	Contact Name:	Ciro Tarantino
Comments:	No objections/Confirmed compliance with EX15.2	Comments:	No financial impact

Legal Services Division Contact

Contact Name:	Michelle Xu
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DAF Tracking No.: 2024-141	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	July 22, 2024	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	July 22, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management <input type="checkbox"/> Approved by: Patrick Matozzo		X
<input checked="" type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore	July 23, 2024	Signed by David Jollimore

Appendix "A" – Major Terms and Conditions of the Agreement

Licensed Area:

Approximately 7,131 square meters (or 76,757 square feet)

Term:

Six (6) months with an option to extend for up to six (6) additional months.

Commencement Date:

Upon execution of the Agreement by both parties

Licensed Fee:

Nominal

Insurance:

Metrolinx may self-insure.

Early Termination:

- Metrolinx shall have the right to terminate the Licence at any time during the Term or the extension term, as applicable, upon giving not less than thirty (30) days of prior written notice to the City. In the event of any such termination, any pre-paid portion of the Licence Fee shall be refunded to Metrolinx on a pro-rated basis.
- A termination of the Subways Master Agreement or the Real Estate Protocol is a termination of the Licence.

Permitted Purpose:

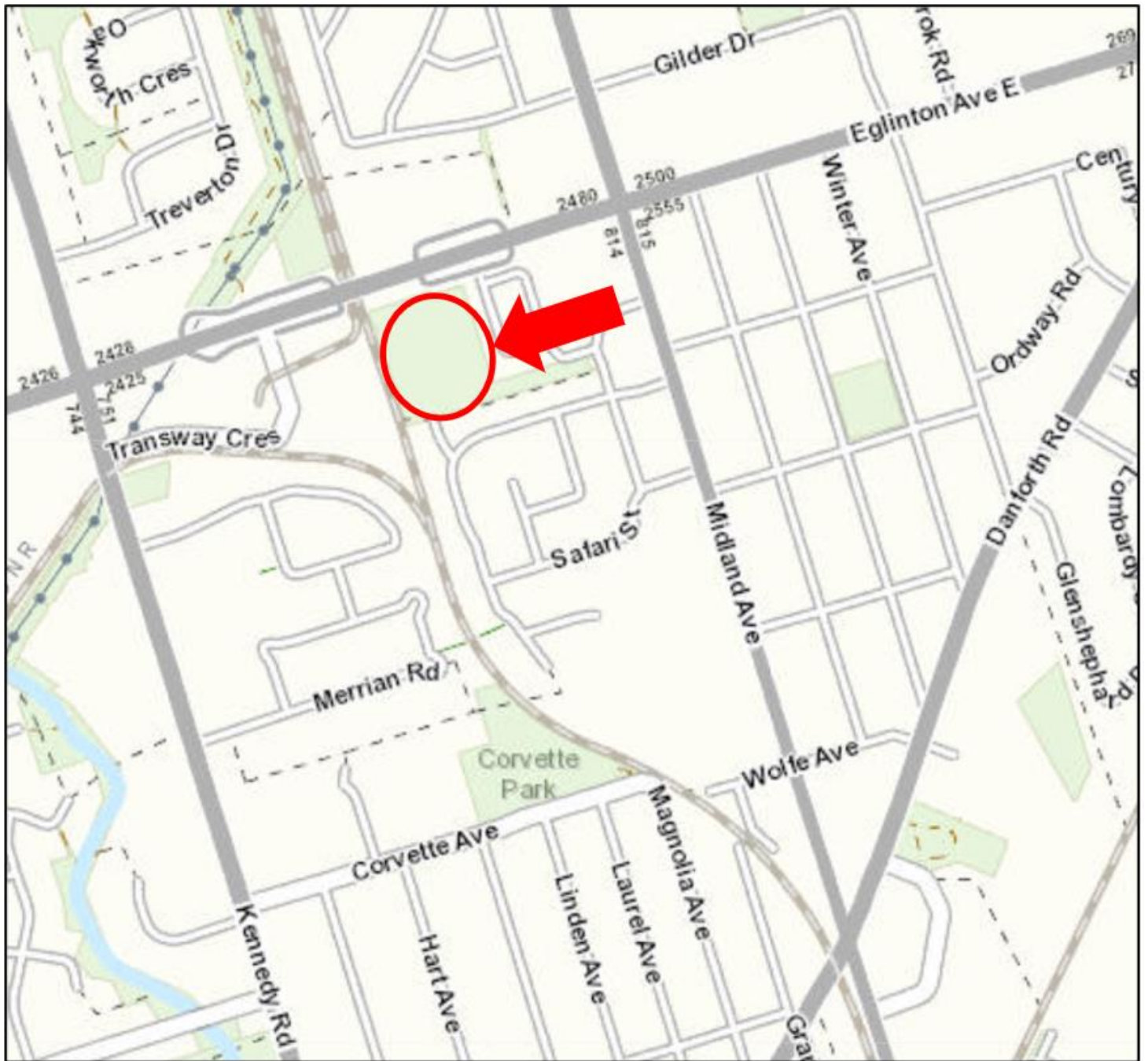
All works and uses in connection with the construction of the Project, including, without limitation:

South parking lot modifications, conduit installation to the barrier gate, barrier gate arms, access for light and heavy construction vehicles and associated equipment, all necessary tree protection zones/hoarding, tree injury, tree removal, and vegetation removal.

Metrolinx Covenants

1. Metrolinx shall not access the Property for the Permitted Purpose until the relevant City staff provide Metrolinx with written approval of the Work Package (as defined within the Agreement)
2. Metrolinx agrees to cause its contractor to provide warranty to the City in accordance with Schedule 4D of the Agreement.

Appendix "B" – Location Map



Appendix "C" – The Property

