

**DELEGATED APPROVAL FORM**  
**DEPUTY CITY MANAGER, CORPORATE SERVICES**  
**EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT**

TRACKING NO.: 2020-171

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, as adopted by City Council on May 22, 23 & 24, 2018 and Item GL9.14, as adopted by City Council on November 26 & 27, 2019 or, where applicable, contained in Item EX28.8, as adopted by City Council on November 7, 8 & 9, 2017.

Prepared By:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	July 2, 2020	Phone No.:	(416) 338-3586

<b>Purpose</b>	To obtain approval for the sale of a City-owned property located at 20 St. Regis Crescent, Toronto.								
<b>Property</b>	Legally described as Part of Lot 4 Plan 3672 North York Parts 2 & 3 on 64R4111; Toronto (N York), City of Toronto; Designated as Parts 2 and 3 on Plan 66R-27811 being part of PIN 10180-0095 (LT) (the "Property") shown on the location map in Appendix "A".								
<b>Actions</b>	<ol style="list-style-type: none"> <li>The City authorize the acceptance of the Offer to Purchase from Frank Ieraci and Ananthashangar Sinniah to purchase the Property, in the amount of \$1,150,000.00 plus HST, substantially on the terms outlined below.</li> <li>The City authorize that a portion of the proceeds of closing be directed to fund the outstanding expenses related to the completion of the sale transaction.</li> </ol>								
<b>Financial Impact</b>	Revenue in the amount of \$1,150,000.00 (plus HST, if applicable), less closing costs, the usual adjustments and a real estate commission of 3% is anticipated and will be deposited temporarily into the Land Acquisition Reserve Fund (XR1012). This revenue, after reductions from any expenses incurred by the City through the sale process, will then be allocated to the Toronto-York Spadina Subway Extension capital project (CTT134-01) per the memorandum of understanding: capital cost allocation dated December 15, 2008.								
<b>Background</b>	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>The City acquired (without having to expropriate) the property municipally known as 20 St. Regis Crescent for \$700,000.00 in its entirety on December 20, 2010 for the construction of an Emergency Exit Building ("EEB") in connection with the Toronto York Spadina Subway Extension ("TYSSE"), which was funded entirely by the TYSSE project. When construction of the EEB was completed, the residual portion that remained was no longer needed. The property, through DAF 2012-053 and DAF 2019-141, was declared surplus to the City, subject to the retention of Parts 4, 5 and 6 by Transportation services for road widening purposes as set out in Decision Document No. 2014-007 along with the dedication of and granting of an easement to Bell Canada over Parts 4-6 on the Plan. Parts 4, 5 and 6 have now been dedicated as public highway. The TTC had initially indicated a need to retain a 6.0 metre wide permanent easement but confirmed that this right was ultimately not needed. Although originally intended to be sold to the owner of 3695 Keele Street (the "Adjacent Owner") in connection with an expropriation settlement, the final settlement agreement between the City and the Adjacent Owner did not include the property or the proceeds of its disposition.</p>								
<b>Comments</b>	<p>The Property was listed for sale on February 27, 2020 on the open market at a listing price of \$980,000.00 with Homelife/Romano Realty LTD., Brokerage. Prior to the Offer submission deadline of March 26, 2020, staff recommended and approved an extension to the deadline due to the unforeseen consequences of COVID-19 and potential limitations on participation in the disposition process due to the pandemic. On March 25, 2020, the listing deadline was extended to May 7, 2020. The recommended Offer outlined in the table below, in addition to eight other offers, were received for this property prior to the extended submission deadline of May 7, 2020. The offers ranged from \$1,150,000.00 to \$420,000.00. The criteria used to determine the recommended offer was based on the highest and best offer. Offers without additional conditions were deemed to be preferred to offers with conditions. The recommended offer below was the highest offer monetarily in addition to being the best offer because it did not include additional conditions. All steps necessary to comply with the City's real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code have been complied with.</p> <table border="1" data-bbox="305 1472 1536 1535"> <thead> <tr> <th>Offeror</th> <th>Offer Amount</th> <th>Deposit</th> <th>Additional Terms</th> </tr> </thead> <tbody> <tr> <td>Frank Ieraci and Ananthashangar Sinniah</td> <td>\$1,150,000.00</td> <td>\$125,000.00 via Certified Cheque</td> <td>No conditions</td> </tr> </tbody> </table>	Offeror	Offer Amount	Deposit	Additional Terms	Frank Ieraci and Ananthashangar Sinniah	\$1,150,000.00	\$125,000.00 via Certified Cheque	No conditions
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Frank Ieraci and Ananthashangar Sinniah	\$1,150,000.00	\$125,000.00 via Certified Cheque	No conditions						
<b>Terms</b>	<p>The Offer to Purchase submitted by Frank Ieraci and Ananthashangar Sinniah in the amount of \$1,150,000.00 is considered fair, reasonable and reflective of market value. It is recommended for acceptance substantially on the terms and conditions outlined below.</p> <p>Due Diligence Period – 45 days following the Acceptance Date.            Closing Date – 30 days following the expiry of the Due Diligence Period, or another date if mutually agreed to by the solicitors of both parties            Irrevocable Date – July 16, 2020 at 11:59 pm            Terms – "As Is", Balance of the proceeds on closing, plus HST (if applicable), subject to the usual adjustments.</p>								

<b>Property Details</b>	<b>Ward:</b>	Ward 6 – York Centre
	<b>Assessment Roll No.:</b>	19 08 033 402 01400 0000
	<b>Approximate Size:</b>	<b>Frontage:</b> 20.10 m ± (65.95 ft ±), <b>Lot rear width:</b> 30.48 m ± (100 ft ±), <b>Depth:</b> 42.18 m ± (138.39 ft ±)
	<b>Approximate Area:</b>	1,107.40 m <sup>2</sup> ± (11,919.96 ft <sup>2</sup> ±)
	<b>Other Information:</b>	PIN: 101800095

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2. Expropriations:</p> <p>3. Issuance of RFPs/REOs:</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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions and Agencies.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input checked="" type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 Million.</p> <p><input 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 \$3 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/Cautions</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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions and Agencies.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 Million.</p> <p><input 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 \$5 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/Cautions</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. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management 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.
  - Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
  - Expropriation Applications and Notices following Council approval of expropriation.

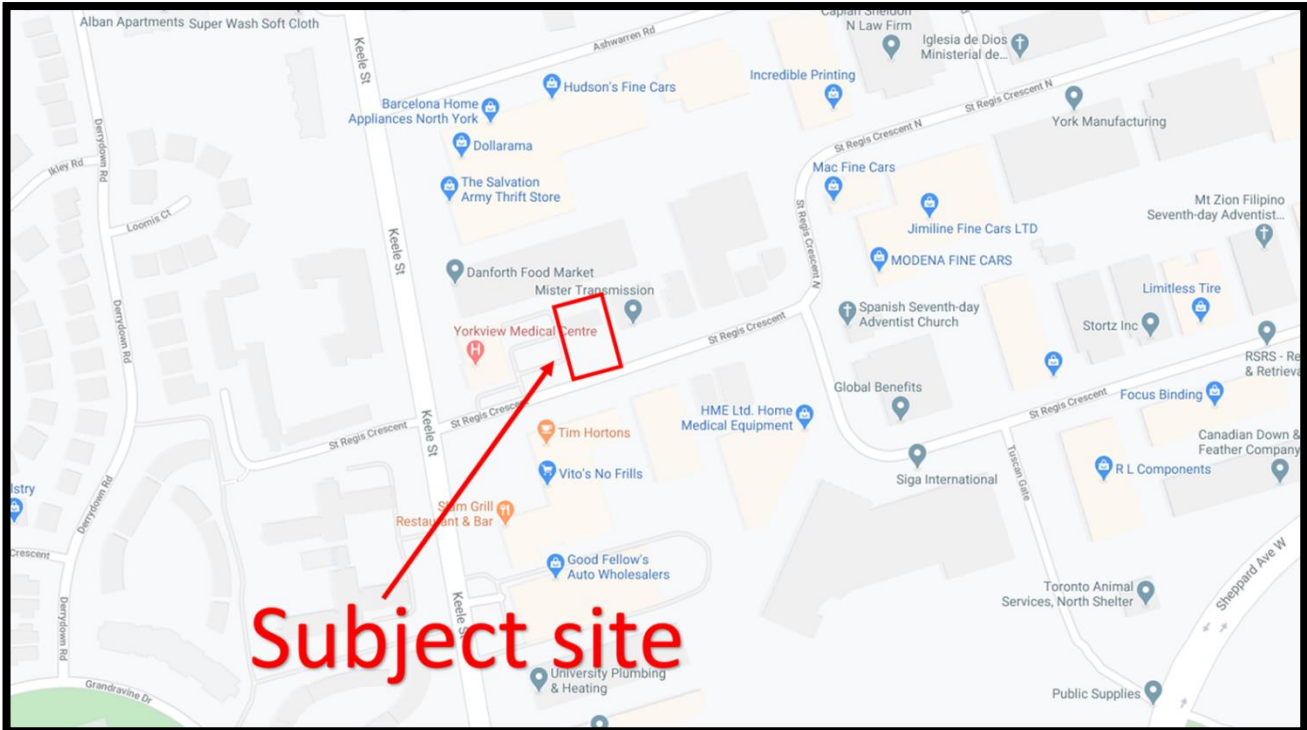
Consultation with Councillor(s)															
Councillor:	Councillor James Pasternak					Councillor:									
Contact Name:	Councillor James Pasternak					Contact Name:									
Contacted by:	Phone	<input checked="" type="checkbox"/>	E-Mail		Memo		Other	Contacted by:	Phone		E-mail		Memo		Other
Comments:	No objections – May 13, 2019 at 10:46pm					Comments:									
Consultation with Divisions and/or Agencies															
Division:	Toronto Transit Commission					Division:	Financial Planning								
Contact Name:	Jerry Pimentel					Contact Name:	Filisha Jenkins								
Comments:	No objections – May 9, 2019 at 8:59am					Comments:	No objections – June 23, 2020 at 4:26pm								
Legal Division Contact															
Contact Name:	Dale Mellor														

DAF Tracking No.: 2020- 171	Date	Signature
Recommended by: Manager, Real Estate Services	July 3, 2020	Signed by Daran Somas
Recommended by: Director, Real Estate Services	July 3, 2020	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management	July 3, 2020	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Patrick Matozzo		
<input type="checkbox"/> Approved by: Deputy City Manager, Corporate Services Josie Scioli		X

#### 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, 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 market value and no interest shall be granted for an amount less than the appraised market value, nor additional compensation paid, unless specifically authorized by City Council.
- (f) Authority to approve any transaction 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"



**Subject site**



**Subject site**

