



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

TRACKING NO.: 2025-378

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:	November 25, 2025	Phone No.:	(416) 392-8160
Purpose	To cancel Delegated Approval Form No. 2025-168 and obtain authority to enter into a licence agreement with Metrolinx for portions of 805 Don Mills Road, for the purposes of all works and uses in connection with the construction of the Ontario Line Project (the "Licence").		
Property	Part of the property municipally known as 805 Don Mills Road, being part of PIN 10133-0057 (LT), shown as Parts 1-8 on Exhibit Plate PL0200-05-SF204 (the "Licensed Areas") shown on the Location Map and Exhibit Plate attached hereto as Appendix "A".		
Actions	<ol style="list-style-type: none"> 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. Cancel Delegated Approval Form No. 2025-168 		
Financial Impact	<p>The City will receive total licence fee revenues of \$486,910 (plus HST) over the five (5) year term of the agreement. If the option to extend is exercised, then the overall total revenue is estimated to be \$876,438 (plus HST). The revenues will be directed to the Operating Budget for Corporate Real Estate Management under cost centre FA1474 and functional area code 3220200000.</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>Metrolinx requires the Licence for construction of the Project, which includes due diligence and advanced works, excavation, construction of the guideway and piers, Toronto Hydro chamber access and utility works. Portions of the Licensed Areas are expected to be transferred to Metrolinx and Toronto Hydro by way of fee simple or permanent easement under separate transfer agreements.</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, 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 Real Estate Services, Toronto Water and CreateTO 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. Metrolinx and the City had previously entered into a licence with a smaller footprint for Toronto Hydro upgrade works (the "THESL Agreement") that was authorized by Delegated Approval Form 2024-127. The Licence will include the lands of the THESL Agreement, and upon execution of the Licence, the THESL Agreement will be terminated. The Licence to begin construction of the Elevated Guideway and Systems was authorized by Delegated Approval Form No. 2025-168 dated June 17, 2025 but was not executed due to late stage changes, which have now been resolved. In the event that the parties cannot agree on the Licence Fee prior to the end of the Term, the Licence Fee shall be determined in accordance with the Subways Real Estate Protocol, including without limitation Sections J and M therein.</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>Continued on page 4</p>		
Property Details	Ward:	16 – Don Valley East	
	Assessment Roll No.:	1908-01-1-230-01000	
	Approximate Size:		
	Approximate Area:	1,094.8 m ² ± (11,784.33 ft 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:	Jon Burnside	Councillor:	
Contact Name:	John Burnside	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	RES, CTO, TW, TE	Division:	Financial Planning
Contact Name:		Contact Name:	Karen Liu
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF

Legal Services Division Contact

Contact Name:	Luxmen Aloysius
---------------	-----------------

DAF Tracking No.: 2025-378	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Dec 2, 2025	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Dec 8, 2025	Signed by Alison Folosea

Comments:

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 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 Licensed Areas.

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 Item 2024-EX15.2 relating to the Licensed Areas.

Terms:

Term for Licensed Areas required for temporary use only: Five (5) years with one (1) option to extend for up to four (4) years, upon three (3) months' prior written notice to the City.

Term for Licensed Areas where Metrolinx has permanent interest: Five (5) years with one (1) option to extend for a period up to twelve (12) months, or until the day that the subject Licensed Areas is transferred to Metrolinx by way of fee simple transfer or permanent easement(s), whichever is the latter, exercisable upon delivering three (3) months' prior written notice to the City.

Metrolinx has the option to terminate this Licence upon giving not less than 30 days' prior written notice, and the City will refund Metrolinx for any overpayment of the Licence.

Licence Fee: \$97,382 (plus HST) per annum for the initial Term.

Appendix "A"

Location Map & Exhibit Plate PL0200-05-SF204

