



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

TRACKING NO.: 2025-114

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
Purpose	To obtain authority to enter into a licence agreement with Metrolinx to permit Metrolinx to use portions of the City's lands 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").		
Property	A portion of the property municipally known as 4780 Eglinton Avenue West and legally described as Part of Block C on Plan 8834, Etobicoke, designated as Parts 6, 7 and 8 on Plan 66R-25818, City of Toronto; being part of PIN 07405-0080 (LT) (the "Property") as shown on the Location Map attached hereto as Appendix "B" and designated as Parts 1-5 on the Property Sketch attached hereto as Appendix "C".		
Actions	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.		
Financial Impact	<p>The City is estimated to collect a total licence fee in the amount of \$587,597.75 (or \$117,519.55 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>		
Comments	<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 Property.</p>		
Terms	Please see Appendix "A"		
Property Details	Ward:	2 – Etobicoke Centre	
	Assessment Roll No.:	1919037182002150000	
	Approximate Size:		
	Approximate Area:	2438.9 m ²	
	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 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 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>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:	Stephen Holyday							Councillor:									
Contact Name:	Christine Arezes							Contact Name:									
Contacted by:	X	Phone	X	E-Mail		Memo		Other	Contacted by:		Phone		E-mail		Memo		Other
Comments:	No concerns							Comments:									

Consultation with Divisions and/or Agencies

Division:	Parks and Recreation					Division:	Financial Planning				
Contact Name:	Mark Ventresca					Contact Name:	Ciro Tarantino				
Comments:	Advised					Comments:	No concerns				

Legal Services Division Contact

Contact Name:	Michelle Xu				
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DAF Tracking No.: 2025-114	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 16, 2025	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	April 16, 2025	Signed by Alison Folosea

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

Licensed Area:

Approximately 2438.9 square meters

Term:

Five (5) years

Commencement Date:

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

Licensed Fee:

\$117,519.55 per annum, plus HST (or \$587,597.75 plus applicable taxes) for the 5-year term of the Licence.

Insurance:

Metrolinx may self-insure.

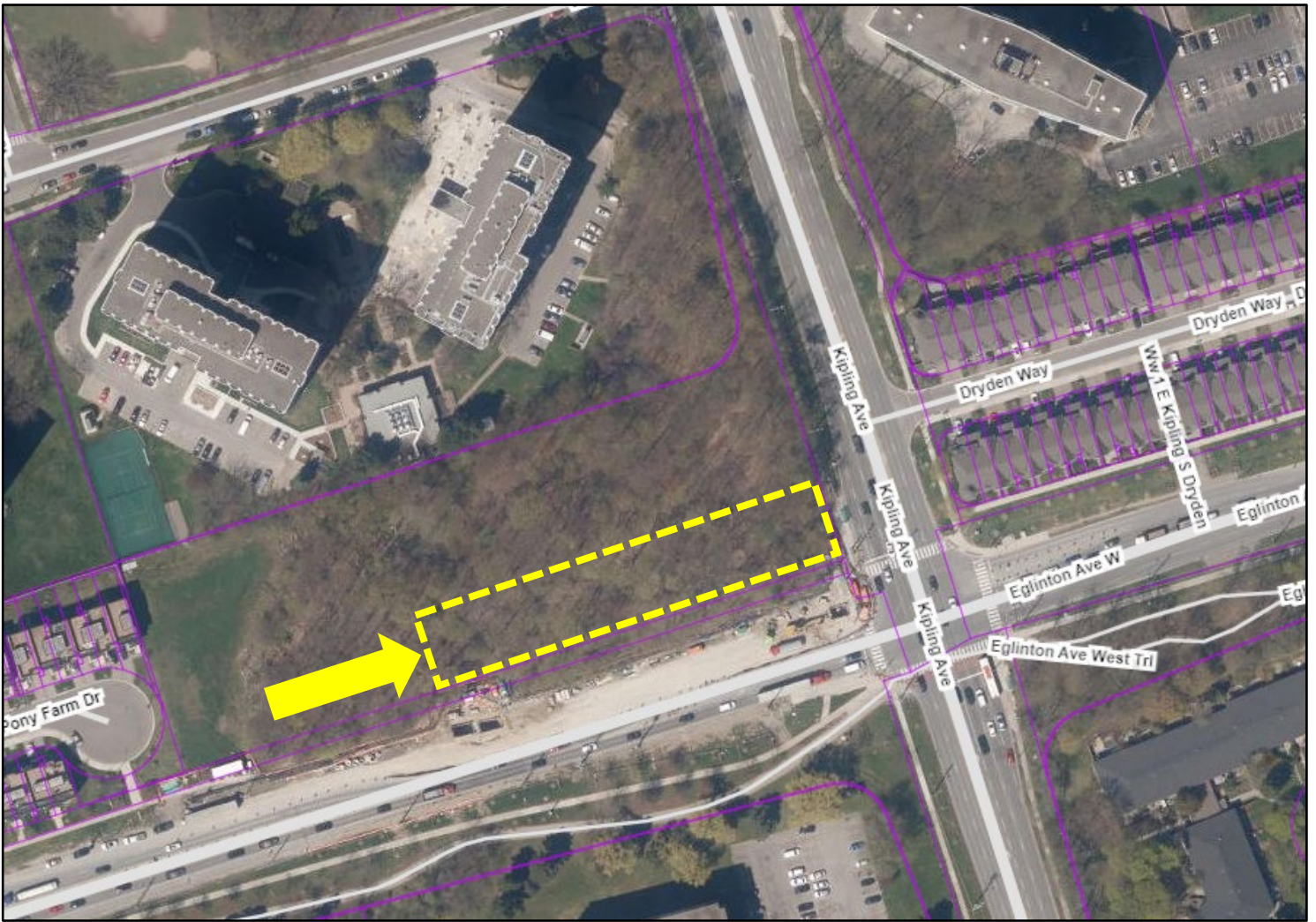
Early Termination:

- 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, 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 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, all in compliance with all applicable laws.

Appendix "B" – Location Map



Appendix "C" – Property Sketch

PIN 07405-0080 – Part 1, 2, 3, 4, and 5

