

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

**TRACKING NO.: 2025-298**

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date	October 10, 2025	Phone No.:	(416) 338-1297

<b>Purpose</b>	To obtain authority to enter into an Omnibus Station Retail Agreement with Metrolinx within stations located along the Eglinton Crosstown Light Rail Transit Line (the "ECLRT") for the purpose of subleasing retail spaces to generate non-fare revenue for the Toronto Transit Commission (the "Agreement").
<b>Property</b>	Portions of multiple transit stations as identified in Appendix "B" (the "Properties"), as shown on the Location Map in Appendix "C".
<b>Actions</b>	1. Authority be granted to enter the Agreement with the Landlord, 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>	There is no direct financial impact as a result of entering into the Agreement.  The costs for the operation and maintenance of the Properties have been defined and authorized by City Council in July 2022, with the adoption of Item – 2022.EX.34.5 titled "Eglinton Crosstown Light Rail Transit: Train Operating and Funding Term Sheet".  The Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
<b>Comments</b>	On July 19, 20, 21 and 22, 2022 City Council adopted Item EX34.5, approving the terms of a Train Operating and Funding Agreement ("TOFA") with Metrolinx and the Toronto Transit Commission (the "TTC") governing the funding, operation, and maintenance of the stations and trains for the ECLRT. The TOFA contains provisions for the generation of non-farebox revenue by the TTC, specifically including retail leases or licenses.  The City wishes to enter into the Agreement to secure 11 retail spaces at several of the ECLRT stations. The City intends to sublease these retail units to individual operators to serve passengers and users of the ECLRT and to generate revenue to offset TTC's costs to operate the ECLRT.  Eight of the 11 retail space will be leased from Metrolinx via the Agreement, and the remaining three retail spaces are located on City-owned properties, where the use of the retail areas will be permitted by licence from Metrolinx.  The major terms and conditions of the Agreement are considered to be fair and reasonable.
<b>Terms</b>	See Appendix "A"

<b>Property Details</b>	<b>Ward:</b>	Multiple
	<b>Assessment Roll No.:</b>	Multiple
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	
	<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 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 checked="" 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:	Frances Nuniata	Councillor:	Josh Matlow
Contact Name:	Geno Orsi	Contact Name:	Carolina Vecchiarelli
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 checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Advised	Comments:	Advised
Councillor:	Mike Colle	Councillor:	Rachel Chernos Lin
Contact Name:	Andy Stein	Contact Name:	Rachel van Fraassen
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 checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Advised	Comments:	Advised
Councillor:	Jon Burnside	Councillor:	Parthi Kandavel
Contact Name:	Mary Campbell	Contact Name:	Adrian Molder
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 checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Advised	Comments:	Advised

**Consultation with Divisions and/or Agencies**

Division:	TTC	Division:	<b>Financial Planning</b>
Contact Name:	Vincenza Guzzo	Contact Name:	Clayton Francis
Comments:	Concurs	Comments:	Concurs

**Legal Services Division Contact**

Contact Name: Tammy Turner

DAF Tracking No.: 2025-298	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> Vinette Prescott-Brown	Oct.10, 2025	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> Alison Folosea	Oct 17, 2025	Signed by Alison Folosea

**Appendix "A"**  
**Major Terms and Conditions**

Leased Premises:	Multiple retail units located within the ECLRT (Line 5) Stations, identified in Appendix "B"
Rent:	\$0.00
Additional Fees:	All costs and expenses as set out in the TOFA
Term:	Concurrent with the term of the previously executed TOFA, which commenced August 15, 2023 and expires August 14, 2033, subject to two additional 10-year extensions.
Termination:	On termination of the TOFA
Use:	Lawful retail uses, including, without limitation, short term pop-up and automated retail concepts, brand activations, sampling, social media and digital integration, shop in shop, gallery events, storefront merchandising and guerrilla marketing, and other non-retail uses as may be permitted by Metrolinx, acting reasonably
Patio Areas:	Areas for constructing and maintaining outdoor patios are permitted at Laird, Caledonia and Fairbank stations
Insurance and Indemnification:	<p>City and TTC's insurance and indemnification obligations generally applicable in TOFA will also apply to their occupation and use of the retail spaces. In addition, the City shall obtain or cause TTC to obtain All-Risk Property Insurance in respect to fire and such other perils as are defined in a standard all risks insurance policy covering improvements, trade fixtures and the furniture and equipment located in the retail spaces for which the City or the TTC is responsible for not less than the full replacement cost.</p> <p>The City shall be permitted to self-insure.</p>
Permitted Sublease:	The City shall be permitted, without the consent of Metrolinx, to sublease the Leased Premises provided certain terms and conditions are met,
Licenses:	The City or the TTC shall be permitted, without the consent of Metrolinx, to enter into temporary licenses for the retail spaces.

**Appendix "B"**  
**List of Retail Locations**

<b>Station Building</b>	<b>Area (ft<sup>2</sup>)</b>	<b>Unit Number</b>
Mount Dennis	968	019
Mount Dennis	277	019A
Mount Dennis	282	019B
Caledonia	1,224	019
Fairbank	689	001
Cedarvale	748	019F
Cedarvale	790	019E
Cedarvale	419	019D
Cedarvale	436	019B
Forest Hill	584	019
Avenue	640	n/a
Eglinton	345	019A
Eglinton	667	019
Eglinton	540	019C
Eglinton	318	019B
Mount Pleasant	931	019A
Laird	1,090	019
Don Valley	875	019
Don Valley	500	019A
Kennedy	890	019A
Kennedy	658	019B
Kennedy	1,665	019C

# Appendix "C"

## Location Map

