

# DELEGATED APPROVAL FORM

## DIRECTOR, REAL ESTATE SERVICES

## MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-306

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:	December 16, 2024	Phone No.:	(416) 397-0806
<b>Purpose</b>	To obtain authority to enter into a licence agreement with Metrolinx for temporary access over part of the property located at 1705 Finch Ave for site grading and any ancillary work in connection with the Finch West Light Rail Transit Project (the "Licence").		
<b>Property</b>	Part of the property located at 1705 Finch Avenue West, also known as Derrydowns Park and legally described as PCLS E-2, C-3, Section M1066; Blk E S/E PTS 5 and 6 66R16583, Blk F, Pt Blk C, Pt 3 66R3381, Plan M1066; Parcel Plan-1 Section MX105; Lots 4 to 26 Plan MX105 S/E Pts 2 and 3 66R16425, being all of PIN 10253-0804 (LT), (collectively the "Licensed Area"), shown as Part 1 on the drawing in Appendix "A" and area of land outlined as Part 2 on the sketch attached in Appendix "B".		
<b>Actions</b>	1. Authority be granted to enter into the Licence with Metrolinx, substantially on the major terms and conditions outlined herein, and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.		
<b>Financial Impact</b>	Total revenue to be remitted to the City is \$2,300.00 (plus HST). The revenue will be directed to the 2023 Council Approved Operating Budget for Corporate Real Estate Management under cost centre FA1379. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.		
<b>Comments</b>	<p>Construction of the Finch West LRT Project has resulted in elevation differences between the property and Finch Avenue West. Metrolinx requires the Licence to reinstate the connection from the Licensed Area to the right-of-way, including grading and walkway tie-in, due to the elevation difference.</p> <p>The property is owned by Toronto and Region Conservation Authority ("TRCA") and managed by the City under a management agreement between the City and TRCA dated June 14, 1961. The City has agreed to grant a temporary license to Metrolinx to enter and utilize the Licensed Area to undertake these works. Any structures, equipment and chattels will be removed prior to the expiry of the licence term, and there will be no vehicle access permitted within the Licensed Areas.</p> <p>On June 26, 2024, City Council adopted staff report EX15.2 title, "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 Project is almost complete and the majority of the remaining transactions pertain to extensions of existing agreements or handover of City lands and/or infrastructure. The Transit Expansion Division ("TE") has advised that Metrolinx has previously provided details on business and community support/mitigation relating to the Project. Therefore, TE confirms that Metrolinx has satisfied the conditions set out in EX15.2 relating to the Property.</p> <p>The proposed fee and other major terms and conditions of the Licence are considered to be fair, reasonable and reflective of market value.</p>		
<b>Term</b>	<p>Term: Six (6) months commencing upon the execution of the agreement</p> <p>Licence Fee: \$2,300.00 plus HST</p> <p>Use: Site grading and any ancillary work to facilitate the construction of the FWLRT project</p> <p>Notice: 48 hours in advance of entering the licensed area for the first time to PF&amp;R, 72 hours in advance to local community by the way of community notice with the copy to Ward Councillor</p>		
<b>Property Details</b>	<b>Ward:</b>	7 – Humber River - Black Creek;	
	<b>Assessment Roll No.:</b>	Part 1908-01-1-380-35500	
	<b>Approximate Size:</b>	Irregular shape	
	<b>Approximate Area:</b>	1085 m2 ± (11,680 ft2 ±)	
	<b>Other Information:</b>	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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:	Anthony Perruzza	Councillor:	
Contact Name:	Matias de Dovitiis	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:	Consulted	Comments:	

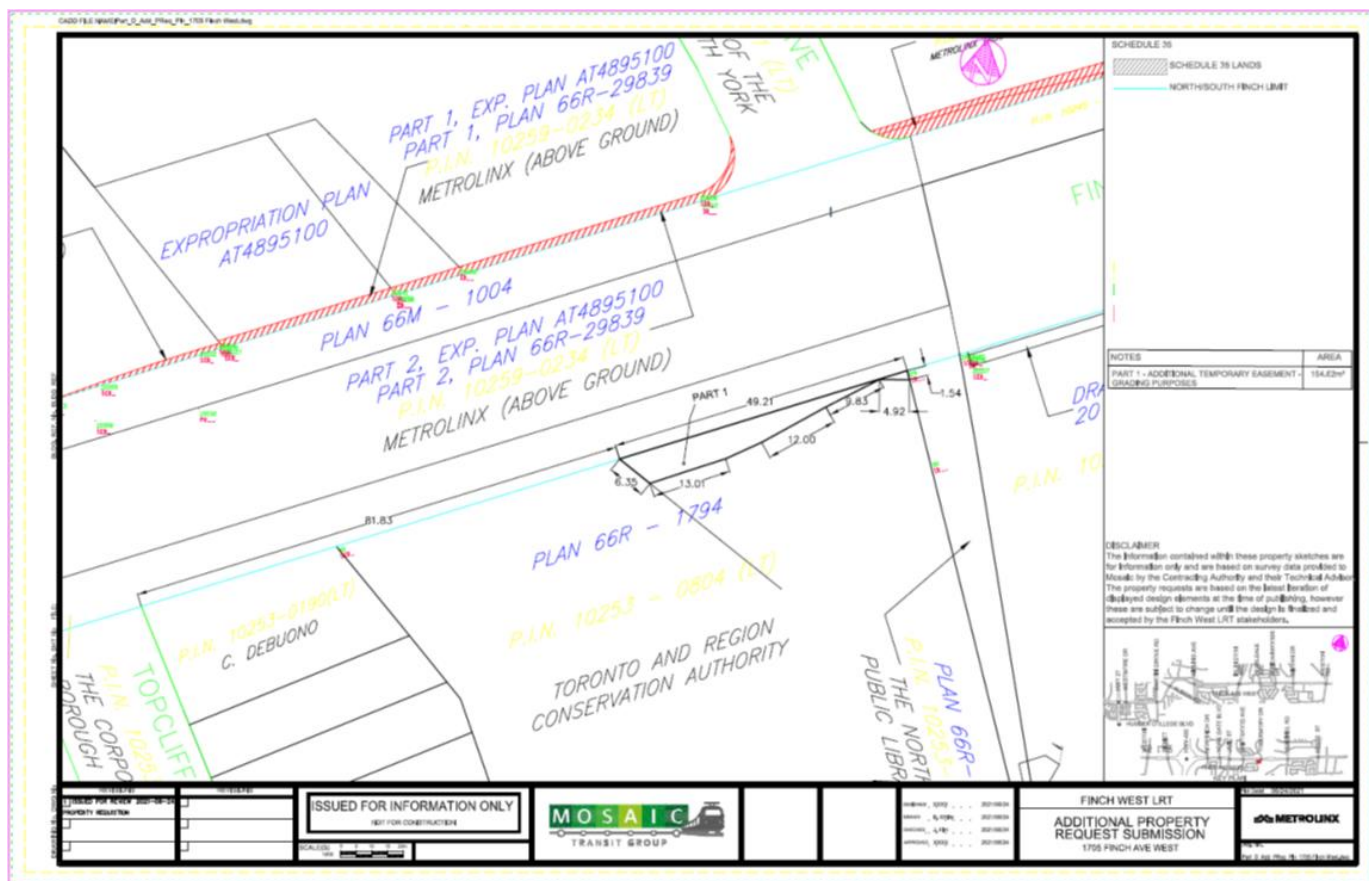
**Consultation with Divisions and/or Agencies**

Division:	PF&R	Division:	Financial Planning
Contact Name:	Tara Coley	Contact Name:	Ciro Tarantino
Comments:	Included	Comments:	No Issues

**Legal Services Division Contact**

Contact Name: Gloria lee

DAF Tracking No.: 2024-306	Date	Signature
Concurred with by: Manager, Real Estate Services Leila Valenzuela	Dec. 20, 2024	Signed by Leila Valenzuela
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Dec. 20, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X





APPENDIX "B"  
SKETCH (Part 2)

