

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

TRACKING NO.: 2020-250

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

Prepared By:	Ishan Dasgupta	Division:	Corporate Real Estate Management
Date Prepared:	September 17, 2020	Phone No.:	(416) 392-7165

Purpose	To authorize the City to enter into a land exchange amending agreement (the "Amending Agreement") with Scout Condos Gp Inc. and Scout Condos Limited Partnership (the "Developer") in order to revive and amend the lapsed land exchange agreement dated November 22, 2019 (the "LEA") between the parties, on the terms detailed below,
Property	A portion of the public lane abutting 1791 & 1789 St Clair Ave West, immediately south of St Clair Avenue West, legally described as the Lane on Plan 141 Toronto North of Carlton St (AKA Connolly St); City of Toronto, as shown as Parts 7-9 on 66R30869 (the "Existing Lane"), also shown on Schedule "A".
Actions	1. Authority be granted to enter into the Amending Agreement on the amended terms set out in the "Comments" section and "Terms" section hereof.
Financial Impact	There is no financial impact. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	Pursuant to Delegated Approval Form No. 2019-337 the City initiated the process of closing the Existing Lane and entered into the LEA with the Developer. The LEA provides that the City will transfer ownership of the Existing Lane in exchange for acquiring ownership of lands for a new lane (Part 5 on Reference Plan 66R30869, the "Replacement Lane"), a permanent easement, a road widening and a cash payment. The LEA is conditional upon a) City Council approving the permanent closure of the Existing Lane and b) the construction of a new lane and replacement sewer by the Developer. The City satisfied condition a) when City Council adopted Item TE11.56 on December 17, 2019. However the Developer did not satisfy the condition b) and the LEA has since lapsed. Staff are of the opinion that it is in the City's best interest to complete the land exchange and recommend granting the Developer two additional months to fulfil condition b), provided that the Developer allows the public to have pedestrian and vehicular access to the Replacement Lane immediately on completion of construction and prior to it being transferred to the City.
Terms	<p>Amended Terms to the Land Exchange Agreement:</p> <p>First Closing Date: Existing lane and Replacement lane transfer extended by 2 months to October 12, 2020</p> <p>Public Access on Replacement Lane: Public has right to access the Replacement lane for the period between construction completion and ownership of the lane has been transferred to the City of Toronto.</p>

Property Details	Ward:	9 – Davenport
	Assessment Roll No.:	Not assessed
	Approximate Size:	6 m x 48.5 m ± (19.7 ft x 159.1 ft ±)
	Approximate Area:	294.2 m ² ± (3,134.3 ft ² ±)
	Other Information:	Public Lane

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2. Expropriations:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
3. Issuance of RFPs/REOs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<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):	<input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$50,000. <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"/> (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.
10. Leases/Licences (City as Tenant/Licensee):	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position. <input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$50,000.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position. <input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input checked="" type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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 (Manager, Transaction Services 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 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:	Ana Bailão	Councillor:	
Contact Name:	Nicholas Gallant	Contact Name:	
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 type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No concerns (09/18/2020)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Engineering & Construction Services	Division:	Financial Planning
Contact Name:	Serge Petit	Contact Name:	Patricia Libardo
Comments:	No concerns (09/17/2020)	Comments:	Comments incorporated (09/18/2020)

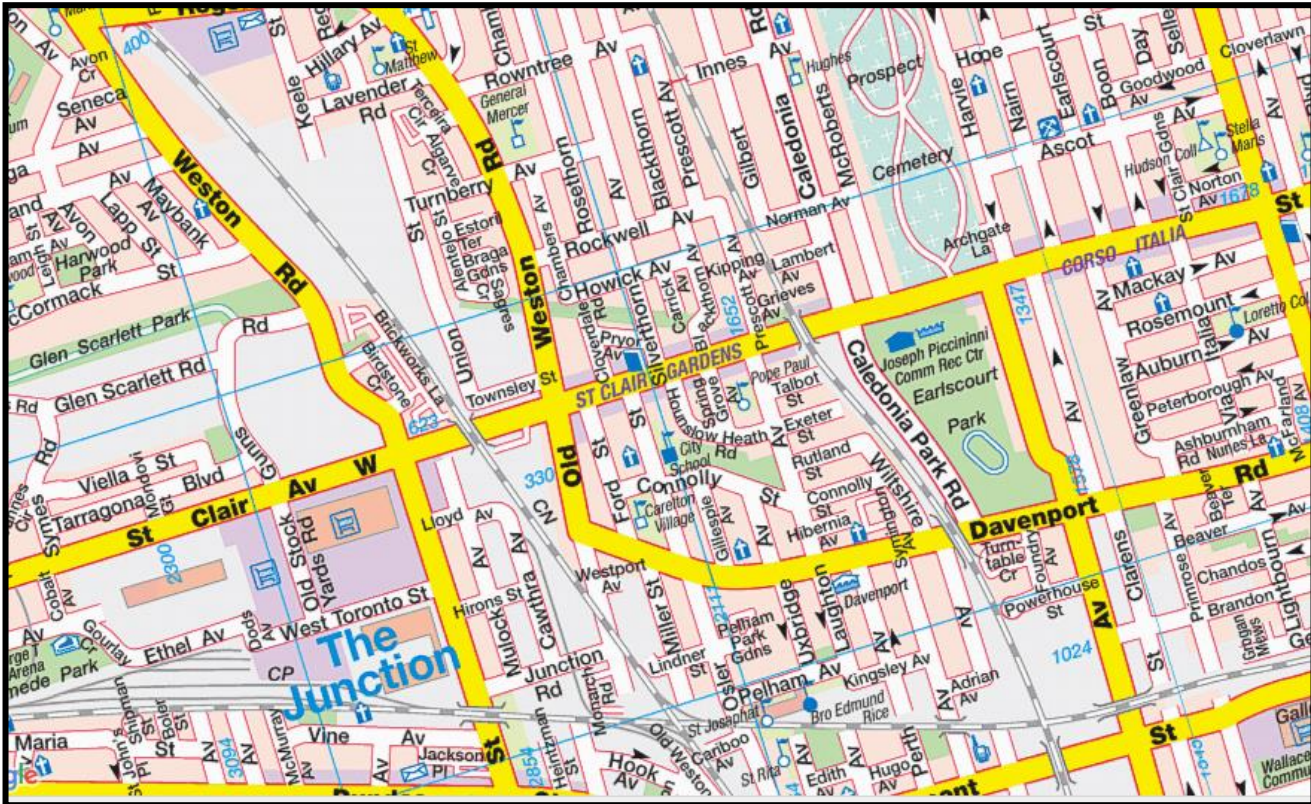
Legal Services Division Contact

Contact Name:	Catherine Thomas – Comments incorporated (09/17/2020)
---------------	---

DAF Tracking No.: 2020-250	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Melanie Hale-Carter	Sept. 18, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Sept. 23, 2020	Signed by Alison Folosea

Schedule "A"

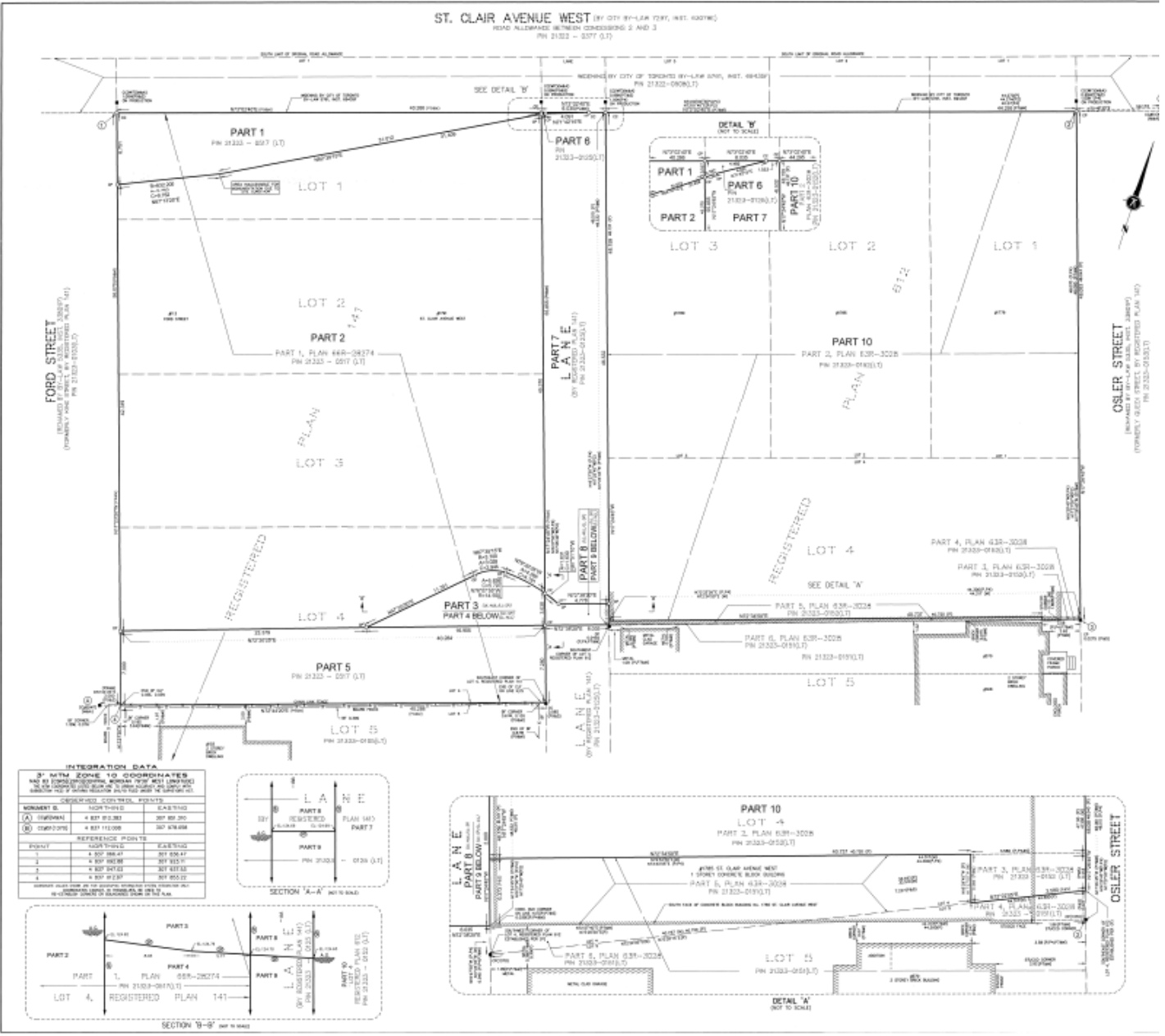
Location Map



Licence Area Sketch



ST. CLAIR AVENUE WEST (BY CITY OF TORONTO BY-LAW 2017, REG. 00076)
 ROAD ALLEVIATION BETWEEN CROSSINGS 2 AND 3
 PIN 21322 - 21377 (3.1)



INTEGRATION DATA

3' MTM ZONE 10 COORDINATES
 ARE TO BE USED THROUGHOUT. MONUMENT POINT #101 IS SHOWN IN THE DRAWING. MONUMENT POINT #101 IS SHOWN IN THE DRAWING. MONUMENT POINT #101 IS SHOWN IN THE DRAWING.

MONUMENT ID	COORDINATES	ELEVATION
(A) ORIGINAL	4 837 872.841	300 897.200
(B) ORIGINAL	4 837 113.008	302 676.668

POINT	COORDINATES	ELEVATION
1	4 837 884.7	301 626.47
2	4 837 902.887	301 923.47
3	4 837 917.022	301 833.32
4	4 837 912.87	301 852.22

MONUMENT POINT #101 IS SHOWN IN THE DRAWING. MONUMENT POINT #101 IS SHOWN IN THE DRAWING. MONUMENT POINT #101 IS SHOWN IN THE DRAWING.

