



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

TRACKING NO.: 2024-162

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	November 12, 2024	Phone No.:	(416) 392-8160
Purpose	To obtain authority to enter into an omnibus tunneling licence agreement with Metrolinx for below grade portions of public highway lands in the area bounded by Queen Street East and West, Parliament Street, Gardiner Expressway and Strachan Avenue, for the purposes of all works and uses in connection with the construction of the Ontario Line Project (the "Licence") .		
Property	Below grade portions of public highway lands located in Ward 10, bounded by Queen Street East and West, Parliament Street, Gardiner Expressway and Strachan Avenue (collectively, the "Licensed Area") as listed and shown 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	According to the Real Estate Protocol (defined below), the Licence will be for nominal consideration, as the Licensed Area is public highway lands. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.		
Comments	Metrolinx requires the Licence for the construction of the Ontario Line tunnel, which includes due diligence works, utility works, excavation, subsurface cavern mining and some surface excavation. Portion(s) of the Licensed Area may be transferred to Metrolinx by way of transfer of permanent easement in accordance with the Licence, at a later date. On December 15, 2021, City Council adopted 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, which included a schedule that outlined the process for real estate transactions related to the Subway Program (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. Staff from Toronto Transit Commission, Transportation Services, Engineering & Construction Services and Toronto Water have no objections to the granting of the Licence. The proposed licence fee and other major terms and conditions of the Licence are considered to be fair, reasonable and the form of the Licence is substantially the same to the form appended to the Real Estate Protocol. On June 26, 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.		
Term	<p>Term: Five (5) years, commencing on a date specified by Metrolinx and no later than July 31, 2025, upon no less than 30 days of prior written notice to the City.</p> <p>Extension: Provided that Metrolinx is not in default under the Licence beyond all applicable curing periods, Metrolinx will have the option, upon three (3) months prior written notice to the City, to extend the Term for a further period of five (5) years, on terms and conditions to be agreed between the parties.</p> <p>Fee: Nominal</p>		
Property Details	Ward:	10 – Toronto-Danforth	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	12,604.7 m ² ± (3.11 ac ±)	
	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 checked="" 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 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:	Ausma Malik	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" 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:	Consulted	Comments:	

Consultation with Divisions and/or Agencies

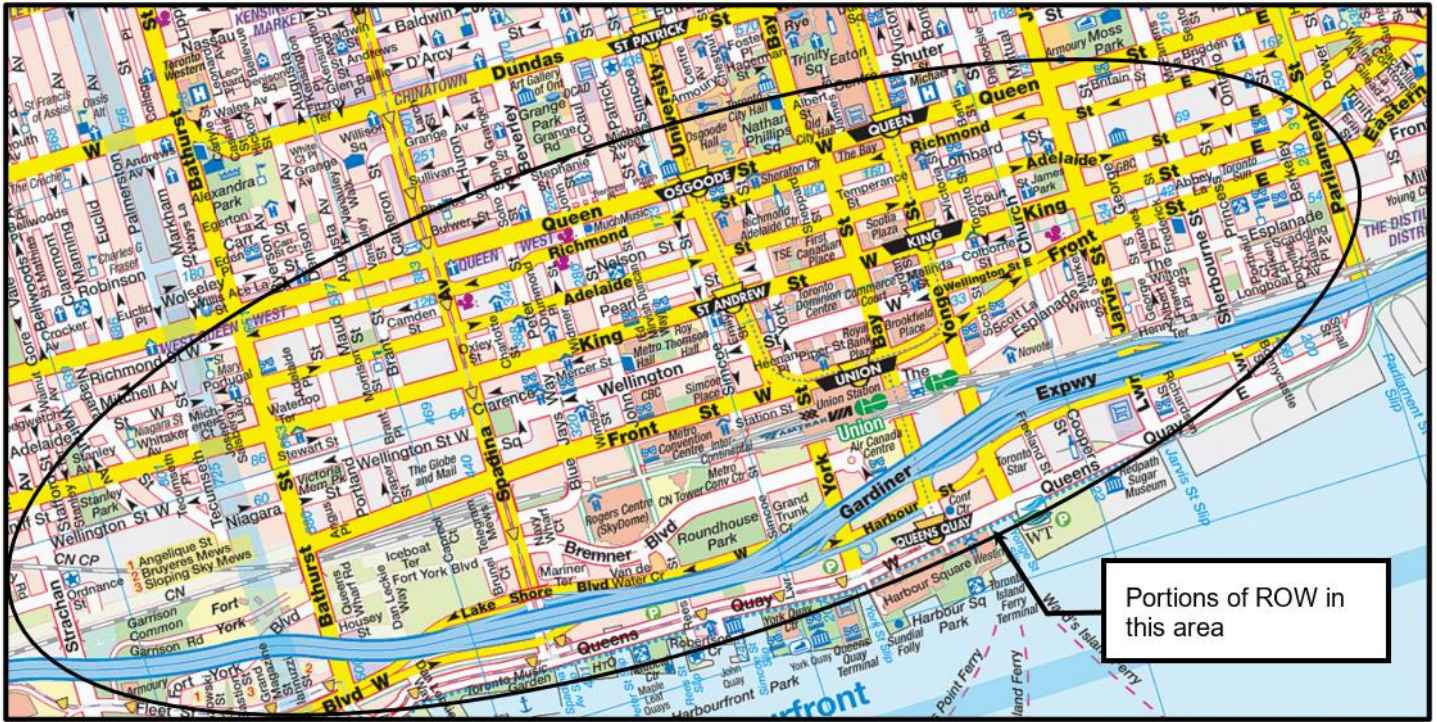
Division:	TS, TW, TTC, ECS, EDC, TE	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

Legal Services Division Contact

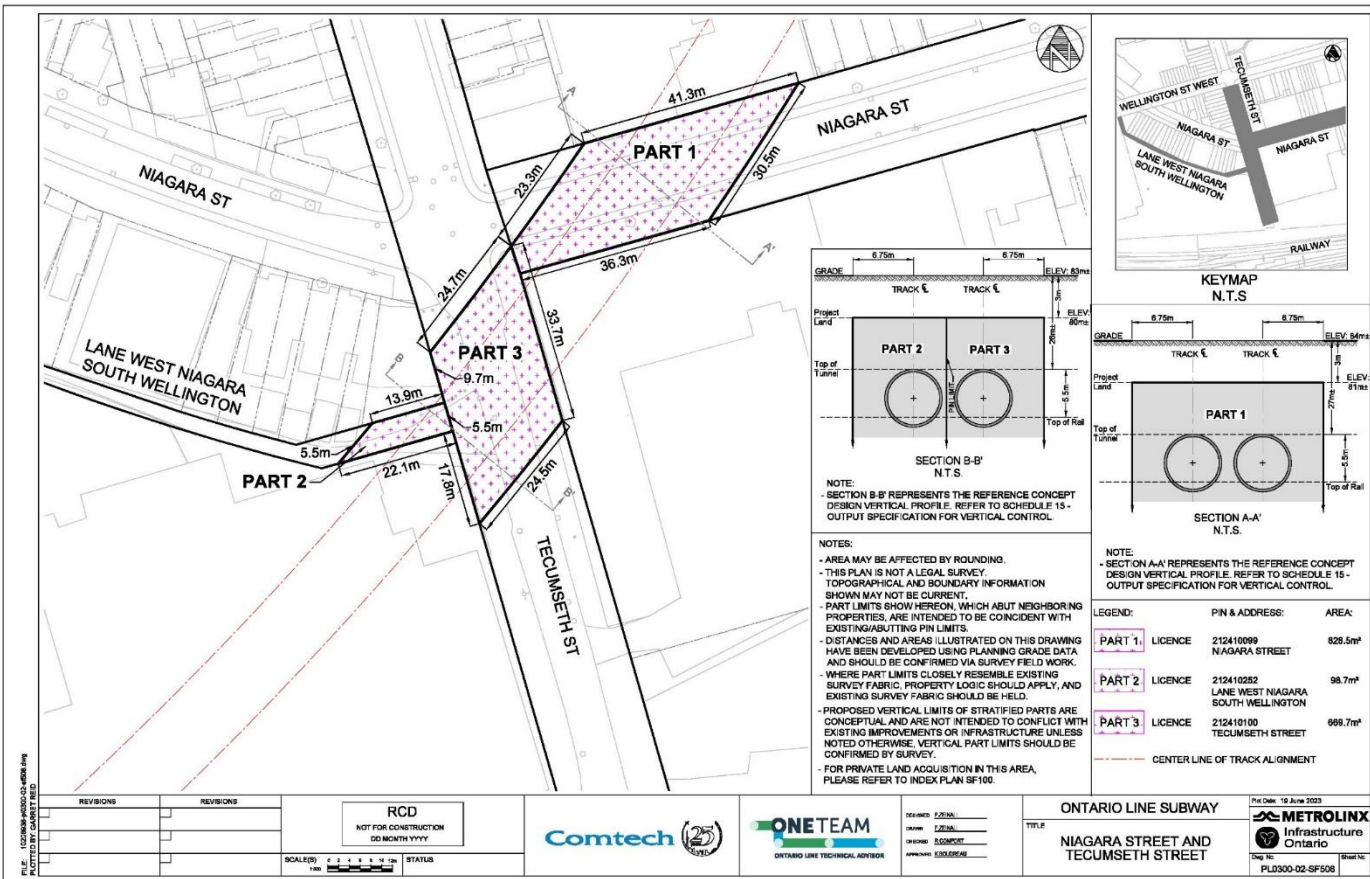
Contact Name:	Michelle Xu
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DAF Tracking No.: 2024-162	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	Nov. 13, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Nov. 13, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

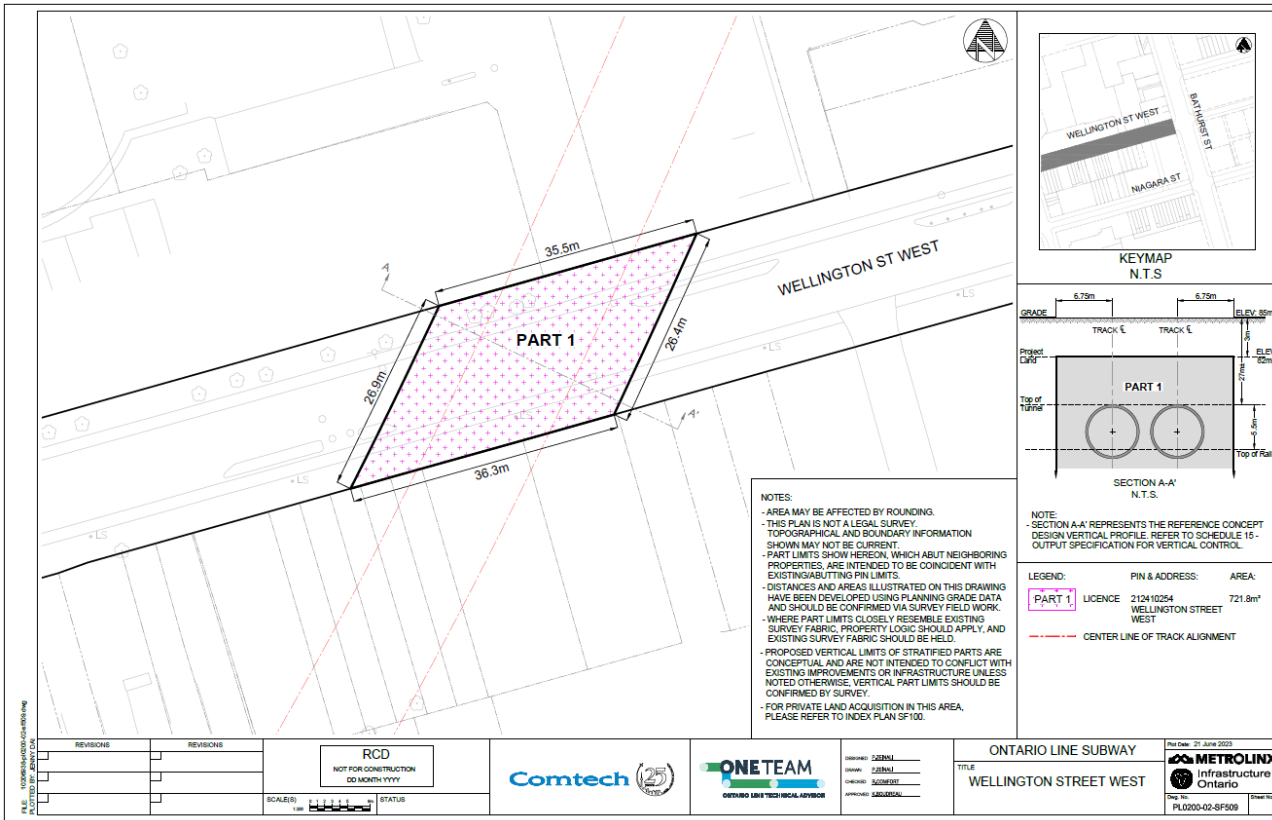
APPENDIX "A" PINs and Property Plates



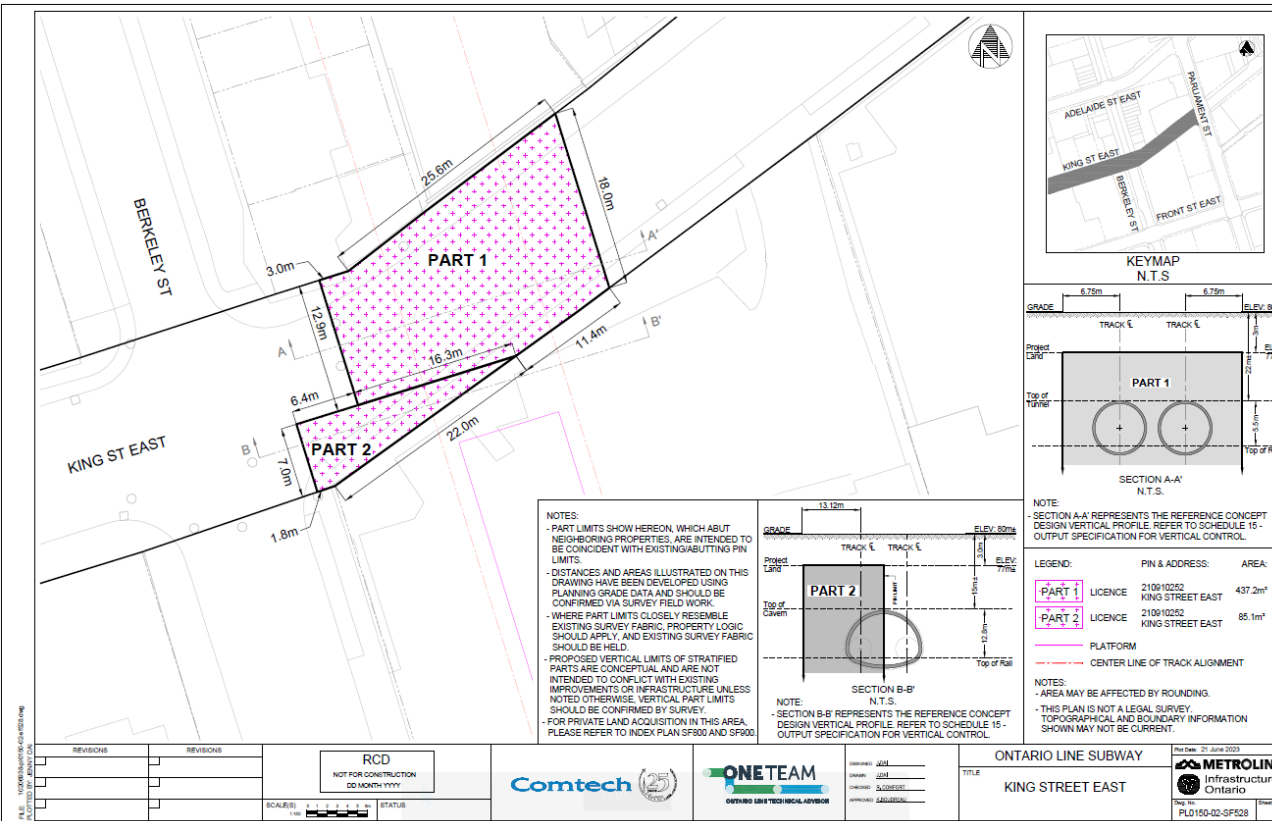
PINs			
1	21090-0046 (LT)	16	21239-0160 (LT)
2	21090-0047 (LT)	17	21091-0104 (LT)
3	21091-0195 (LT)	18	21091-0173 (LT)
4	21091-0252 (LT)	19	21239-0096 (LT)
5	21099-0131 (LT)	20	21239-0175 (LT)
6	21099-0137 (LT)	21	21239-0237 (LT)
7	21241-0238 (LT)	22	21239-0315 (LT)
8	21241-0254 (LT)	23	21239-0208 (LT)
9	21241-0339 (LT)		
10	21239-0339 (LT)		
11	21090-0414 (LT)		
12	21091-0073 (LT)		
13	21091-0140 (LT)		
14	21239-0098 (LT)		
15	21239-0124 (LT)		



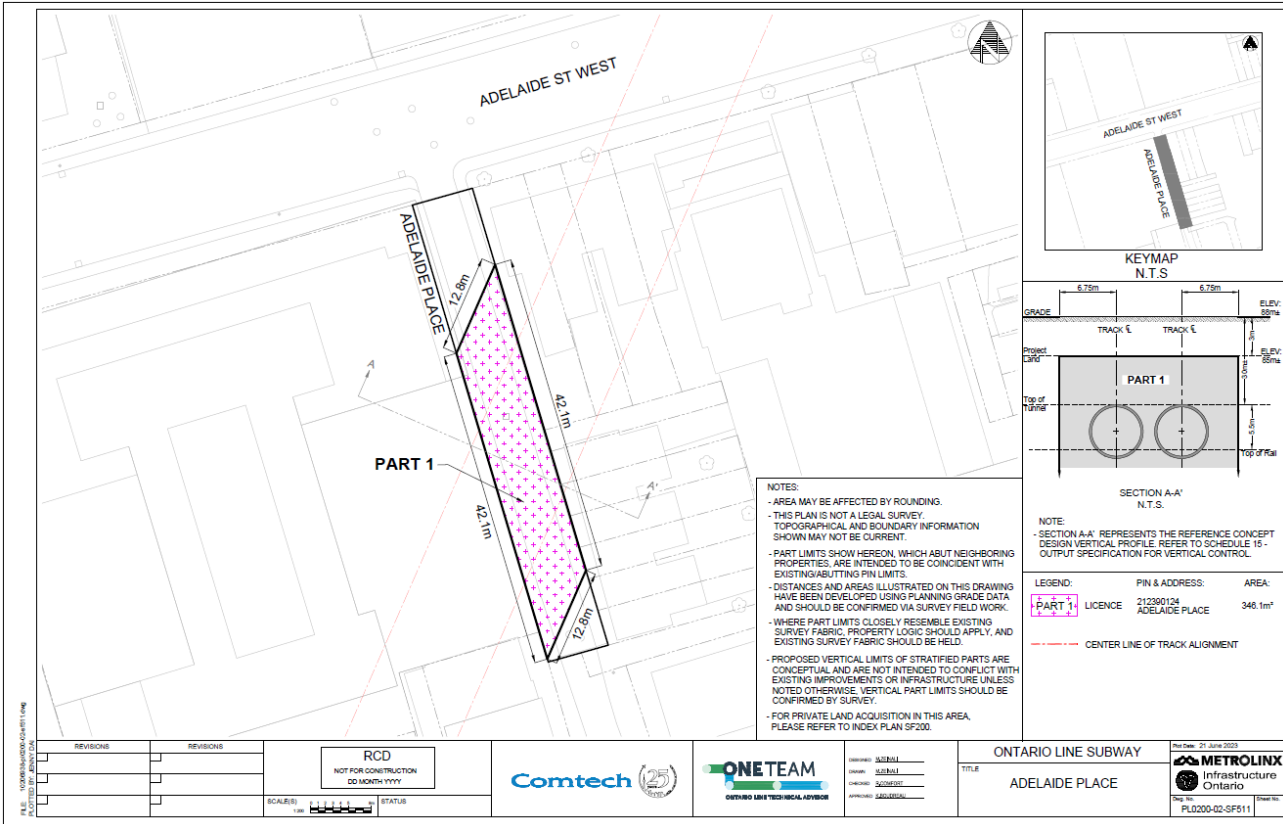
Wellington Street West (21241-0254(LT))



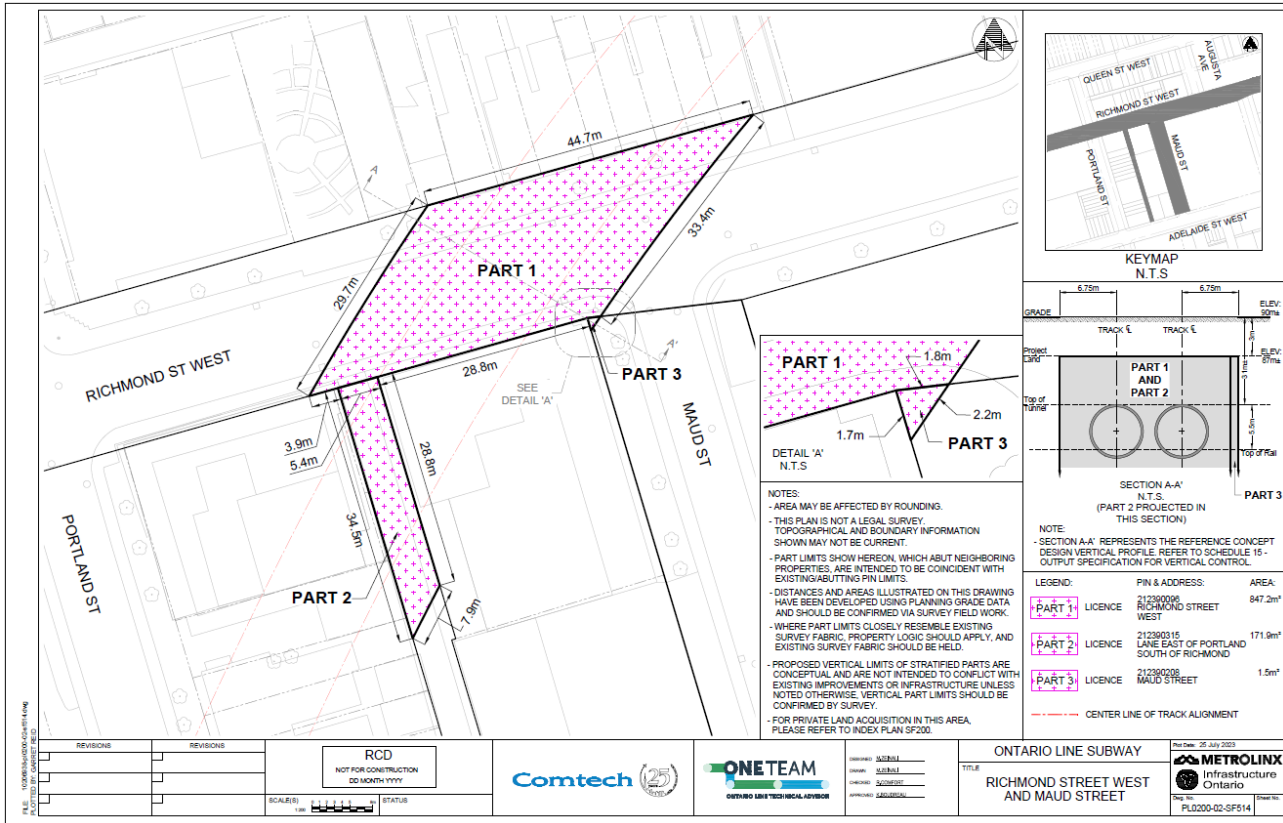
King Street E (21091-0252(LT))



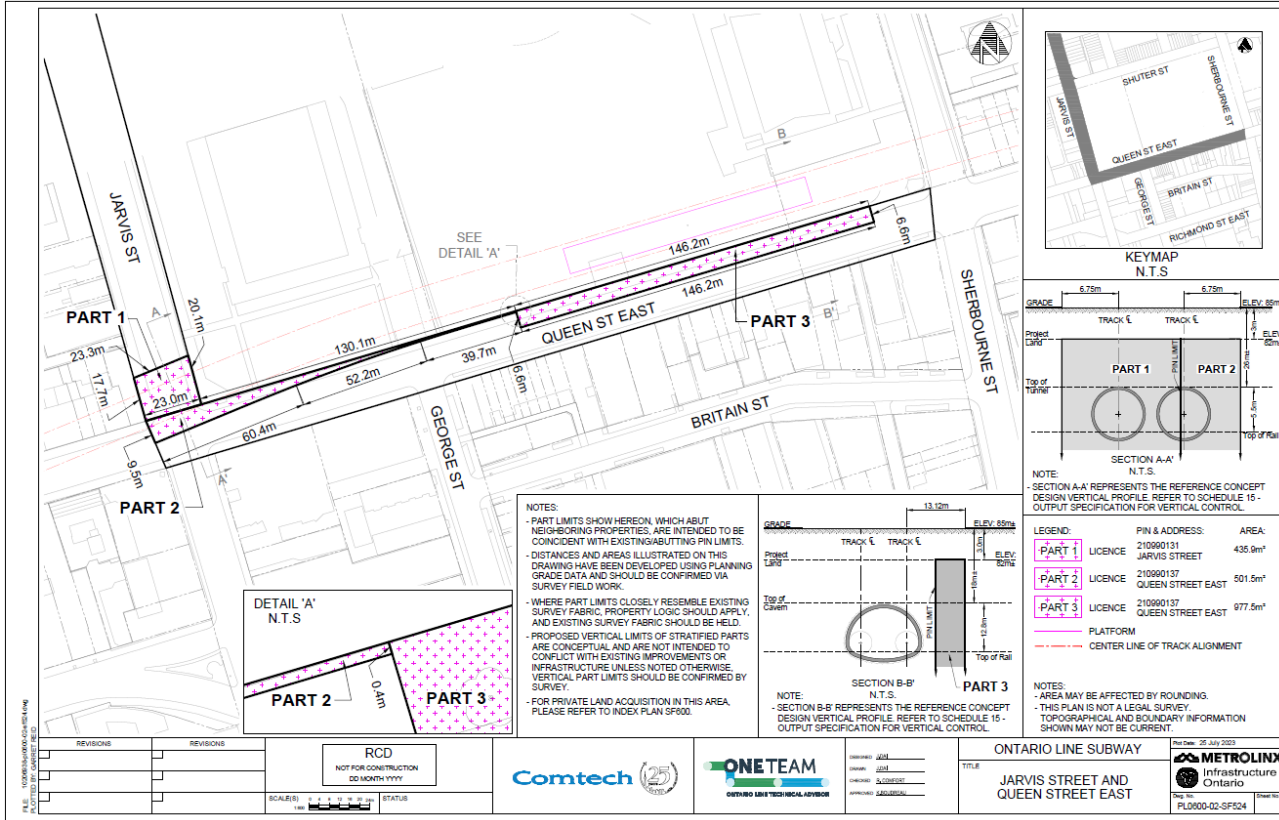
Adelaide Place (21239-0124)



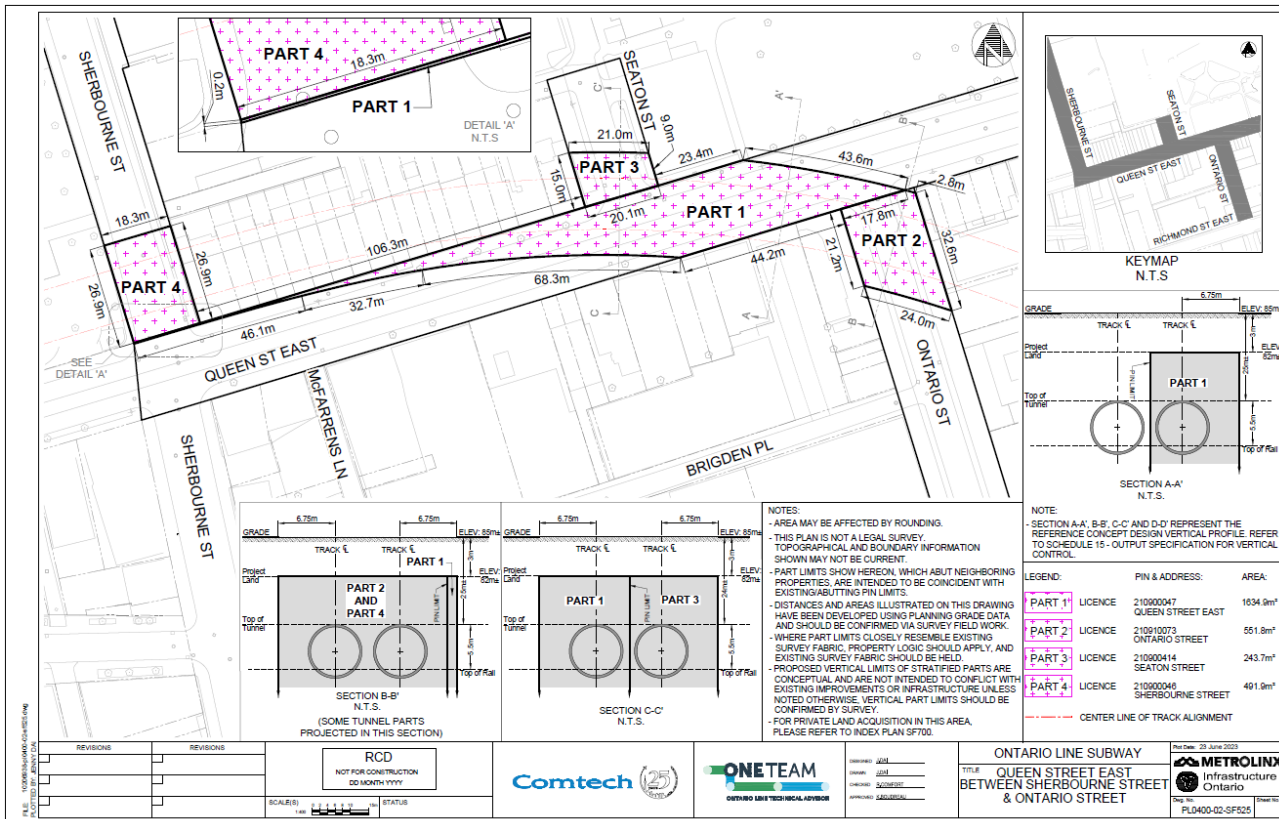
Richmond Street W (21239-0096(LT)) Lane East Portland South Richmond (21239-0315(LT)) Maud St (21239-0208(LT))



Jarvis Street (21099-0131(LT))
Queen Street E (21099-0137(LT))



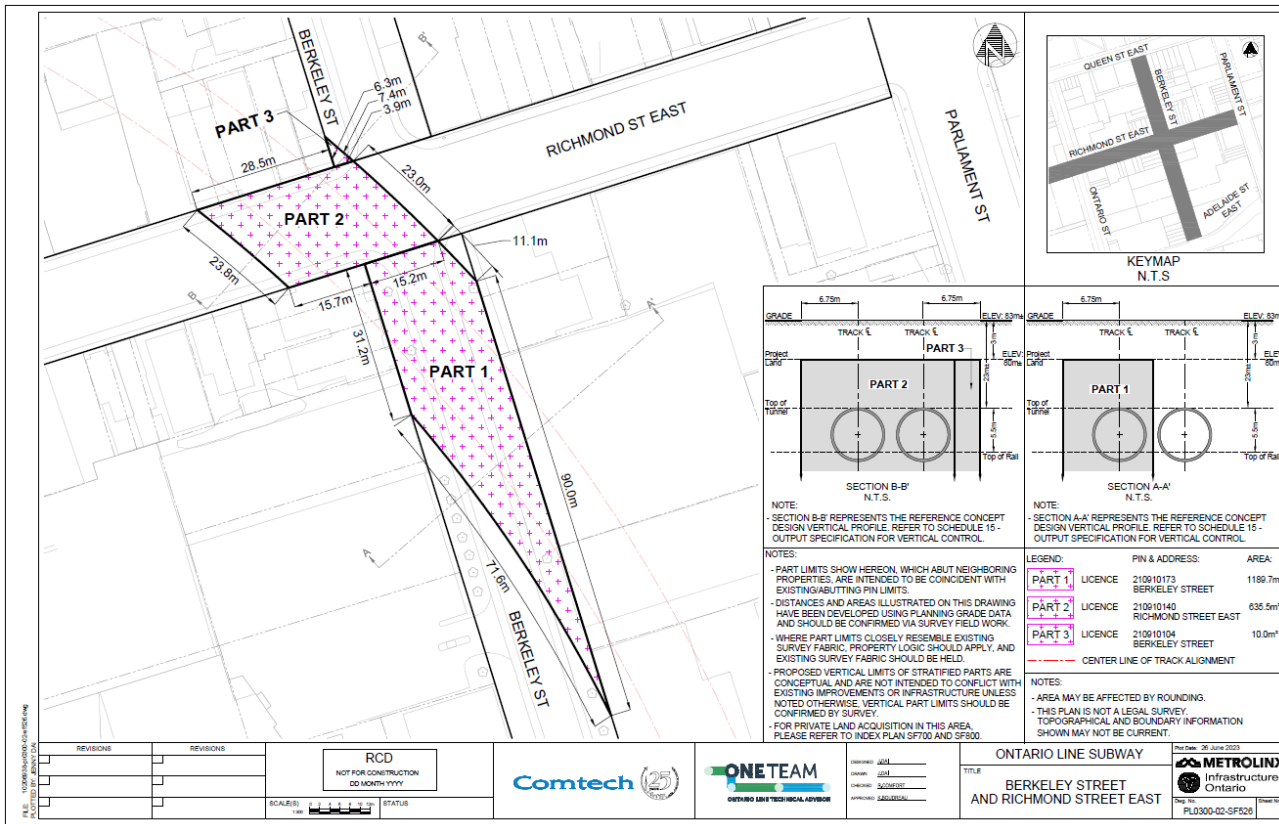
Sherbourne Street (21090-0046(LT))
Queen Street E (21090-0047(LT))
Seaton Street (21090-0414(LT))
Ontario Street (21091-0073(LT))



Richmond Street E (21091-0140(LT))

Berkeley Street (21091-0104(LT))

Berkeley Street (21091-0173(LT))



Adelaide Street E (21091-0195(LT))

