



**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2025-043

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management																																				
Date Prepared:	February 27, 2025	Phone No.:	(416) 392-8160																																				
<b>Purpose</b>	To obtain authority to enter into a licence agreement (the "Licence") with Metrolinx for the purposes of all works and uses in connection with the construction of the Ontario Line Project (the "Project").																																						
<b>Property</b>	Below grade portions of City owned properties municipally known as 100 Queen Street West, 123 Queen Street West, 50 Richmond Street East, 33 Hahn Place, 44 Parliament Street, 50 Queen Street West, 240 Queen Street West and 533 Richmond Street West (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 \$1,921,995 (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.</p> <p>Revenues received for 44 Parliament Street will be directed to the 2025 Approved Operating Budget for Parks, Forestry &amp; Recreation under cost centre P00147 and function area code 1820100000 and will be included in future operating budget submissions for Council consideration.</p> <p>Revenues remitted to the City for each fiscal year are as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">CREM</th> <th colspan="2">PF&amp;R (44 Parliament Street)</th> </tr> <tr> <th>Year</th> <th>Amount (plus HST)</th> <th>Year</th> <th>Amount (plus HST)</th> </tr> </thead> <tbody> <tr> <td>2025</td> <td>\$39,428</td> <td>2025</td> <td>\$56,671.75</td> </tr> <tr> <td>2026</td> <td>\$157,712</td> <td>2026</td> <td>\$226,687</td> </tr> <tr> <td>2027</td> <td>\$157,712</td> <td>2027</td> <td>\$226,687</td> </tr> <tr> <td>2028</td> <td>\$157,712</td> <td>2028</td> <td>\$226,687</td> </tr> <tr> <td>2029</td> <td>\$157,712</td> <td>2029</td> <td>\$226,687</td> </tr> <tr> <td>2030</td> <td>\$118,284</td> <td>2030</td> <td>\$170,015</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$788,560</b></td> <td><b>Total</b></td> <td><b>\$1,133,435</b></td> </tr> </tbody> </table>			CREM		PF&R (44 Parliament Street)		Year	Amount (plus HST)	Year	Amount (plus HST)	2025	\$39,428	2025	\$56,671.75	2026	\$157,712	2026	\$226,687	2027	\$157,712	2027	\$226,687	2028	\$157,712	2028	\$226,687	2029	\$157,712	2029	\$226,687	2030	\$118,284	2030	\$170,015	<b>Total</b>	<b>\$788,560</b>	<b>Total</b>	<b>\$1,133,435</b>
CREM		PF&R (44 Parliament Street)																																					
Year	Amount (plus HST)	Year	Amount (plus HST)																																				
2025	\$39,428	2025	\$56,671.75																																				
2026	\$157,712	2026	\$226,687																																				
2027	\$157,712	2027	\$226,687																																				
2028	\$157,712	2028	\$226,687																																				
2029	\$157,712	2029	\$226,687																																				
2030	\$118,284	2030	\$170,015																																				
<b>Total</b>	<b>\$788,560</b>	<b>Total</b>	<b>\$1,133,435</b>																																				
<b>Comments</b>	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>Metrolinx requires the Licence for the construction of the Ontario Line tunnel, which includes due diligence works, utility works, excavation and subsurface cavern mining. It is anticipated that parts of the Licensed Area will be transferred to Metrolinx by way of fee simple or permanent easement under a separate transfer agreement.</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>Continued on page 4</p>																																						
<b>Terms</b>	See Appendix "A"																																						
<b>Property Details</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><b>Ward:</b></td> <td>10 – Spadina-Fort York</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td></td> </tr> <tr> <td><b>Approximate Size:</b></td> <td></td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>4,700 m<sup>2</sup> ± (50,590 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>		<b>Approximate Size:</b>		<b>Approximate Area:</b>	4,700 m <sup>2</sup> ± (50,590 ft <sup>2</sup> ±)	<b>Other Information:</b>																											
<b>Ward:</b>	10 – Spadina-Fort York																																						
<b>Assessment Roll No.:</b>																																							
<b>Approximate Size:</b>																																							
<b>Approximate Area:</b>	4,700 m <sup>2</sup> ± (50,590 ft <sup>2</sup> ±)																																						
<b>Other Information:</b>																																							

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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/REOIs:</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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	PF&R, RES, TW	Division:	Financial Planning
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.: 2025-043	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	March 12, 2025	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	Mar 13, 2025	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management	March 14, 2025	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Patrick Matozzo		
<input type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore		X

<p><b>Comments</b></p>	<p>Staff from Parks, Recreation &amp; Forestry, Toronto Water and Real Estate 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>Real Estate Services staff considers the proposed fee 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>
------------------------	--

## **Appendix "A"**

### **Major Terms and Conditions**

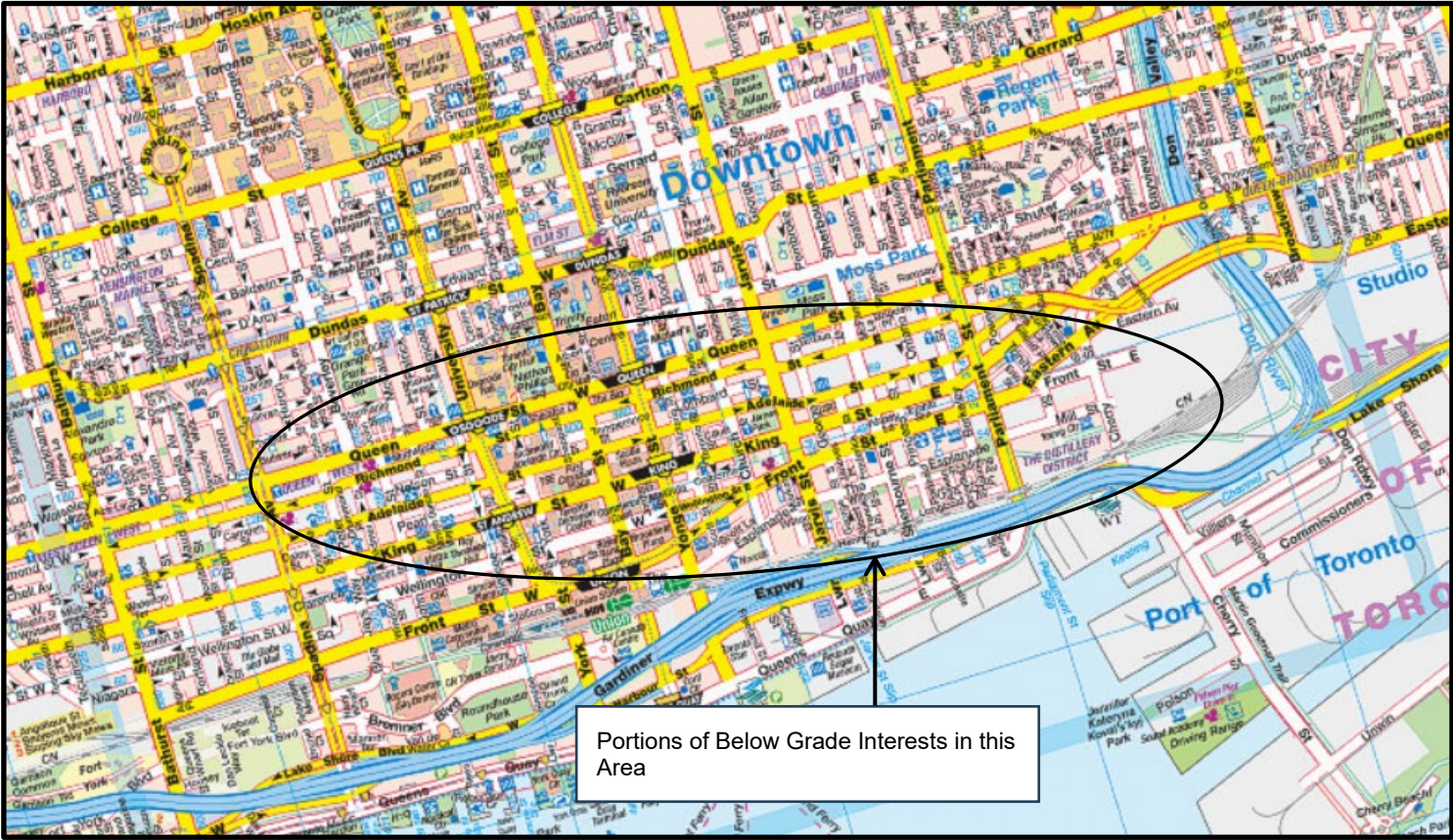
**Option for Extension:** Metrolinx shall, upon six (6) months prior written notice to the City, have the unilateral right to extend the Licence for: (i) up to twelve (12) months from the expiry of the Term; or (ii) up to the date on which such the Licensed Area is transferred to Metrolinx by way of fee simple transfer or permanent easement, whichever is the latter.

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, each additional extension year shall increase annually based on the Consumer Price Index (CPI) 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.

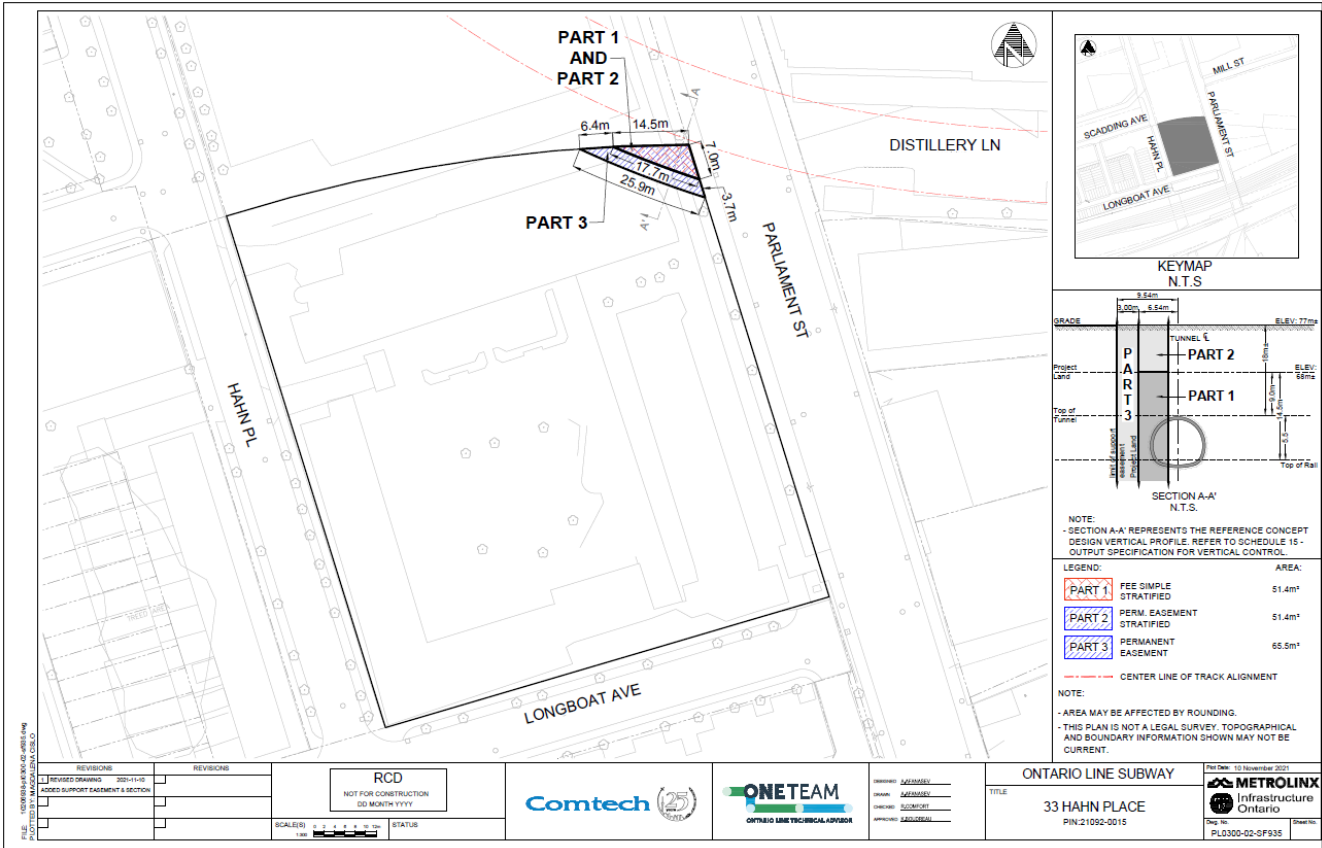
**Early Termination:** Metrolinx shall have the right to terminate this License at any time during the Term or the Extension Term upon giving not less than thirty (30) days prior written notice to the City. In the event of any such termination, any pre-paid portion of the License Fee (as defined below)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

Appendix "B"

Location Map

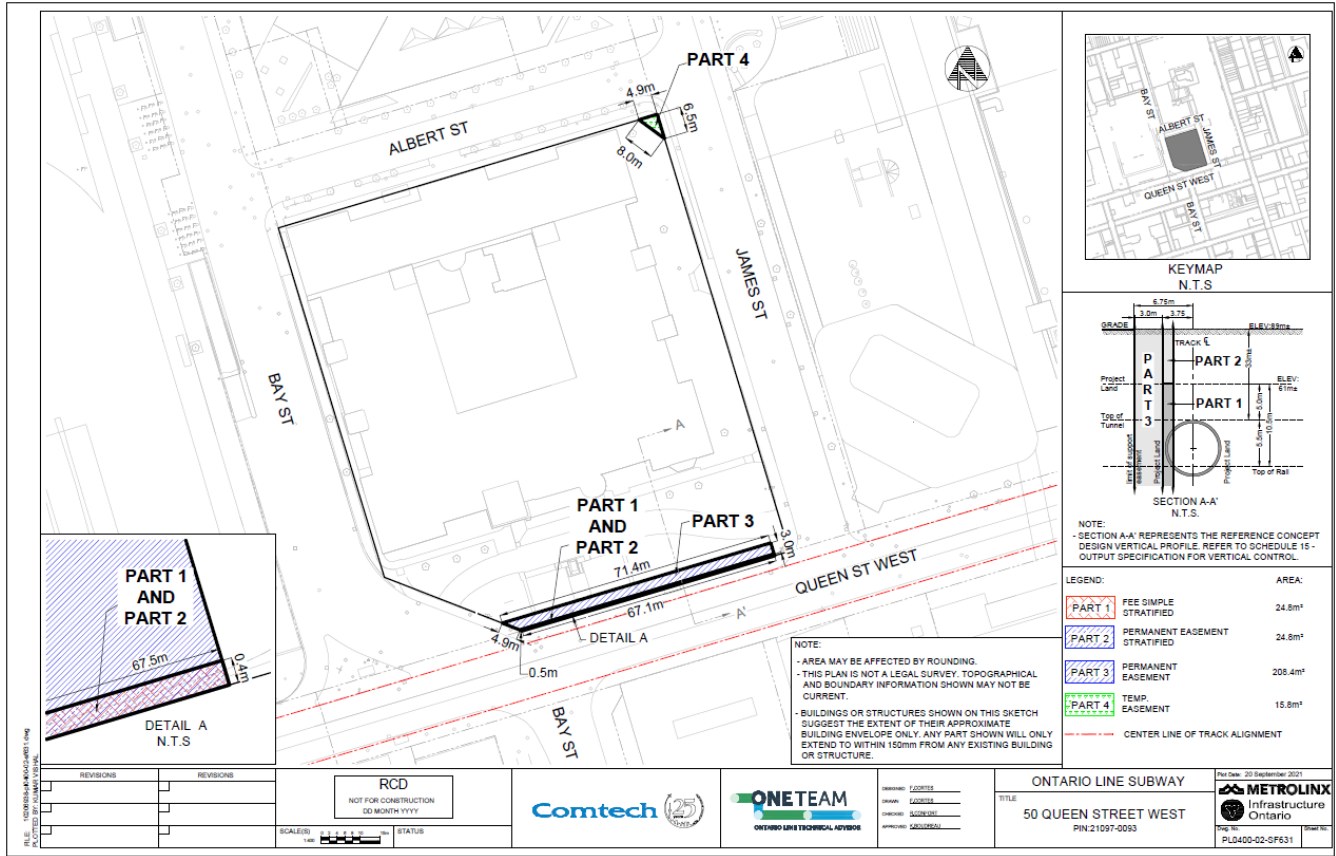


PIN 21092-0015 – 33 Hahn Place

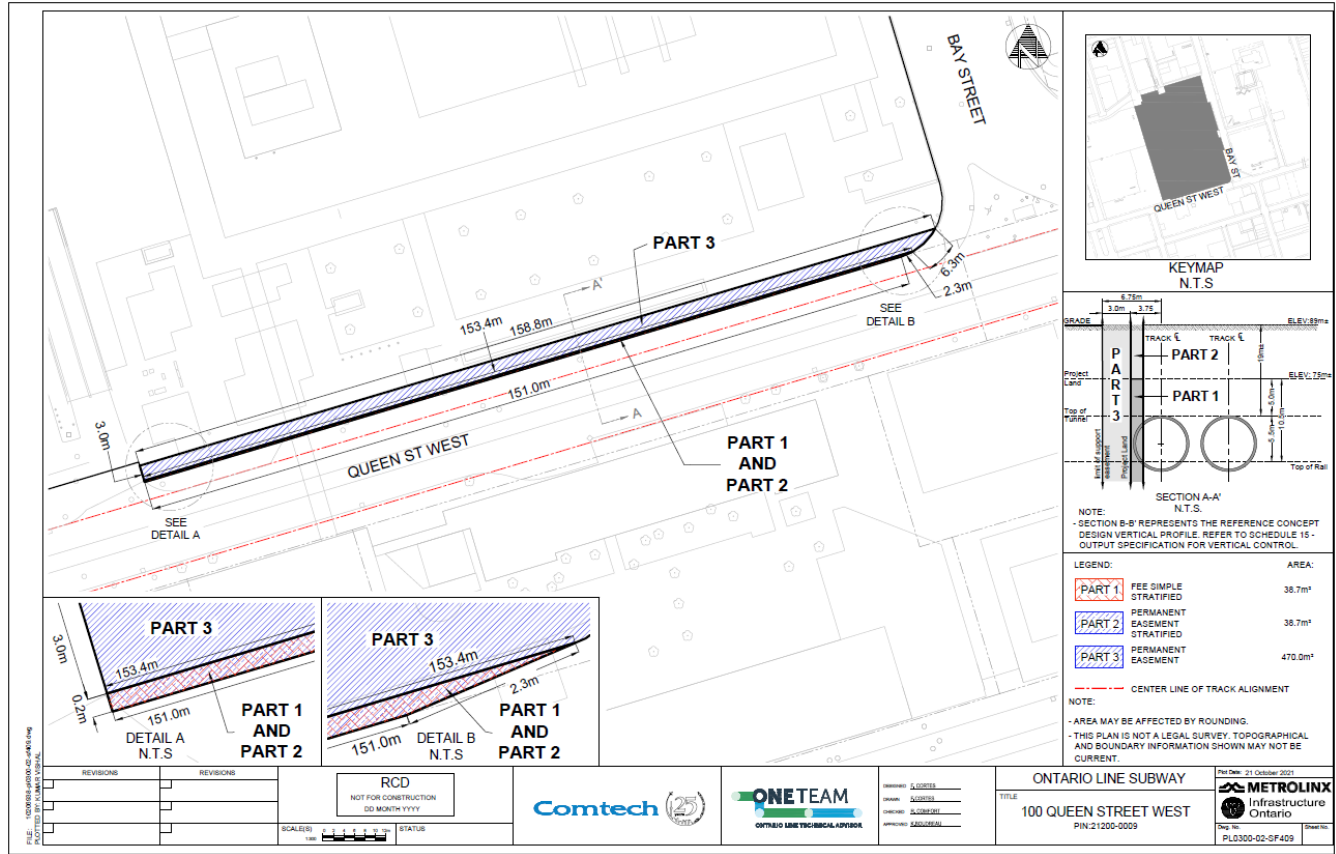




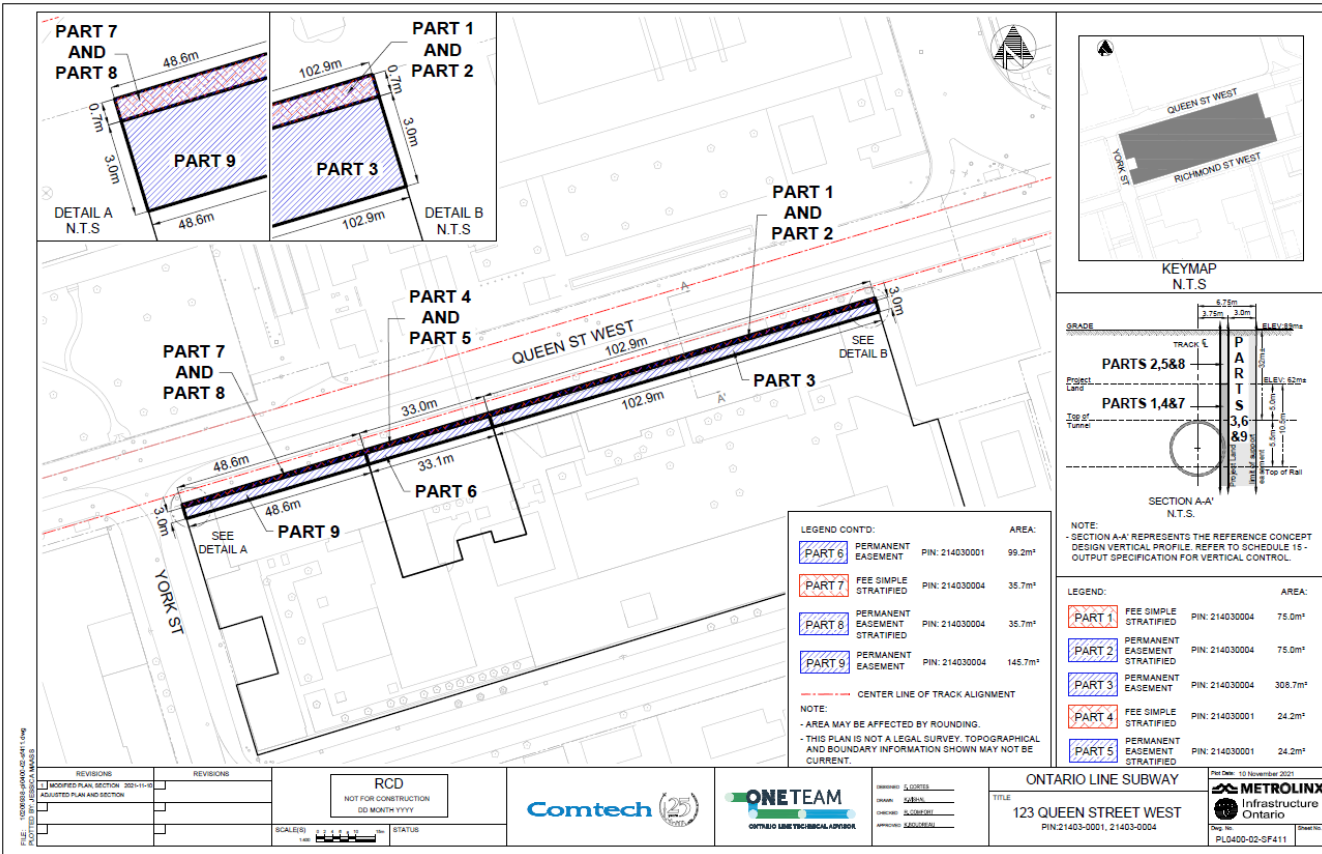
PIN 21097-0003 – 50 Queen Street West



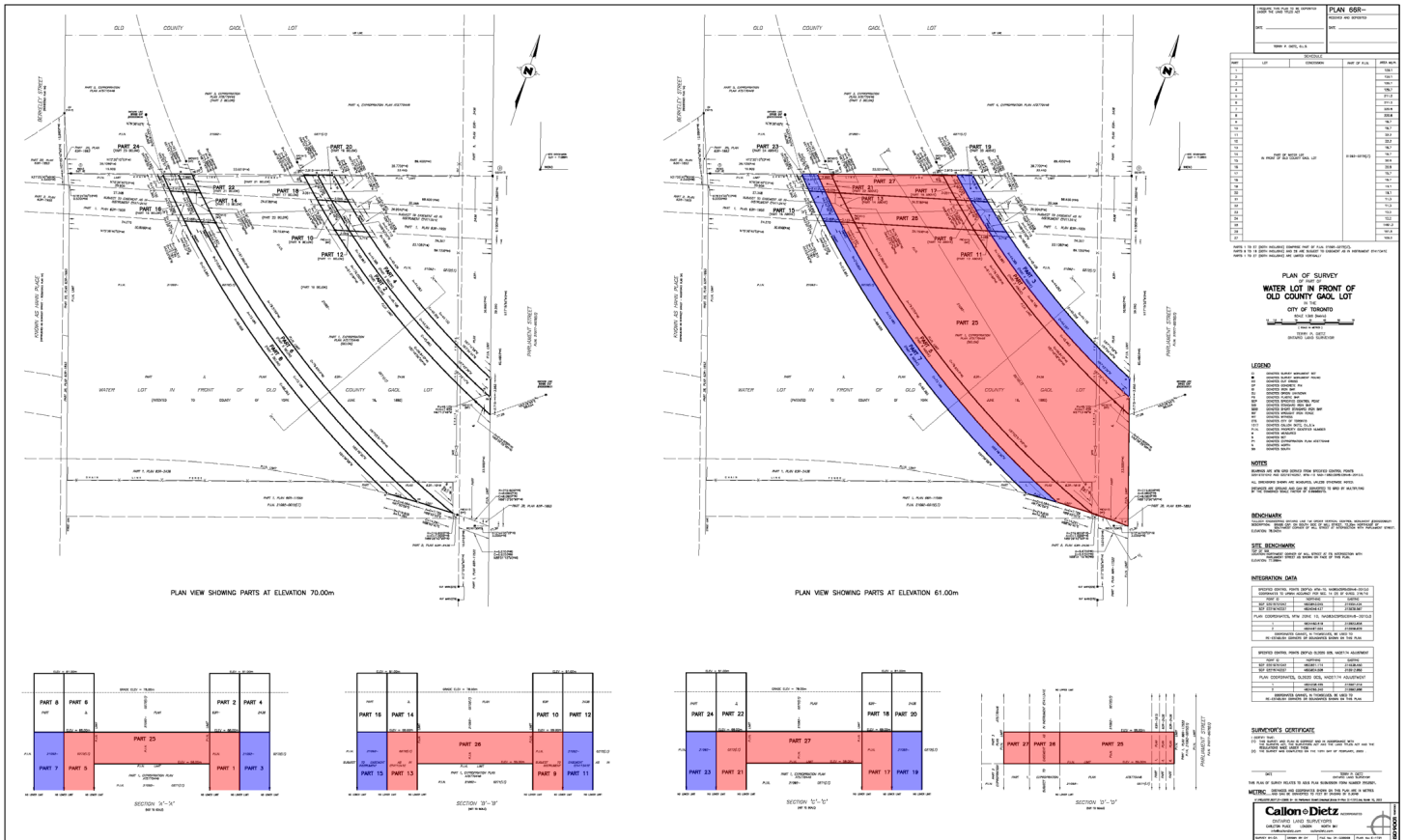
PIN 21200-0009 – 100 Queen Street West



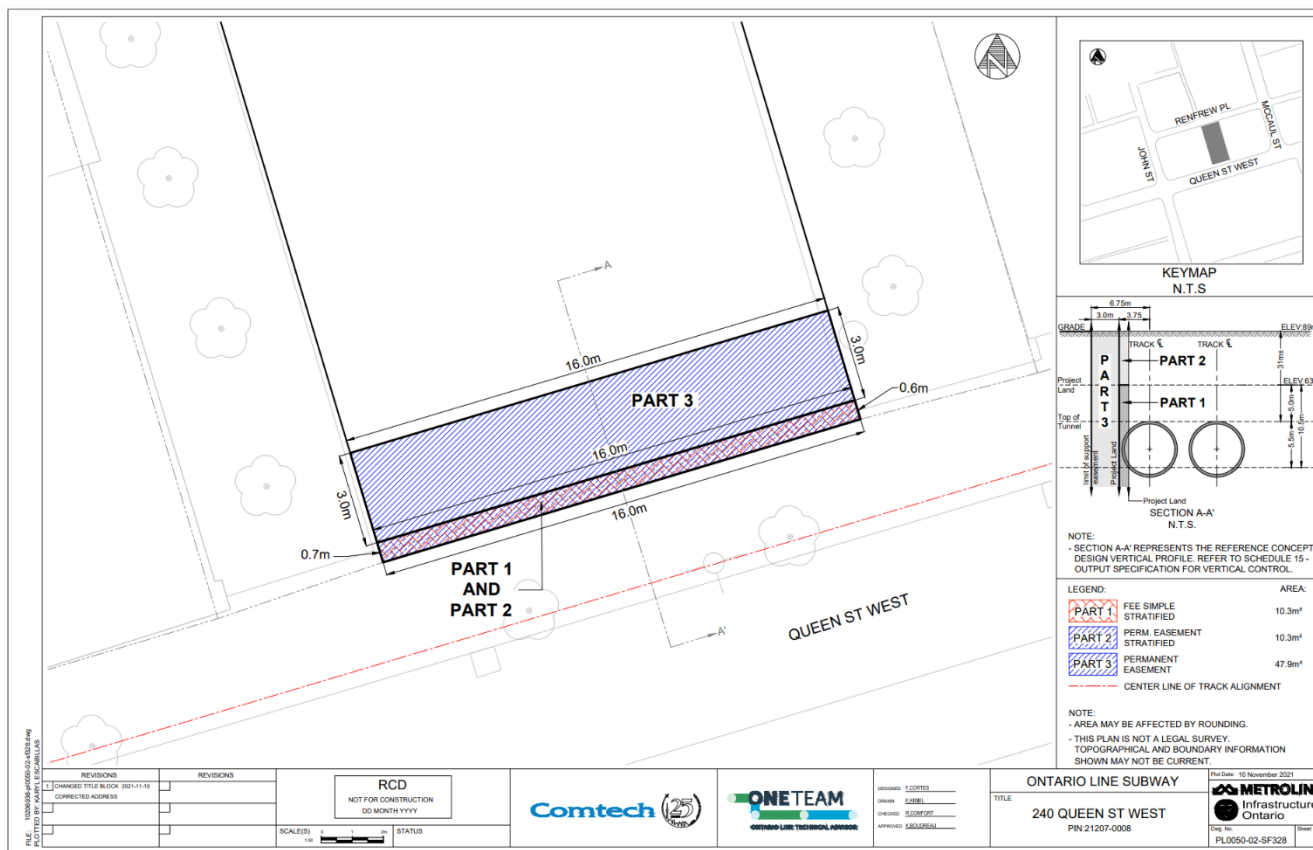
PINs 21403-0001 and 21403-0004 – 123 Queen Street West



PIN 21092-0272 – 44 Parliament Street







PINs 21239-0403 and 21239-0401 – 533 Richmond Street West

