



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

**TRACKING NO.: 2025-098**

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

<b>Prepared By:</b>	Trixy Pugh	<b>Division:</b>	Corporate Real Estate Management										
<b>Date Prepared:</b>	April 24, 2025	<b>Phone No.:</b>	(416) 392-8160										
<b>Purpose</b>	To obtain authority to enter into a licence agreement with Metrolinx for the purposes of all works and uses in connection with the construction of the Ontario Line Project ("the "Licence").												
<b>Property</b>	Parts of the property municipally known as 9 Hanna Avenue, Toronto, being Part of PIN 21299-0255 (LT), shown as Parts 1 to 4 on Property Drawing No. PL0500-02-SF141 and the sketch titled aerial showing the monitor locations (collectively the "Licensed Area") as shown in Appendix "B".												
<b>Actions</b>	1. 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.												
<b>Financial Impact</b>	<p>The City will receive total licence fee revenues of \$49,020 (plus HST) over the five (5) year term of the agreement to be directed to the 2025 Approved Operating Budget for Corporate Real Estate Management under cost centre FA1474 and will be included in future operating budget submissions for Council Consideration. If Metrolinx exercises its option to extend, there would be an additional expected revenue of \$39,216 (plus HST).</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>												
<b>Comments</b>	<p>Metrolinx requires the Licence for the construction of the Ontario Line, which includes construction access, utility works, installation of survey monitors and driveway reconfiguration.</p> <p>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 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 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.</p> <p>Staff from Toronto Police services 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 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 Property.</p> <p>The proposed licence fees and other major terms and conditions of the Licence are considered to be fair, reasonable and reflective of market rates.</p>												
<b>Terms</b>	See page 4												
<b>Property Details</b>	<table border="1"> <tr> <td><b>Ward:</b></td><td>10 – Spadina-Fort York</td></tr> <tr> <td><b>Assessment Roll No.:</b></td><td>1904-04-1-130-00652</td></tr> <tr> <td><b>Approximate Size:</b></td><td></td></tr> <tr> <td><b>Approximate Area:</b></td><td>3,114 m<sup>2</sup> ± (33,519 ft<sup>2</sup> ±)</td></tr> <tr> <td><b>Other Information:</b></td><td></td></tr> </table>			<b>Ward:</b>	10 – Spadina-Fort York	<b>Assessment Roll No.:</b>	1904-04-1-130-00652	<b>Approximate Size:</b>		<b>Approximate Area:</b>	3,114 m <sup>2</sup> ± (33,519 ft <sup>2</sup> ±)	<b>Other Information:</b>	
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<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 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 checked="" 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:	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:	Advised	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	TPS	Division:	<b>Financial Planning</b>
Contact Name:		Contact Name:	Ciro Tarantino
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

**Legal Services Division Contact**

Contact Name: Michelle Xu

DAF Tracking No.: 2025-098	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <b>Vinette Prescott-Brown</b>	April 24, 2025	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> <b>Alison Folosea</b>	April 25, 2025	Signed by Alison Folosea

## **Appendix "A"**

### **Major Terms and Conditions**

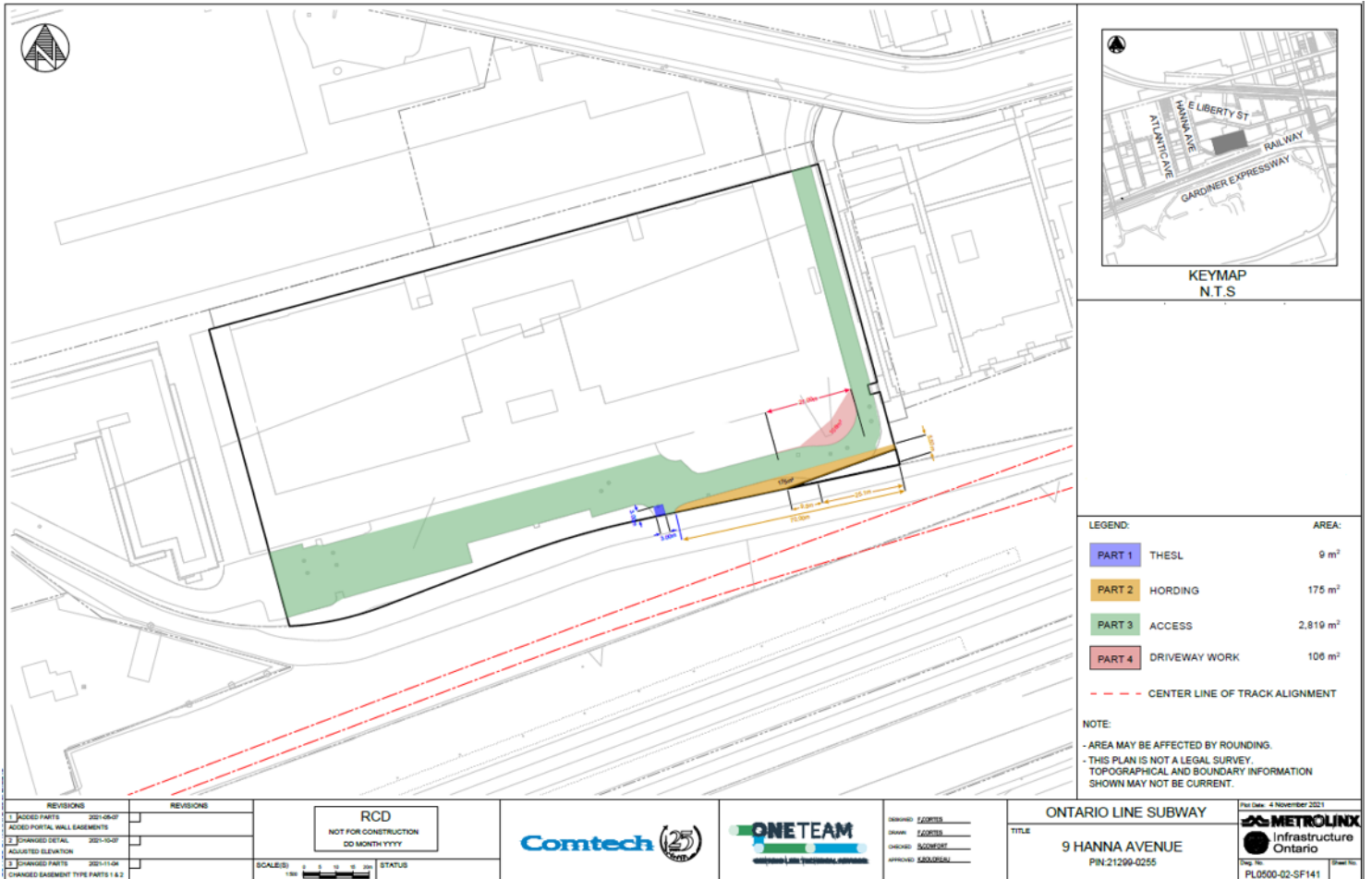
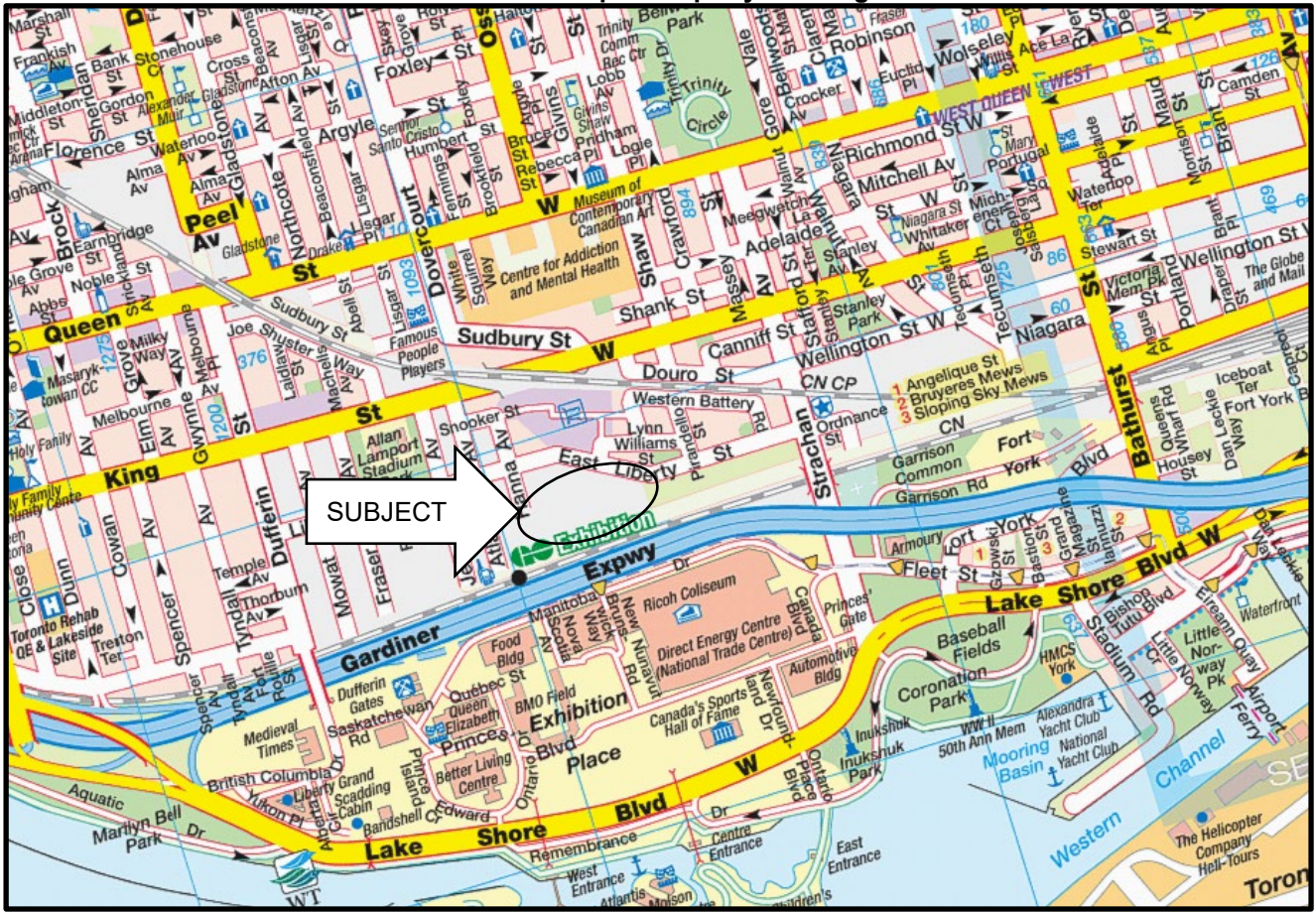
Term: Five (5) years.

Option for Extension: Metrolinx shall, upon six (6) months prior written notice to the City, have the unilateral right to extend the Licence for up to four (4) years from the expiry of the Term.

Extension Term Licence Fee: in the event that Metrolinx requests an Extension Term, and the aggregate of the Extension Term and the Term equals a period of five (5) years or greater, the Licence Fee for the Extension Term payable to the City by Metrolinx on the sixth (6th) year shall be increased by six percent (6%) and, thereafter, the Licence Fee for each additional extension year shall increase annually based on the annual average rate of Consumer Price Index (CPI) applicable to the City of Toronto, of the preceding year, which fees shall be effective and payable as of the date of commencement of the Extension Term and each additional extension year, plus applicable HST.

Early Termination: Metrolinx shall have the right to terminate this License at any time during the Term or the Extension Term upon giving not less than thirty (30) days prior written notice to the City. In the event of any such termination, any pre-paid portion of the License Fee (as defined below) shall be refunded to Metrolinx on a pro-rated basis.

# Appendix "B" Location Map & Property Drawing





Aerial Showing Approximate Monitor Locations

