



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

TRACKING NO.: 2025-020

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property			
Prepared By:	Fiona Thomas	Division:	Corporate Real Estate Management
Date Prepared:	January 29, 2025	Phone No.:	(416) 338-5045
<b>Purpose</b>	To obtain authority to enter into a licence agreement with Metrolinx with respect to the lands shown in Appendix "B" and listed in Appendix "C" for the purpose of subsurface access to, and use for, tunneling works associated with the Yonge North Subway Extension (the "Licence").		
<b>Property</b>	Portions of subsurface lands beneath certain public highway lands as shown in Appendix "B" and listed in Appendix "C" (the "Licensed Areas").		
<b>Actions</b>	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.		
<b>Financial Impact</b>	<p>In accordance with the terms of the Real Estate Protocol (defined below), the Licence will be for nominal consideration as the Licensed Areas are all within public highway lands.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
<b>Comments</b>	<p>On December 15, 2021, City Council adopted item EX28.12 "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 (the "Subways Master Agreement") which included a schedule that outlined the process for real estate transactions related to the Subway Programs (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 Yonge North Subway Extension ("YNSE").</p> <p>Metrolinx requires subsurface access to, and use of the Licensed Areas for expansion of the rail corridor, which includes advanced works, construction access, staging and storage, and utility work in connection with the YNSE. The City has agreed to grant the Licence to Metrolinx as an interim measure for the advance tunnel contract scope for YNSE pending the grant of a permanent easement to Metrolinx.</p> <p>Staff from Transportation Services and Toronto Water have no objection to the granting of the Licence. The form of the Licence is substantially in the form appended to the Real Estate Protocol.</p> <p>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 Properties.</p>		
<b>Terms</b>	Please see Appendix "A"		
<b>Property Details</b>	<b>Ward:</b>	18 – Willowdale	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>	89 m <sup>2</sup> + 74 m <sup>2</sup> + 97 m <sup>2</sup> + 66 m <sup>2</sup> + 506 m <sup>2</sup> + 8613 m <sup>2</sup> + 13,182 m <sup>2</sup> + 9005 m <sup>2</sup> + 8186 m <sup>2</sup> + 387 m <sup>2</sup> + 345 m <sup>2</sup> + 109 m <sup>2</sup> + 51 m <sup>2</sup> + 300 m <sup>2</sup> + 16 m <sup>2</sup> + 101 m <sup>2</sup> + 1132 m <sup>2</sup> + 87 m <sup>2</sup> + 1262 m <sup>2</sup> + 183 m <sup>2</sup> + 39 m <sup>2</sup> + 30 m <sup>2</sup>	
	<b>Approximate Area:</b>	43860 m <sup>2</sup>	
	<b>Other Information:</b>		

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>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>Documents required to implement matters for which each position also has delegated approval authority.</li> <li>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).</li> </ul>
<b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul>

<b>Pre-Condition to Approval</b>									
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property									
<b>Consultation with Councillor(s)</b>									
Councillor:	Lily Cheng				Councillor:				
Contact Name:	Lily Cheng				Contact Name:				
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other		
Comments:	Advised				Comments:				
<b>Consultation with Divisions and/or Agencies</b>									
Division:	Transportation Services				Division:	Financial Planning		Toronto Water	
Contact Name:	Garvin Tom				Contact Name:	Ciro Tarantino		Ramona Mirtorabi	
Comments:	No Comments				Comments:	No Comments		Comments Included in Licence	
<b>Legal Services Division Contact</b>									
Contact Name:	Michelle Xu								

DAF Tracking No.: 2025-020	Date	Signature
Concurred with by: Manager, Real Estate Services Leila Valenzuela	Jan. 31, 2025	Signed by Leila Valenzuela
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Jan. 31, 2025	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"**

### **Major Terms and Conditions**

**Permanent Easement:** Metrolinx will acquire a permanent easement over all 14 properties listed under Appendix "C" for nominal consideration, subject to and in accordance with the RE Protocol, under a separate transfer agreement. The Licence shall be automatically extended on a day by day basis until the conveyance of the permanent easements to Metrolinx.

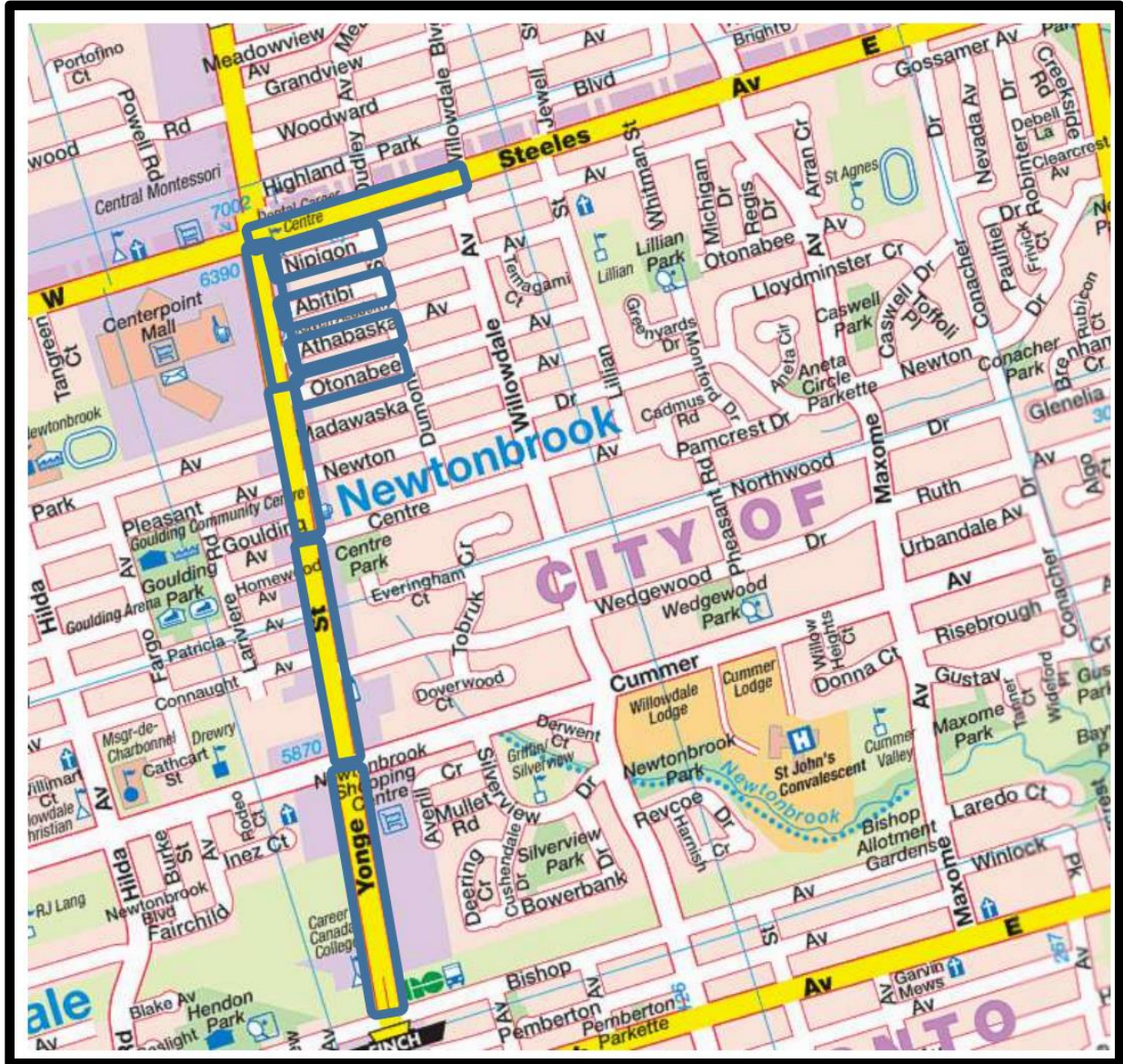
**Term:** Five (5) years, Metrolinx shall have one (1) option to extend the Term for a period of five (5) years upon delivering prior notice to the City at least 3 months in advance of the expiry of the Term.

**Early Termination:** Metrolinx shall have the right to terminate this Licence at any time upon not less than 30 days of prior written notice to the City. The Termination of the Subway Master Agreement or the Real Estate Protocol is an automatic termination of this Licence.

**Restoration:** Metrolinx shall, prior to the expiry of the Licence, repair at its own expense and to the satisfaction of the City, all damage to the Licensed Areas and shall restore the Licensed Areas to substantially the same condition that the Licensed Areas were in prior to the commencement of the Licence, except for lands that will be acquired by Metrolinx by way for a fee simple acquisition or a conveyance of permanent easement.

## Appendix "B"

### Location Map



## Appendix "C"

### Property Requirements

#### Permanent Licensed Areas – Permanent Easements to be transferred to Metrolinx

Property No.	PIN	Property Address	Area (m2)	Nearest Main Intersection
1	10033-0271	ROW Abitibi Street at Yonge Street	89	Yonge Street and Steeles Avenue
2	10033-0269	ROW Athabaska Avenue at Yonge Street	74	Yonge Street and Steeles Avenue
3	10033-0273	ROW Nipigon Avenue at Yonge Street	97	Yonge Street and Steeles Avenue
4	10033-0267	ROW Otonabee Avenue at Yonge Street	66	Yonge Street and Steeles Avenue
5	10033-0278	ROW Steeles Avenue East at Yonge Street	506	Yonge Street and Steeles Avenue
6	10034-0224	ROW Yonge Street Between Centre and Otonabee	8613	Yonge Street and Steeles Avenue
7	10035-0272	ROW Yonge Street Between Cummer and Centre	1318 2	Yonge Street and Cummer Avenue
8	10036-0240	ROW Yonge Street Between Hendon and Cummer	9005	Yonge Street and Cummer Avenue
9	10033-0292	ROW Yonge Street Between Otonabee and Steeles	8186	Yonge Street and Steeles Avenue
10	10033-0287	ROW West 6991 Yonge Street	387	Yonge Street and Steeles Avenue
11	10033-0288	ROW West 6355 Yonge Street	345	Yonge Street and Steeles Avenue
12	10033-0289	ROW West 6347 Yonge Street	109	Yonge Street and Steeles Avenue
13	10033-0290	ROW West 6301 Yonge Street	51	Yonge Street and Steeles Avenue
14	10033-0291	ROW West 6267 Yonge Street	300	Yonge Street and Steeles Avenue

**Temporary Licensed Areas**

Property No.	PIN	Property Address	Area (m2)	Nearest Main Intersection
4	10033-0267	ROW Otonabee Avenue at Yonge Street	16	Yonge Street and Steeles Avenue
5	10033-0278	ROW Steeles Avenue East at Yonge Street	101	Yonge Street and Steeles Avenue
6	10034-0224	ROW Yonge Street Between Centre and Otonabee	1132	Yonge Street and Steeles Avenue
7	10035-0272	ROW Yonge Street Between Cummer and Centre	87	Yonge Street and Cummer Avenue
8	10036-0240	ROW Yonge Street Between Hendon and Cummer	1262	Yonge Street and Cummer Avenue
9	10033-0292	ROW Yonge Street Between Otonabee and Steeles	183	Yonge Street and Steeles Avenue
10	10033-0287	ROW West 6991 Yonge Street	39	Yonge Street and Steeles Avenue
14	10033-0291	ROW West 6267 Yonge Street	30	Yonge Street and Steeles Avenue