



# DELEGATED APPROVAL FORM

CITY MANAGER

TRACKING NO.: 2025-116

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:	April 14, 2025	Phone No.:	(416) 392-8151										
<b>Purpose</b>	To obtain authority to enter into a licence agreement with Metrolinx with respect to part of the portions of 4200 and 4300 Eglinton Avenue West for the purpose of constructing certain improvements and other related works including stations, rails and subways components associated with the Eglinton Crosstown West Extension Project (the "Licence").												
<b>Property</b>	<p>Portions of the following properties (the "Properties") shown in the Location Maps attached hereto as Appendix "B" and the Property Sketches attached hereto as Appendix "C", and further described below:</p> <ol style="list-style-type: none"> <li>Municipally known as 4300 Eglinton Ave. W. and legally described as Block A, Plan 6089, Parts 5 &amp; 6, 64R-1527; subject to EB250573 as amended by EB253723, subject to EB223045, Etobicoke; Subject to an easement in gross over Parts 1, 2, 3 and 6 on Expropriation Plan AT5941489, as in AT5941489, subject to an easement in gross over Parts 4 and 5 on Expropriation Plan AT5941489, as in AT5941489, City of Toronto, being part of PIN 07383-0193 (LT); and</li> <li>Municipally known as 4200 Eglinton Ave. W. and legally described as Part Lot 1, Plan 2476, Part 1, Expropriation Plan 9947, Etobicoke, Subject to an easement in gross over Parts 7 and 10 on Expropriation Plan AT5941489, as in AT5941489, subject to an easement in gross over Parts 8 and 9 on Expropriation Plan AT5941489, as in AT5941489, City of Toronto; being part of PIN 07383-0194 (LT).</li> </ol>												
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the Licence with Metrolinx, substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.</li> </ol>												
<b>Financial Impact</b>	<p>The City is estimated to collect a total licence fee in the amount of \$6,229,837.05 (or \$1,245,967.41 per annum) plus applicable taxes for the term of the Licence. The revenue will be directed to the 2025 Approved Operating Budget for Corporate Real Estate Management under cost centre FA1684 and functional area code 3220200000 and will be included in future budget submissions per the agreement terms.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section</p>												
<b>Comments</b>	<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 (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 Eglinton Crosstown West Extension ("ECWE") Project.</p> <p>Metrolinx requires access and use of the Licensed Areas to complete the proposed works in connection with the ECWE Project. The City has agreed to grant an initial Licence to Metrolinx to complete the stations, rails and subways components of the ECWE Project. Once Metrolinx has completed all construction related activities on the Licensed Areas, Metrolinx will seek the transfer of all required permanent property interests from the City under a separate transfer agreement.</p> <p>Staff within the Transportation Services and Toronto Water Divisions 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. Real Estate Services staff considers the proposed fees and other terms and conditions of the Licence to be fair, reasonable and reflective of market rates.</p> <p>On June 26th, 2024, City Council adopted 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 Metrolinx has provided satisfactory information about its mitigation efforts related to construction impact to residential tenants and businesses, which satisfies the conditions set out in EX15.2 relating to the Properties.</p>												
<b>Terms</b>	Please see Appendix "A"												
<b>Property Details</b>	<table border="1"> <tr> <td><b>Ward:</b></td><td>2 – Etobicoke Centre</td></tr> <tr> <td><b>Assessment Roll No.:</b></td><td>1919025010050000000 and 1919025010049500000</td></tr> <tr> <td><b>Approximate Size:</b></td><td></td></tr> <tr> <td><b>Approximate Area:</b></td><td>7,340.1 m<sup>2</sup> + 4,251.3 m<sup>2</sup> = 11,591.4 m<sup>2</sup> (total)</td></tr> <tr> <td><b>Other Information:</b></td><td></td></tr> </table>			<b>Ward:</b>	2 – Etobicoke Centre	<b>Assessment Roll No.:</b>	1919025010050000000 and 1919025010049500000	<b>Approximate Size:</b>		<b>Approximate Area:</b>	7,340.1 m <sup>2</sup> + 4,251.3 m <sup>2</sup> = 11,591.4 m <sup>2</sup> (total)	<b>Other Information:</b>	
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<b>Other Information:</b>													

A.	City Manager has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.
3. Issuance of RFPs/REOIs:	<b>Request/waive hearings of necessity delegated to less senior positions.</b>
4. Permanent Highway Closures:	<b>Delegated to less senior positions.</b>
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	<b>Delegated to less senior positions.</b>
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	<b>Delegated to less senior positions.</b>
9. Leases/Licences (City as Landlord/Licensor):	<input checked="" type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$10 Million. <b>Leases/licences for periods up to 12 months at less than market value delegated to less senior positions.</b> <b>Leases pursuant to the Community Space Tenancy Policy delegated to a less senior position.</b>
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$10 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million. <b>Nominal sum easements to pre-existing utilities when closing roads delegated to less senior positions.</b>
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	<b>Delegated to less senior positions.</b>

**B. City Manager has signing authority on behalf of the City for:**

- Documents required to implement matters for which this position also has delegated approval authority.

**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:	Stephen Holyday	Councillor:	
Contact Name:	Christine Arezes	Contact Name:	
Contacted by:	<input checked="" 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:	No concerns	Comments:	

**Consultation with Divisions and/or Agencies**

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	No concerns

**Legal Services Division Contact**

Contact Name:	Michelle Xu
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DAF Tracking No.: 2025-116	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 16, 2025	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	April 16, 2025	Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management Patrick Matozzo	April 16, 2025	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Recommended by: Deputy City Manager, Corporate Services David Jollimore	April 17, 2025	Signed by David Jollimore
<input checked="" type="checkbox"/> Approved by: City Manager Paul Johnson	April 17/25	Signed by Paul Johnson

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

**Licensed Area:**

Approximately 11,591.4 total square meters

**Term:**

Five (5) years

**Commencement Date:**

Commencing on April 21, 2025, and expiring on April 20, 2030.

**Licensed Fee:**

\$1,245,967.41 per annum, plus applicable taxes (or \$6,229,837.05 plus applicable taxes) for the 5-year term of the Licence.

**Insurance:**

Metrolinx may self-insure.

**Early Termination:**

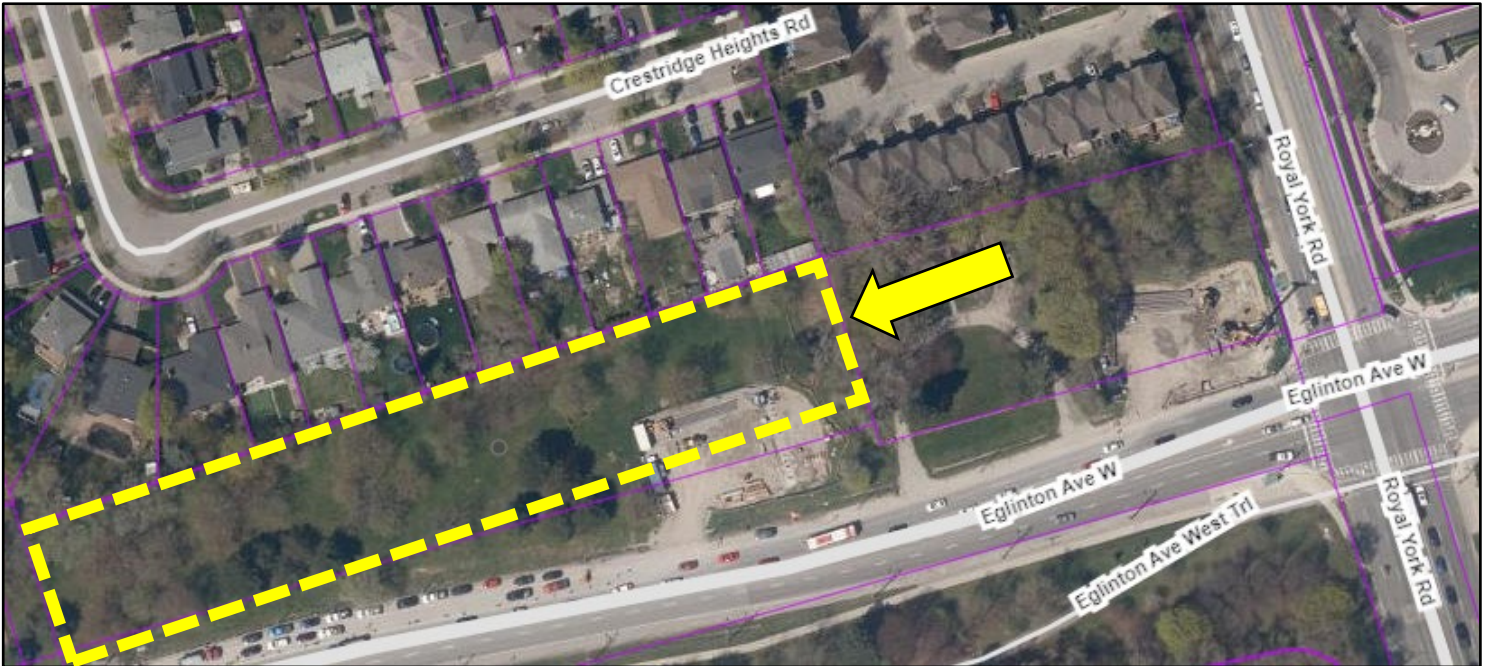
- Metrolinx shall have the right to terminate the Licence at any time during the Term upon giving not less than thirty (30) days of prior written notice to the City. In the event of any such termination, any pre-paid portion of the Licence Fee shall be refunded to Metrolinx on a pro-rated basis.
- A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

**Permitted Purpose:**

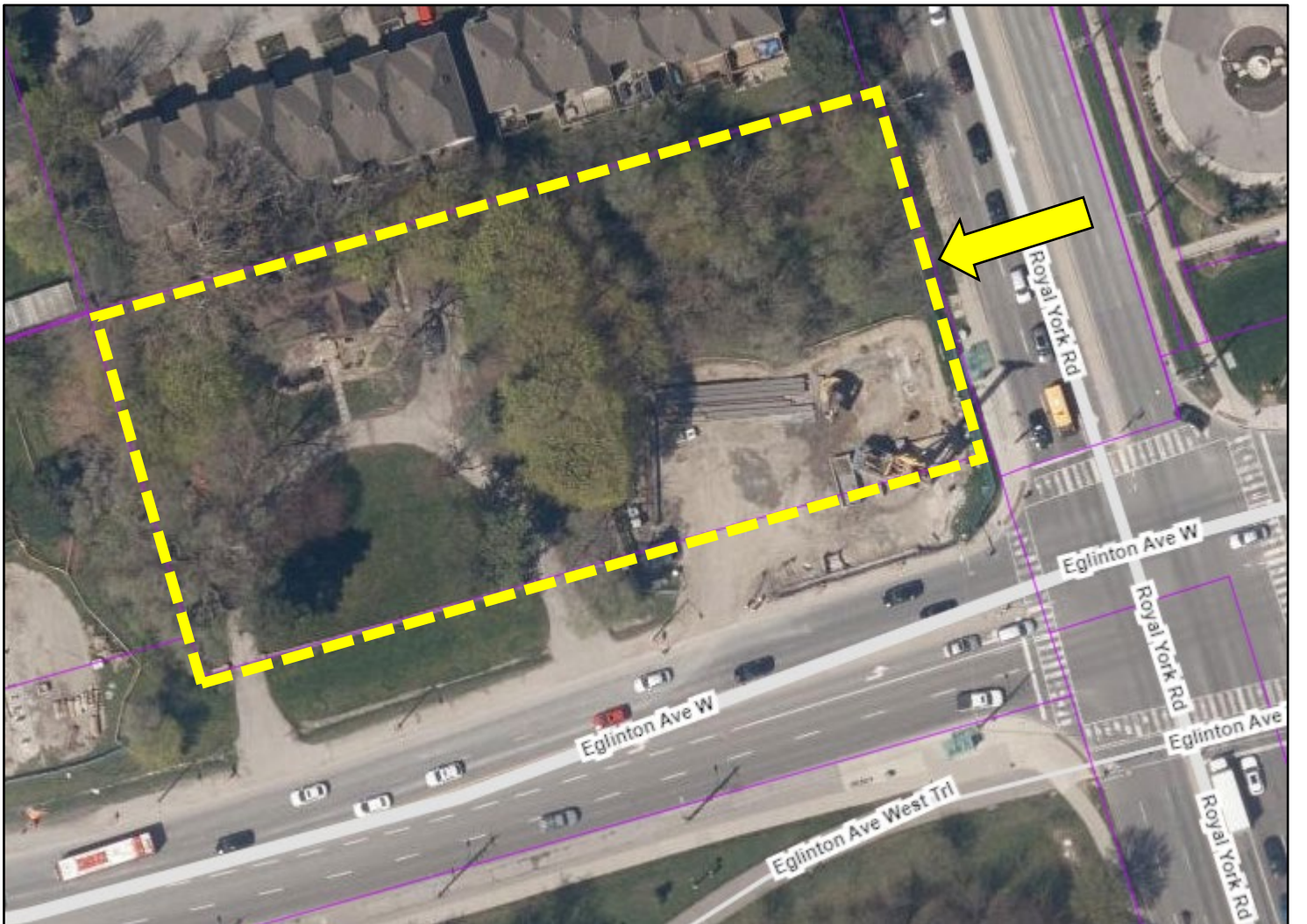
All works including but not limited to due diligence investigations, construction staging and laydown areas, access, grading, drainage, excavation, tiebacks parking (PIN 7383-0194 (LT) only), mobilization of large cranes and crawler cranes, drill rigs, boom trucks, skid steers, compactors, jacks and sliders, telehandlers, forklifts and other construction equipment, placement and storage of soil and aggregate, equipment, supplies and other material, parking of vehicles or other equipment, hoarding, fencing, establishing temporary alternative access, access to any other Metrolinx and/or associated facilities, site office trailer/washroom (PIN 07383-0193 (LT) only), site clearance, including all necessary removal of vegetation, relocation, disconnection and/or reconnection of electrical and other utilities, and all other improvements necessary or desirable for and in connection with the Eglinton Crosstown West Extension and all works and/or uses ancillary to the said purpose

## Appendix "B" – Location Maps

PIN 07383-0193



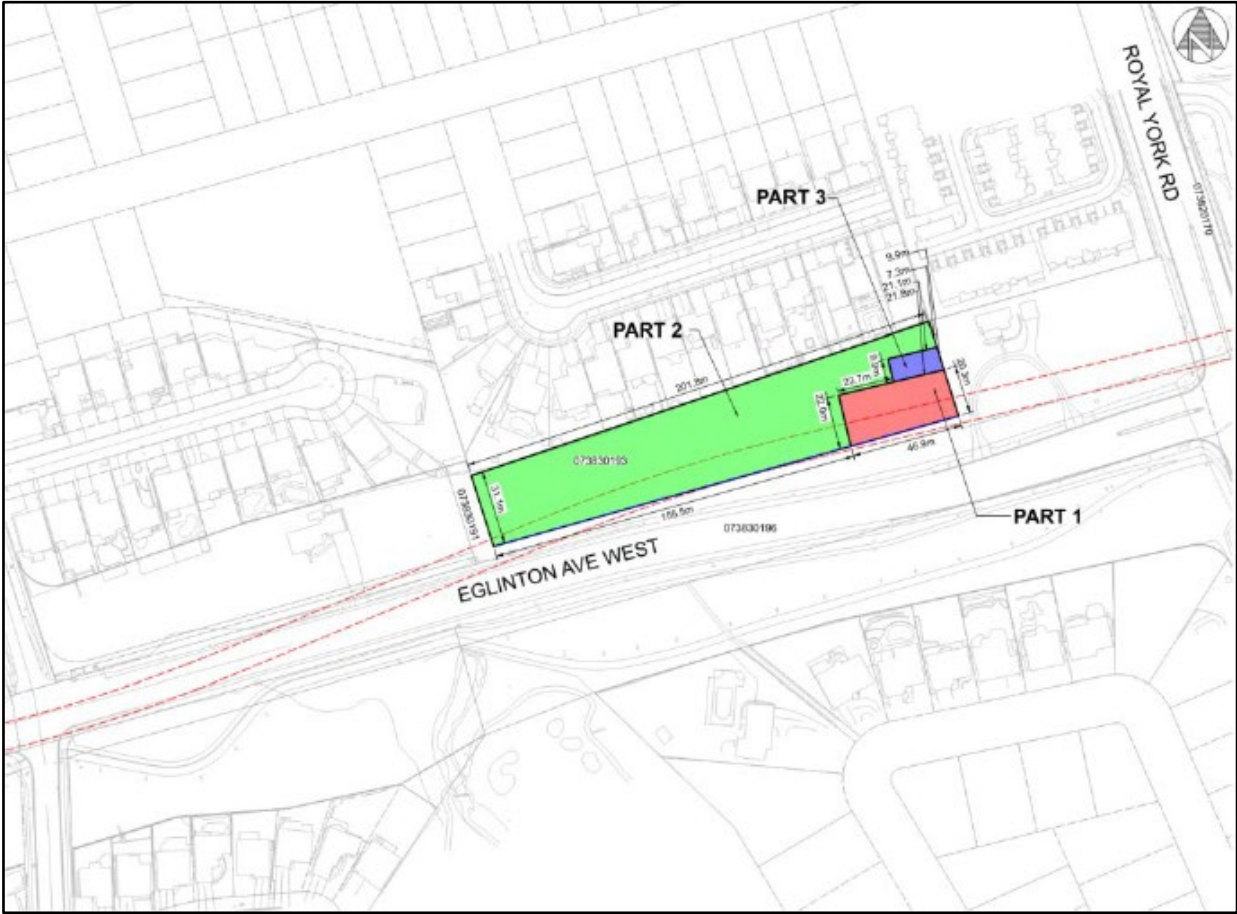
PIN 07383-0194





Appendix "C" – Property Sketches

PIN 07383-0193 – Parts 1, 2 and 3



PIN 07383-0194 – Parts 1, 2, 3, 4, 5 and 6

