

May 26, 2021

**Transmittal No. 2021 – 112**  
**(Public)**

To: Alexander Brown, Chair, Toronto District School Board (TDSB)

This communication is to inform you of a recent decision made by the TLC Board at its meeting of May 25, 2021 with respect to the report, ***Metrolinx: Eglinton LRT License Renewal Report***, attached herein.

**The TLC Board decided that:**

1. Authority be granted to enter into a license agreement with Metrolinx for the occupation of a portion of TDSB property located at 200 Hanna Road, Leaside High School, for the purpose of temporary equipment storage and construction staging for the Metrolinx Eglinton LRT project for a term commencing on November 1, 2018 to March 31, 2021;
2. The agreement be in a form and content satisfactory to TLC legal counsel; and
3. The report be forwarded to TDSB Board for approval

On behalf of the Board of Directors of the Toronto Lands Corporation, approval of the report is requested.

Sincerely,



Brenda Patterson  
Chair, TLC

cc. D. Sage, Executive Officer, TLC

cc. C. Snider, Associate Director, Business Operations and Service Excellence, TDSB

## **TORONTO LANDS CORPORATION**

### **COMMITTEE DECISION ITEM**

#### **Infrastructure: Metrolinx: Eglinton LRT License Renewal Leaside High School**

To: Chair and Members of the Toronto Lands Corporation

Date: May 20, 2021

#### **Recommendation:**

It is recommended that:

- 1) Authority be granted to enter into a license agreement with Metrolinx for the occupation of a portion of TDSB property located at 200 Hanna Road, Leaside High School, for the purpose of temporary equipment storage and construction staging for the Metrolinx Eglinton LRT project for a term commencing on November 1, 2018 to March 31, 2021;
- 2) The agreement be in a form and content satisfactory to TLC legal counsel; and
- 3) The report be forwarded to TDSB Board for approval.

#### **Rationale**

Metrolinx is a Crown Agency of the Ontario Government, and is developing and constructing light rail transit projects including the project known as the Eglinton Crosstown LRT. This initiative is the largest single transit expansion project in Toronto's history and once complete the light rail transit line will run along Eglinton Avenue from Mount Dennis (Weston Road) in the west to Kennedy Station in the east. This 19-kilometre corridor includes a 10-kilometre underground portion between Keele Street and Laird Drive.

In connection with the Project, Metrolinx purchased 0.04 acres of land at Leaside High School to construct an emergency exit building from the Eglinton Crosstown LRT tunnel and in 2014 entered into a temporary license agreement for an additional 0.16 acres of TDSB Lands to provide for temporary staging and equipment storage in support of this project. The licensed lands are municipally known as at 200 Hanna Road, described as Part of PIN 10386-0154 (LT) being part of Lot 496 and Edith Avenue (known as Bessborough Drive), Plan 1908, designated as Part 2 on draft Reference Plan 2013-0208 Plan No. 1.

The original term of this license agreement was 2 years, from May 15, 2014 to May 14, 2016 and due to project delays, this license agreement was extended several times with the last extension expiring on October 31, 2018.

As construction of the Project is ongoing, Metrolinx continued to require access to the Licenced Area and TDSB had allowed occupation of the property from November 1, 2018 to March 31, 2021. An agreement is required for this previous twenty-nine (29) month period occupation and the license fee of \$3,125.00 plus HST per month has been negotiated for financial settlement during the timeframe.

A total amount of \$90,625 plus HST will be due and payable upon execution of a license agreement. All other terms and conditions as previously negotiated in the original agreement would remain the same. Metrolinx no longer requires the lands and has restored the area with new trees and sod in preparation for the expiry of the license.

## **Context**

While the Provincial agency has now vacated the school board property, it remains responsible for its temporary occupation and a license fee. The negotiated amount of \$90,625.00 payable to TDSB is fair and reasonable for the temporary use of the property. The ability to negotiate an agreement after occupation represents the collaborative effort between the two public agencies to operate in good faith and complete transactions that can provide benefits to both agencies.

## **Appendix**

- Appendix 1: Sketch of the License Area – Leaside High School – 200 Hanna Road

## **Routing**

TLC Board: 20 May 2021  
TDSB Board: June Cycle

## **From**

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