

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

TRACKING NO.: 2017-021

- 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:	Jeff Shewchuk	Division:	Parks, Forestry & Recreation
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Date Prepared:	April 20, 2017	Phone No.:	416-392-6641
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<b>Purpose</b>	To obtain authority to enter into a Limiting Distance Agreement ("LDA") to permit the owner of the residential property municipally known as 148 Gore Vale Avenue ("the Owner"), a greater percentage of opening fronting onto Trinity Bellwoods Park than the limiting distance provisions of Section 3.2.3.1 of the Ontario Building Code would otherwise allow.
<b>Property</b>	148 Gore Vale Avenue, Toronto, Plan 1127 PT Lots 5 & 6 as depicted in Schedule "A".
<b>Owner</b>	Valerie Brewis, 148 Gore Vale Avenue, Toronto, Ontario, M6J 2R6
<b>Actions</b>	It is recommended that: <ol style="list-style-type: none"> <li>1. Authority be granted for the City to enter into a Limiting Distance Agreement with the owner of the property municipally known as 148 Gore Vale Avenue as depicted in Schedule "A", for an amount of \$8,060.00 plus HST and on such terms and conditions as are satisfactory with the General Manager of Parks, Forestry &amp; Recreation, in a form and content acceptable to the City Solicitor.</li> <li>2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	Revenue in the amount of \$8,060.00 plus HST will be received by the City as compensation for the Limiting Distance agreement.
<b>Comments</b>	The owner of the subject property at 148 Gore Vale Avenue has proposed several minor renovations to the existing residential structure. In reviewing the plans, City Buildings Officials have determined there will be a greater percentage of window opening facing onto Trinity Bellwoods Park than the Building Code would otherwise allow. City Buildings Officials have calculated a Limiting Distance of 31 square feet of City owned land (as depicted in Schedule "B") within Trinity-Bellwoods Park would be affected by the proposed new window configuration. In order to proceed with the proposed window configuration the City seeks compensation for the 31 square feet of land that would ultimately be made non-buildable under the proposed new window configuration at 148 Gore Vale Avenue.
<b>Terms</b>	The requested Limiting Distance area of 31 square feet was reviewed and confirmed by City Buildings staff. The compensation being paid to the City represents a one-time payment. This value was reviewed by the Real Estate Services appraisals group and determined to be fair, reasonable and reflective of market value. The Limiting Distance Agreement will also be registered on title once executed and compensation by the City has been received.

<b>Property Details</b>	<b>Ward:</b>	Ward 19 – Trinity-Spadina
	<b>Assessment Roll No.:</b>	04-2-140-06300
	<b>Approximate Size:</b>	(see schedule "A")
	<b>Limiting Distance Area:</b>	31 square feet as depicted in Schedule "B"
	<b>Other Information:</b>	

A.	Director of Real Estate Services has approval authority for:	Chief Corporate Officer has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
2. Expropriations:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.
3. Issuance of RFPs/REOs:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to ABCDs:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Transfer of Operational Management to ABCDs.
6. Limiting Distance Agreements:	<input checked="" type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	<b>Delegated to a more senior position.</b>	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	N/A	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$3 Million;
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million;	<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.
11. Easements (City as Grantor):	<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.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.	<input type="checkbox"/> (b) When closing road, easements to pre-existing utilities for nominal consideration.
14. Miscellaneous:	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.	<b>Delegated to a less senior position.</b>
	<input type="checkbox"/> 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).	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.
	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences;	<input type="checkbox"/> 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).
	<input type="checkbox"/> (b) Releases/Discharges;	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences;
	<input type="checkbox"/> (c) Surrenders/Abandonments;	<input type="checkbox"/> (b) Releases/Discharges;
	<input type="checkbox"/> (d) Enforcements/Terminations;	<input type="checkbox"/> (c) Surrenders/Abandonments;
	<input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppels/Certificates;	<input type="checkbox"/> (d) Enforcements/Terminations;
	<input type="checkbox"/> (f) Objections/Waivers/Cautions;	<input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppels/Certificates;
	<input type="checkbox"/> (g) Notices of Lease and Sublease;	<input type="checkbox"/> (f) Objections/Waivers/Cautions;
	<input type="checkbox"/> (h) Consent to regulatory applications by City, as owner;	<input type="checkbox"/> (g) Notices of Lease and Sublease;
	<input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title;	<input type="checkbox"/> (h) Consent to regulatory applications by City, as owner;
	<input type="checkbox"/> (j) Documentation relating to Land Titles applications;	<input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title;
	<input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds.	<input type="checkbox"/> (j) Documentation relating to Land Titles applications;
		<input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds.

**B. Chief Corporate Officer and Director of Real Estate Services each has signing authority on behalf of the City for:**

- 1. Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- 2. Expropriation Applications and Notices following Council approval of expropriation.
- 3. Documents required to implement the delegated approval exercised by him or her.

**Chief Corporate Officer also has approval authority for:**

- Leases/licences/permits at Union Station during the Revitalization Period, if the rent/fee is at market value.

Consultation with Councillor(s)															
Councillor:	Mike Layton				Councillor:										
Contact Name:	Ashley Da Silva				Contact Name:										
Contacted by:	Phone	X	E-Mail		Memo		Other	Contacted by:	Phone		E-mail		Memo		Other
Comments:	Proceed				Comments:										
Consultation with ABCDs															
Division:	PF&R Parks Planner				Division:	Real Estate Services									
Contact Name:	Andrea Bake				Contact Name:	Brian Varner									
Comments:	Approved				Comments:	Concurs with valuation									
Legal Division Contact															
Contact Name:	Ray Mickevicius														
DAF Tracking No.: 2017- 021				Date		Signature									
Recommended by:		Manager		May 1, 2017		Ryan Glenn									
<input type="checkbox"/>	<b>Recommended</b>		<b>Director of Real Estate Services</b>		May 1, 2017		Joe Casali								
<input type="checkbox"/>	<b>Approved by:</b>		<b>Joe Casali</b>												
<input type="checkbox"/>	<b>Approved by:</b>		<b>Chief Corporate Officer</b>				X								
<input type="checkbox"/>			<b>Josie Scioli</b>												

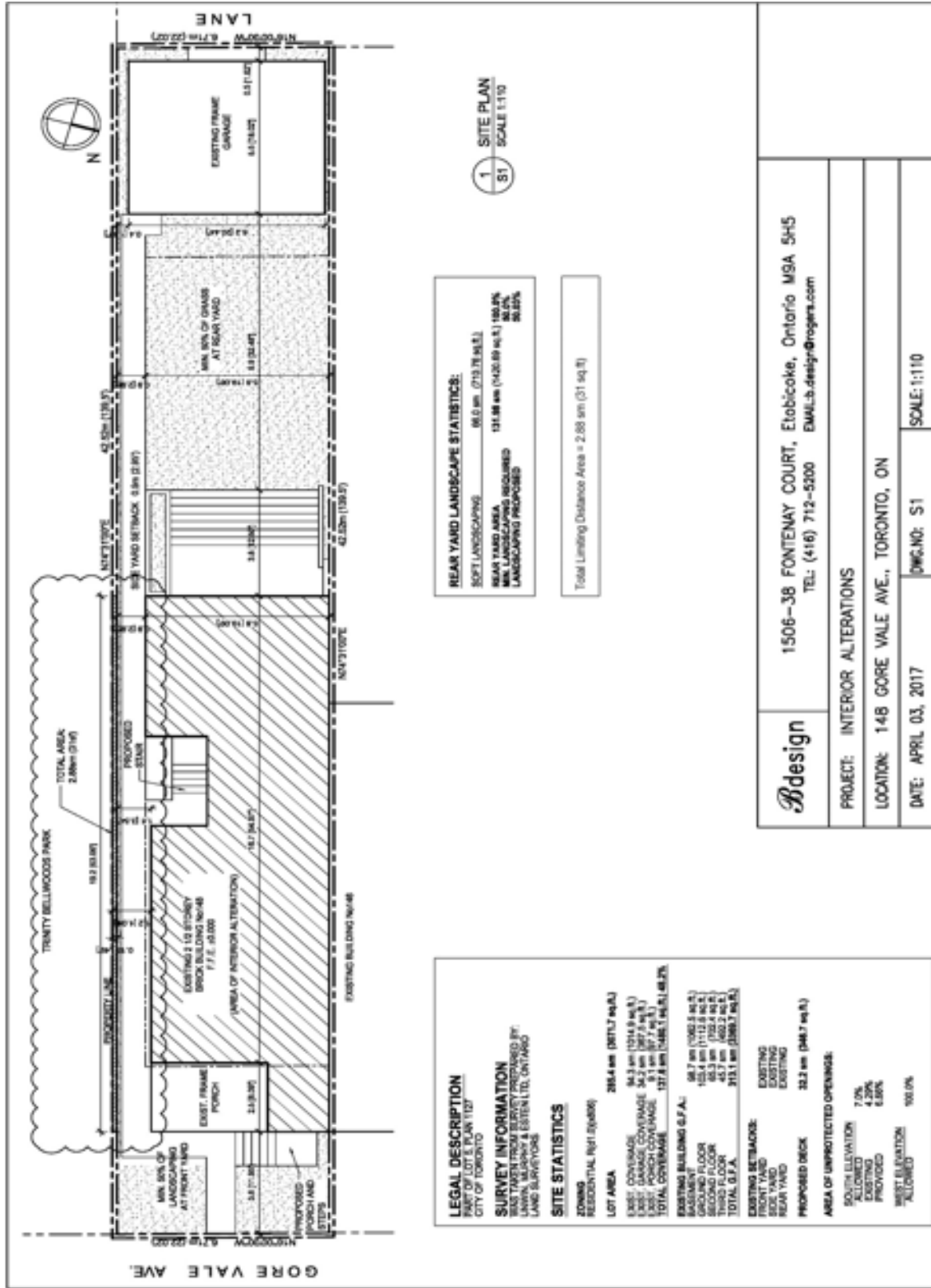
#### General Conditions ("GC")

- (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**.
- (l) 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.

Schedule "A"  
Map of Subject Property 148 Gore Vale Avenue Facing South onto Trinity Bellwoods Park



**SCHEDULE "B"**



**LEGAL DESCRIPTION**  
PART OF LOT 5, PLAN 1127  
CITY OF TORONTO

**SURVEY INFORMATION**  
SURVEY PREPARED BY:  
LAWREN, MURPHY & ESTERLE LTD., ONTARIO  
LAND SURVEYORS

**SITE STATISTICS**

<b>ZONING</b>		RESIDENTIAL (R1) (R200K)
<b>LOT AREA</b>	285.4 sqm (817.7 sq ft)	
<b>EXIST. COVERAGE</b>	54.3 sqm (1481.9 sq ft)	
<b>EXIST. PORCH COVERAGE</b>	34.7 sqm (947.7 sq ft)	
<b>TOTAL COVERAGE</b>	137.8 sqm (3466.7 sq ft)	48.2%
<b>EXISTING BUILDING G.F.A.</b>		98.7 sqm (1065.5 sq ft)
BASEMENT	125.4 sqm (1351.8 sq ft)	
GROUND FLOOR	65.3 sqm (702.4 sq ft)	
SECOND FLOOR	45.7 sqm (492.2 sq ft)	
THIRD FLOOR	313.1 sqm (3366.7 sq ft)	
<b>TOTAL G.F.A.</b>	249.1 sqm (2681.6 sq ft)	
<b>EXISTING SETBACKS:</b>		
FRONT YARD	EXISTING	
SIDE YARD	EXISTING	
REAR YARD	EXISTING	
<b>PROPOSED DECK</b>	32.2 sqm (346.7 sq ft)	
<b>AREA OF UNPROTECTED OPENINGS:</b>		
POULTRY ELEVATION	7.2%	
SCREENED	4.22%	
EXISTING	6.86%	
PROVIDED		
<b>NET SCREENING</b>	100.0%	
<b>ALLOWED</b>		

**REAR YARD LANDSCAPE STATISTICS:**

<b>SOFT LANDSCAPING</b>	86.0 sqm (923.7 sq ft)
<b>REAR YARD AREA</b>	131.88 sqm (1428.89 sq ft)
<b>MIN. LANDSCAPING REQUIRED</b>	100.0 sqm (1076.41 sq ft)
<b>LANDSCAPING PROPOSED</b>	86.0 sqm (923.7 sq ft)

Total Limiting Distance Area = 2.88 sqm (31 sq ft)

1 SITE PLAN  
SCALE 1:110

**Bdesign**

1506-38 FONTENAY COURT, Etobicoke, Ontario M9A 5H5  
TEL: (416) 712-5200 EMAIL: b.design@rogers.com

PROJECT: INTERIOR ALTERATIONS

LOCATION: 148 GORE VALE AVE., TORONTO, ON

DATE: APRIL 03, 2017 DWG. NO: S1 SCALE: 1:110