

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

**TRACKING NO.: 2019-219**

Approved pursuant to the Delegated Authority contained in Item EX27.12, as adopted by City Council on October 2, 3 & 4, 2017, as amended by Item GM27.12, adopted by City Council on May 22, 23 & 24, 2018 or, where applicable, in Item EX28.8, as adopted by City Council on November 7, 8 & 9, 2017.

Prepared By:	Trixy Pugh	Division:	Real Estate Services
Date Prepared:	August 6, 2019	Phone No.:	(416) 392-8160

<b>Purpose</b>	To initiate the process to permanently close the Road hereafter defined and to authorize the General Manager of Transportation Services to give notice of a proposed by-law to close a part of the road known municipally as John Graham Court.
<b>Property</b>	A part of the property known municipally as John Graham Court, legally described as Part of Lot 1, Concession 2, Scarborough as in SC199842 except Parts 7 to 16 on 64R-10698 S/T SC302350 being Part of PIN 06209-0053(LT) and as further shown as Part 1 on 66R-26584 (the "Road") attached hereto as Appendix "A"
<b>Actions</b>	<ol style="list-style-type: none"> <li>The General Manager of Transportation Services be authorized to give notice to the public of a proposed by-law to permanently close the Road in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.</li> <li>The General Manager of Transportation Services be authorized to advise the public of the proposed closure of the Road prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule "A+" activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Road will be considered.</li> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	<p>The Easement, as defined below, is to be granted to Toronto Hydro to protect pre-existing equipment running through the Road. Therefore, the Easement is to be granted for nominal consideration and the City will receive no compensation.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
<b>Comments</b>	<p>The Road was not acquired through expropriation proceedings; it was conveyed to the former Corporation of the Township of Scarborough for road purposes. In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the Road was declared surplus on November 27, 2013 (DAF 2013-217) with the intended manner of disposal to be a transfer of the Road to Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment for the purposes of Parks Canada Agency ("Parks Canada").</p> <p>On February 19, 2014 City Council authorized that City of Toronto to enter into a Memorandum of Agreement ("MOA") providing for the transfer of the Road to Parks Canada pursuant to the terms contained in the MOA.</p> <p>Transportation Services completed a circulation to the various utility companies and advised that Toronto Hydro will require an easement shown as Part 1 on the attached draft R-Plan in Appendix "B" as it has existing equipment running through the Road (the "Easement").</p> <p>At its meeting on July 13, 2016, City Council adopted the official plan amendment PG13.4 to allow portions of existing City-owned rights-of-way, which have been approved for transfer to Parks Canada and which are crossed by existing infrastructure, to be transferred to the infrastructure owner.</p> <p>The General Manager of Transportation Services has confirmed that it is feasible to permanently close the Road and advised that it has no objection to the proposed closing subject to City Council approving the permanent closure of the Road.</p> <p>Part 2 on 66R-26584 is being retained by the City in order to preserve access from the property municipally known as 17 John Graham Court and the public highway known as John Graham Court.</p>

<b>Property Details</b>	<b>Ward:</b>	25 – Scarborough-Rouge Park
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	20.1 m x 64.2 m (66 ft x 210.6 ft)
	<b>Approximate Area:</b>	1,303.1 m <sup>2</sup> (14,026.9 ft <sup>2</sup> ) (0.3 ac)
	<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>2. Expropriations:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions and Agencies:</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><b>Delegated to a more senior position.</b></p> <p><b>Delegated to a more senior position.</b></p> <p><b>Delegated to a more senior position.</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 a more senior position.</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 a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to a more senior position.</b></p> <p><b>Delegated to a more senior position.</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"/> Issuance of RFPs/REOIs.</p> <p><input checked="" type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to a more senior position.</b></p> <p><input checked="" 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 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 checked="" 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/Estoppels/Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Caution</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 he or she also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Manager, Acquisitions & Expropriations is only Manager 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 Deputy City Manager, Internal Corporal Services and any related documents.

**Consultation with Councillor(s)**

Councillor:	Jennifer McKelvie	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone X E-Mail Memo Other	Contacted by:	Phone E-mail Memo Other
Comments:	Notified December 3, 2018	Comments:	
<b>Consultation with Divisions and/or Agencies</b>			
Division:	Transportation Services	Division:	<b>Financial Planning</b>
Contact Name:	Attilio Grande	Contact Name:	Filisha Jenkins
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF (July 25, 2019)
<b>Legal Division Contact</b>			
Contact Name:	Catherine Thomas (2-3670)		

DAF Tracking No.: 2019-219	Date	Signature
<input checked="" type="checkbox"/> <b>Recommended by: Manager, Real Estate Services</b> <b>Daran Somas</b>	<b>Aug. 2, 2019</b>	Signed by Daran Somas
<input type="checkbox"/> <b>Approved by:</b>		
<input checked="" type="checkbox"/> <b>Approved by: Acting Director, Real Estate Services</b> <b>Nick Simos</b>	<b>Aug. 6, 2019</b>	Signed by Nick Simos

**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. In the event of a vacancy in the Ward in which the subject property is located, the Mayor's office shall be consulted in the alternative.
- (b) Where approving power has been delegated to staff, the Deputy City Manager, Internal Corporate Services, in consultation with any other 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 as defined in the *Toronto Waterfront Revitalization Corporation Act, 2002* 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 of City Planning, 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, as leases of 21 years or more may be authorized based on the delegated Approving Authority for disposals in **A.7**.
- (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, including ancillary agreements, 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) 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.
- (aa) All residential leasing documents shall adhere to the *Residential Tenancies Act, 2006* and any successor legislation.
- (bb) Despite GC(n), Approving Authority in residential leasing matters is not limited to periods of less than twenty-one (21) years and total compensation in residential leasing matters where the City is landlord is to be calculated based on an assumed term of ten years unless the lease term expressly identified therein is longer.
- (cc) Where Approving Authority has been delegated to the Manager level, such authority shall be conditional upon the Manager first having secured the written concurrence of a second Manager within the Real Estate Services Division.
- (dd) Where the City is transacting with a public agency, and such agency requires that an unqualified environmental indemnity be granted by the City, the authority to acquire property includes authority to grant such an indemnity, provided that the Phase I and Phase II environmental site assessments undertaken on behalf of the City have identified no significant environmental impacts or human health threats, with no, or minor action required ("Low Risk").

APPENDIX "A": LOCATION MAP & PLAN OF SURVEY



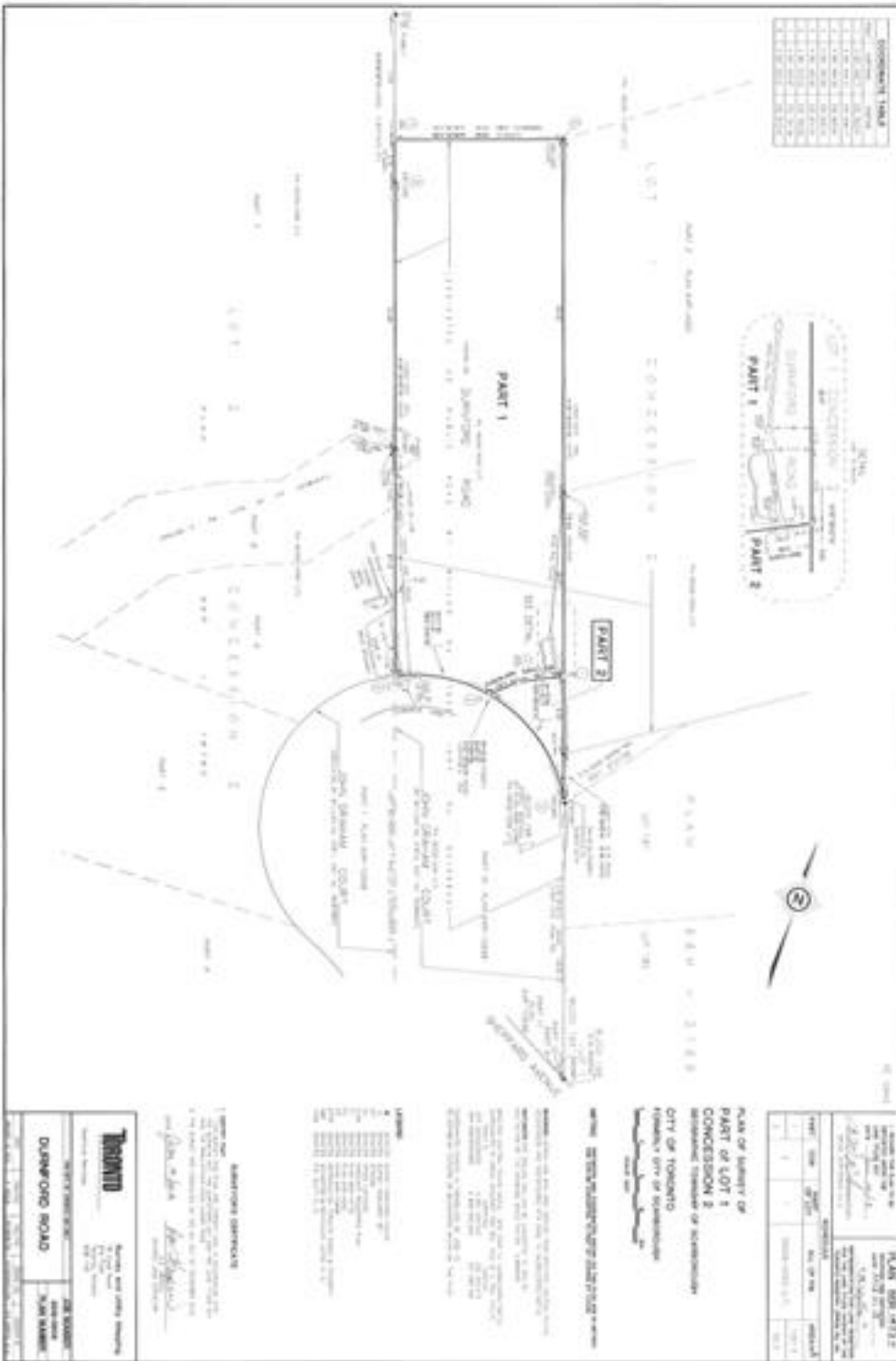


Table with dimensions and area calculations:

Area	Dimensions	Area
Lot 1	100' x 100'	10,000
Concession 3	100' x 100'	10,000
Part 1	100' x 100'	10,000
Part 2	100' x 100'	10,000
Part 3	100' x 100'	10,000



Table with project information:

Item	Description	Quantity	Unit	Notes
1	Lot 1	1	Lot	
2	Concession 3	1	Concession	
3	Part 1	1	Part	
4	Part 2	1	Part	
5	Part 3	1	Part	

PLAN OF SUBDIVISION OF  
 PART OF LOT 1  
 CONCESSION 3  
 MUNICIPAL TOWNSHIP OF KENNEDY  
 CITY OF TORONTO  
 (PARTIAL) OF A SUBDIVISION  
 OF THE  
 TOWN OF KENNEDY

DATE: 2010-01-15

NOTICE: This plan is submitted for the purpose of recording the same in the Land Registry Office of the City of Toronto. It is not to be construed as a guarantee of the accuracy of the information contained herein. The City of Toronto is not responsible for the accuracy of the information contained herein.

LEGEND:  
 1. Lot 1  
 2. Concession 3  
 3. Part 1  
 4. Part 2  
 5. Part 3

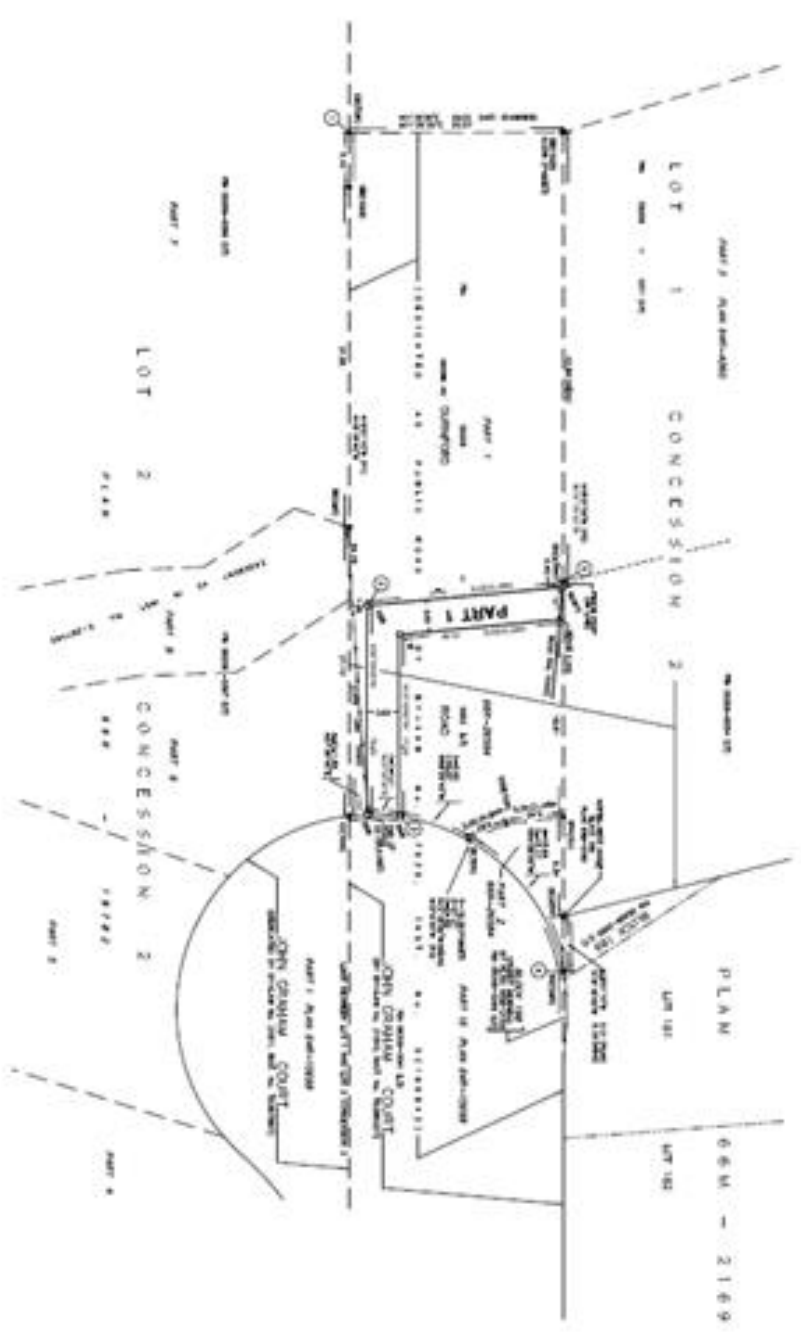
APPROVED FOR THE CITY OF TORONTO:  
 Planning and Land Services  
 City of Toronto  
 100 Queen Street West  
 Toronto, Ontario M5H 2P2  
 Date: 2010-01-15

**TORONTO** Planning and Land Services  
 100 Queen Street West  
 Toronto, Ontario M5H 2P2  
 Date: 2010-01-15

**DUNFORD ROAD**

APPENDIX "B": EASEMENT

CONVEYANCE TABLE	
NO.	DESCRIPTION
1	LOT 1
2	LOT 2
3	LOT 3
4	LOT 4
5	LOT 5
6	LOT 6
7	LOT 7
8	LOT 8
9	LOT 9
10	LOT 10
11	LOT 11
12	LOT 12
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14	LOT 14
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93	LOT 93
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100	LOT 100



PLAN 661	
NO.	DESCRIPTION
1	LOT 1
2	LOT 2
3	LOT 3
4	LOT 4
5	LOT 5
6	LOT 6
7	LOT 7
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10	LOT 10
11	LOT 11
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92	LOT 92
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97	LOT 97
98	LOT 98
99	LOT 99
100	LOT 100

PLAN OF SURVEY OF PART OF LOT 1 CONCESSION 2 ECONOMIC ZONE OF KANABOOSIS CITY OF TORONTO

NOTE: THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.

- 1. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 2. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 3. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 4. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 5. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 6. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 7. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 8. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 9. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.
- 10. THE SURVEY IS SUBJECT TO ALL RIGHTS AND INTERESTS OF THIRD PARTIES AND TO ALL LAWS AND REGULATIONS IN FORCE AT THE DATE OF THE SURVEY.

APPROVED FOR THE SURVEYOR

**TORONTO**

City of Toronto

Planning and Building Department

200 Dundas Street West, Toronto, Ontario M5G 1L8

Phone: (416) 392-3111

Fax: (416) 392-3112

Website: www.toronto.ca