

## DELEGATED APPROVAL FORM CHIEF CORPORATE OFFICER DIRECTOR OF REAL ESTATE SERVICES

TRACKING NO.: 2017-061

Approved pursuant to the Delegated Authority contained in Executive Committee Item EX43.7 entitled "Delegation of Authority in Certain Real Estate Matters" adopted by City Council on May 11 and 12, 2010 (Confirmatory By-law No. 532-2010, enacted on May 12, 2010), as amended by GM24.9 entitled "Minor Amendments to Delegation of Authority in Certain Real Estate Matters" adopted by City Council on October 8, 9, 10 and 11, 2013 (Confirmatory By-Law No. 1234-2013, enacted on October 11, 2013), as amended by DAF 2013-307 and DAF 2014-087; and further amended by EX44.22 entitled "Strategic Property Acquisitions" adopted by City Council on August 25, 26, 27 and 28, 2014 (Confirmatory By-law No.1074-2014, enacted on August 28, 2014), and further amended by GM16.16 entitled "Transit Shelter Property Acquisitions" adopted by City Council on December 13, 14 and 15, 2016 (Confirmatory By-Law No. 1290-2016, enacted on December 15, 2016).
 Approved pursuant to the Delegated Authority contained in Executive Committee Item EX33.44 entitled "Union Station Revitalization Implementation and Head

Lessee Selection" adopted by City Council on August 5 and 6, 2009. City Council confirmatory By-law No. 749-2009, enacted on August 6, 2009. Prepared By: Mike Saffran Division: **Real Estate Services** Date Prepared: June 12, 2017 Phone No.: 416-392-7205 Purpose To obtain authority to authorize the sale of the closed portion of the public lane at the rear of 499 Cranbrooke Avenue (the "Lane"), conditional upon City Council authorizing its permanent closure. Property A portion of public lane at the rear of 499 Cranbrooke Avenue, legally described as Part of Lane and part of one foot reserve Registered Plan M-108 shown as Part 3 on Plan 66R-26720 and shown on Appendix "A". Authority be granted to obtain a permanent easement in favour of Bell Canada for nominal consideration over 1. Actions portions of the Lane for an existing overhead wire. 2. The City accept the Agreement of Purchase and Sale from Estelle Elmaleh and Mitchell Stuart Goldstein (collectively, the "Purchasers") to purchase the Lane in the amount of \$13,300.00 (net of HST), substantially on the terms outlined below. 3. A portion of the Purchase Price be directed on closing, to fund the outstanding expenses related to the completion of the sale transaction. 4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions. on such terms as she considers reasonable. 5. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto. **Financial Impact** Revenue in the amount of \$13,300.00, (exclusive of HST and applicable taxes and fees), less closing costs and the usual adjustments is expected to be paid to the City of Toronto for the Lane. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon closing of the transaction. The Deputy City Manager & Chief Financial Officer has reviewed this DAF and agrees with the financial impact information. See Page 4 Comments Terms See Page 4 **Property Details** Ward: 16 - Eglinton-Lawrence Assessment Roll No.: N/A Approximate Size: Frontage: 12.19 m (39.99 ft) Width: 2.89 m (9.48 ft) Approximate Area: 35.27 m<sup>2</sup> (379.7 ft<sup>2</sup>) Other Information: Public Lane

		2 of 6
А.	Director of Real Estate Services has approval authority for:	Chief Corporate Officer has approval authority for:
1. Acquisitions:	Where total compensation does not exceed \$1 Million.	Where total compensation does not exceed \$3 Million.
2. Expropriations:	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.
3. Issuance of RFPs/REOIs:	Delegated to a more senior position.	Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	Delegated to a more senior position.	Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
<ol> <li>Transfer of Operational Management to ABCDs:</li> </ol>	Delegated to a more senior position.	Transfer of Operational Management to ABCDs.
6. Limiting Distance Agreements:	Where total compensation does not exceed \$1 Million.	Where total compensation does not exceed \$3 Million.
<ol> <li>Disposals (including Leases of 21 years or more):</li> </ol>	X Where total compensation does not exceed \$1 Million.	Where total compensation does not exceed \$3 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan: N/A	Delegated to a more senior position.	Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	(a) Where total compensation (including options/ renewals) does not exceed \$1 Million;	(a) Where total compensation (including options/ renewals) does not exceed \$3 Million;
	(b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.	(b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.
<b>10.</b> Leases/Licences (City as Tenant/Licensee):	Where total compensation (including options/ renewals) does not exceed \$1 Million.	Where total compensation (including options/ renewals) does not exceed \$3 Million.
<b>11.</b> Easements (City as Grantor):	(a) Where total compensation does not exceed \$1 Million.	Where total compensation does not exceed \$3 Million.
	(b) When closing road, easements to pre-existing utilities for nominal consideration.	Delegated to a less senior position.
<b>12.</b> Easements (City as Grantee):	Where total compensation does not exceed \$1 Million.	Where total compensation does not exceed \$3 Million.
<b>13.</b> Revisions to Council Decisions in Real Estate Matters:	Amendment must not be materially inconsistent with original decision (and may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$500,000).	Amendment must not be materially inconsistent with original decision (and may include increase not to exceed the amount of the original decision by the lesser of 10 per cent and \$1 Million).
14. Miscellaneous:	(a) Approvals, Consents, Notices and Assignments under all Leases/Licences;	(a) Approvals, Consents, Notices and Assignments under all Leases/Licences;
	(b) Releases/Discharges; (c) Surrenders/Abandonments;	<ul> <li>(b) Releases/Discharges;</li> <li>(c) Surrenders/Abandonments;</li> </ul>
	(c) Surrenders/Abandonments; (d) Enforcements/Terminations;	(c) Surrenders/Abandonments; (d) Enforcements/Terminations;
	(e) Consents/Non-Disturbance Agreements/	(e) Consents/Non-Disturbance Agreements/
	Acknowledgements/Estoppels/Certificates; (f) Objections/Waivers/Cautions;	Acknowledgements/Estoppels/Certificates; (f) Objections/Waivers/Cautions;
	(g) Notices of Lease and Sublease;	(g) Notices of Lease and Sublease;
	(h) Consent to regulatory applications by City,	(h) Consent to regulatory applications by City,
	(i) Consent to assignment of Agreement of	(i) Consent to assignment of Agreement of
	Purchase/Sale; Direction re Title; (j) Documentation relating to Land Titles	Purchase/Sale; Direction re Title; (j) Documentation relating to Land Titles
	applications;	applications;
	(k) Correcting/Quit Claim Transfer/Deeds.	(k) Correcting/Quit Claim Transfer/Deeds.
B. Chief Corporate Officer a	and Director of Real Estate Services each has	signing authority on behalf of the City for:
	d Sale and all implementing documentation for purchases, sal nd Notices following Council approval of expropriation.	les and land exchanges not delegated to staff for approval.
	ement the delegated approval exercised by him or her.	
Chief Corporate Officer also	has approval authority for:	
Leases/licences/permits at Univ	on Station during the Revitalization Period, if the rent/fee is at	market value.
Consultation with Councillor(s)		

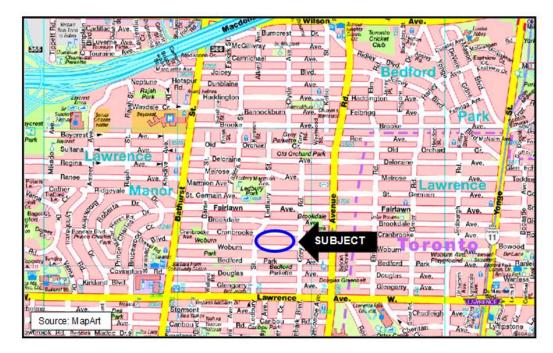
Councillor:	Christin Carmichael Greb				Councillor:																			
Contact Name:	Jon	onathan Kent					Contact Name:																	
Contacted by:	Х	Phone	Х	E-Mail		Mei	mo		Other		Contacted by:			Phor	е		E-n	nail		N	1emo		Othe	er
Comments:	No	objection	s –	June 6,	2017						Comments:													
Consultation with	AB	CDs																						
Division: Transportation Services						Division:	Fi	in	ance															
Contact Name: Daniel Samson						Contact Name:	Fi	Filishia Jenkins																
Comments:	Comments: Provided Comments – June 7, 2017						Comments:	С	or	curs	with	ı Fir	anci	ial Im	pact	t St	ateme	nt – .	June 6,	2017				
Legal Division Contact																								
Contact Name: Lisa Davies – June 6, 2017																								
DAF Tracking No.: 2017-061																								
DAF Tracking No.	: 20	17- 061									Date							Sig	nat	ure	e			
DAF Tracking No. Recommended by:			nag	er, Nick	Sin	nos					Date							Sig	nat	ure	9			
	ded	Mai	ecto	or of Re			e Se	rvic	es		Date June 21, 2017	Si	ig	ned	by	Jo	oe C	Sig Casa		ure	9			
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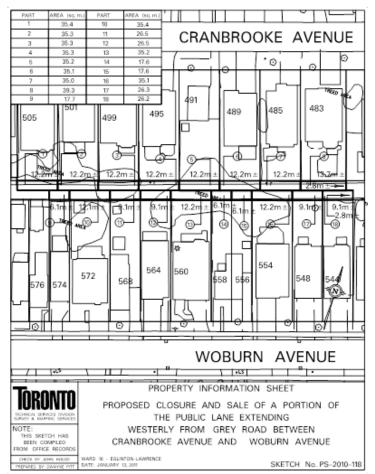
## General Conditions ("GC")

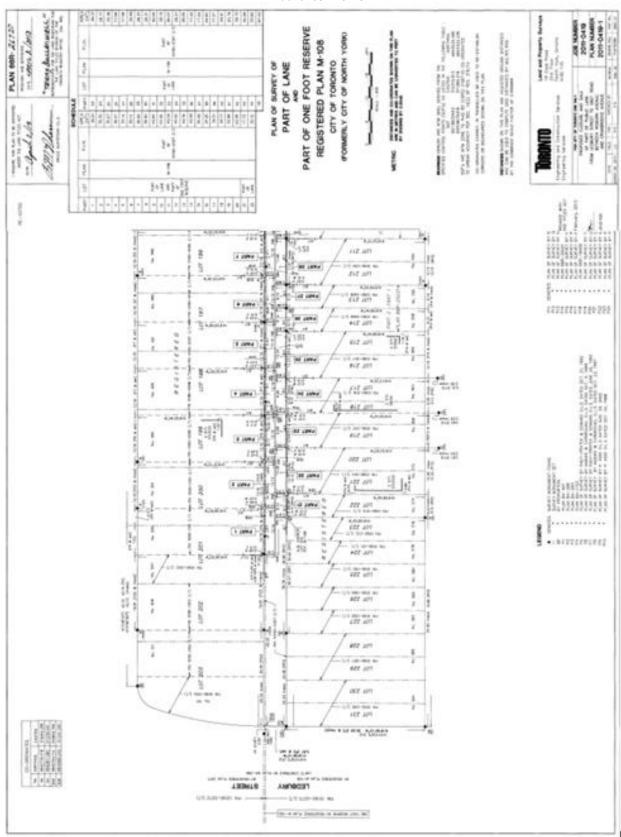
- (a) The local Councillor (or local Councillors if the subject property is located on a ward boundary or if the transaction involves an exchange of properties in more than one ward), will be consulted prior to the exercise of delegated Approving Authority by staff for all Acquisitions, Disposals, Land Exchanges and Leases.
- (b) Where approving power has been delegated to staff, the Chief Corporate Officer, in consultation with the applicable Deputy City Manager or the City Manager, may determine that such matter is of such special interest that same should be returned to the relevant Committee and Council for consideration and determination.
- (c) Exercise of delegated authority is subject to all applicable Council policies, statutes or other applicable law.
- (d) Authority to approve financial commitments/expenditures is subject to all amounts being available in an approved budget, or funding being available from third party sources, except for "Strategic Property Acquisitions" as set out in EX44.22 adopted by Council August 25, 26, 27 and 28, 2014, which identifies alternative funding mechanisms subject to additional approval requirements.
- (e) Property interests are to be based on appraised value, and no interest shall be granted at less than market value unless otherwise specifically authorized.
- (f) Authority to approve transactions at less than market value is subject to statutory anti-bonusing provisions.
- (g) Total compensation means the aggregate of all types of payments, including land value, estimated clean-up costs, potential arbitration awards, loss claims, etc, but exclusive of any applicable taxes and registration costs.
- (h) Authority to acquire property is conditional upon provision being made to bring the property into compliance with applicable MOE or other requirements such that it will be fit for its intended municipal purpose, except for property acquisitions of 50M<sup>2</sup> or less for transit shelter purposes.
- (i) Authority to initiate the permanent road closure process in A.4 is conditional upon confirmation by the GM of Transportation Services that it is feasible to permanently close the highway.
- (j) Disposal authorities in **A.7** are subject to the property having been declared surplus, and the disposal policy complied with.
- (k) Land exchanges, except for those in A.8, may be authorized based on the delegated Approving Authority for Disposals in A.7.
- (I) Approving Authority with respect to land located in the Designated Waterfront Area is conditional upon the approval of the Director, Waterfront Secretariat.
- (m) Authority to approve an exchange of land in A.8 is conditional upon confirmation by the Chief Planner and Executive Director, and the GM of Parks, Forestry & Recreation, that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.
- (n) Approving Authority in A.9 Leases (City as Landlord) but not Licences (City as Licensor) is limited to periods (including options/renewals) of less than twenty-one (21) years.
- (o) Total compensation in leasing matters where the City is landlord (A.9) includes the value of tenant improvements if factored into tenant's rental payments.
- (p) Total compensation in leasing matters where the City is the tenant (A.10) includes the value of any tenant improvements to be paid by the City.
- (q) Where options/renewals are included in leases, if the renewal rent is to be determined at a date later than the original approval date, total compensation is to be calculated as though all options are exercised, estimating the renewal rent based on the highest rent payable in the first term of the lease.
- (r) Total compensation in leasing matters where the City is landlord (A.9) or tenant (A.10) is to be calculated from the date of approval pursuant to this delegation (ie. first allowing for the expiry of any prior approvals, whether by Council or a delegated authority).
- (s) Approving Authority in leasing matters includes authority to approve renewals/extensions within the parameters of the delegated Approving Authority.
- (t) Approving Authority includes authority for amendments within the parameters of the delegated Approving Authority, the cumulative total of which may not exceed the delegated financial limit.
- (u) Where proposed additional amounts in A.13 exceed 10 per cent of the original decision, even if otherwise in compliance with all other conditions, then approving authority is transferred upwards to the next more senior level of approving authority having the relevant overall financial limit.
- (v) Approving Authority includes authority for all documents necessary to implement the authority, on terms and conditions satisfactory to the Approving Authority, in consultation with the relevant operating Division(s).
- (w) Staff positions referred to in this delegation include successors from time to time.
- (x) Documents are to be in a form satisfactory to the City Solicitor (including indemnity and insurance provisions).
- (y) Delegated signing authorities in B are conditional upon the documents having received the City Solicitor's prior "Approval as to Form".
- (z) This delegation does not affect sales, acquisitions and leases over which the Affordable Housing Committee has responsibility.
- (aa) Authority to use land acquired by the City for parking purposes by the Toronto Parking Authority is conditional upon Council enacting a by-law designating such use.
- (bb) All residential leasing documents shall adhere to the Residential Tenancies Act and any successor legislation.
- (cc) Despite GC(n), Approving Authority in residential leasing matters is not limited to periods of less than twenty-one (21) years.

Comments	March 21, 2011 (DAF N purchase from the adjac All steps necessary to c of Toronto Municipal Co 1889 and was not acqui	City's Real Estate Disposal By-law, No. 814-2007, the Lane was declared surplus on lo. 2011-044) with the intended manner of disposal to be by inviting an offer to cent owner(s) at 499 Cranbrooke Avenue. comply with the City's real estate disposal process as set out in Chapter 213 of the City de have been complied with. The Lane was acquired through a Plan of Subdivision in irred through expropriation proceedings. Submitted by Estelle Elmaleh and Mitchell Stuart Goldstein in the amount of \$13,300.00 onable and reflective of market value. It is recommended for acceptance substantially ions outlined below.
Terms	Irrevocable Date:	June 30, 2017
Terms		
	Purchase Price:	\$13,300.00
	Deposit:	\$1,330.00 – certified cheque
	Balance:	Cash or certified cheque on closing.
	Due Diligence:	45 days after acceptance of the Offer by the City. The Purchasers can satisfy or waive this condition anytime after acceptance at its discretion.
	Closing Date:	46 <sup>th</sup> day following enactment of the Closing By-law by City Council.
	Property Closing Requirements & Sale Conditions:	The Purchasers shall accept the Property in "as is" condition and has executed and delivered a release in favour of the City in a form satisfactory to the City Solicitor, in respect of all loss, costs, damages, liability or actions relating to the environmental condition of the closed Lane, the passing of a by-law to close the Lane and its sale to the Purchaser.
		The Purchasers shall also indemnify the City in respect of all claims, including any claims for injurious affection, demands, loss, costs, damages and/or expenses the City may sustain resulting or arising from the City's efforts to permanently close the public lane and from the completion of such closure.
	Easements:	Prior to Closing, the City shall grant a permanent easement in favour of Bell Canada over the Lane for nominal consideration.

## APPENDIX "A": LOCATION MAP & SKETCH







Extract of 66R-26720