

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

TRACKING NO.: 2020-234

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

Prepared By:	Carm Curcuruto	Division:	2600-700-7773-2020 (CC)
Date Prepared:	October 6, 2020	Phone No.:	416-397-5599

Purpose	To consent to the release of a Limiting Distance Agreement (the "LDA") registered as Instrument Number AT2158021 on August 26, 2009 from the lands described as (1) part Lot 7, Con 1, designated as Part 2 on Plan 64R-10250, being PIN 06231-0127(LT) (the "226 Morrish Road Lands") ; and (2) FIRSTLY: part of Lot 7, Con 1, as in OY56384; SECONDLY: part Lot 7, Con 1, as in SC335009 (EXCEPT TB579570); and THIRDLY: part of Lot 7 Con 1, designated as Parts 1 and 2 on Plan 66R-24532; SAVE AND EXCEPT Part 1 Plan 66R-29099, being part of PIN 06231-0394 (LT) (the "Church Lands). The 226 Morrish Road Lands and the Church Lands are here in after referred to as the "Property".
Property	280-292 Old Kingston Road, Toronto
Actions	To consent to the release of the LDA from the Property.
Financial Impact	There is no financial impact.
Comments	<p>In 2009, the LDA was entered into with the City by the current owner of the Church Lands, Roman Catholic Episcopal Corporation for the Diocese of Toronto, In Canada, (the "RCEC") and the previous owners of the lands to the north, namely, the 226 Morrish Road Lands. RCEC has since entered into, with the City, a site plan application number 10 124295 ESC 44 SA (the "SPA"). One of the requirements of the SPA was that RCEC transfer Part 1 on Plan 66R-29099 (the "Road Widening Lands"), to the City, for road widening purposes, free and clear from any encumbrances.</p> <p>Initially, the RCEC requested a partial release of the LDA, as it related to the Road Widening Lands. By DAF 2020-066 the City consented to the partial release of the LDA from the Road Widening Lands. The Transfer was registered as Instrument number AT5482850 on July 28, 2020, and an Application to amend the register by deleting the LDA from the Road Widening Lands was registered as Instrument # AT5464860, on July 2, 2020.</p> <p>The RCEC is now requesting the removal of the LDA from the remainder of the original lands being the Property. The LDA states that once the building located in the 226 Morrish Road Lands, ceases to be used as a Montessori school that the agreement will cease as well. Both City Planning and Planning Law are satisfied that the building is no longer being used as a Montessori school therefore, it is appropriate to consent to the release of the LDA from the Property. Such consent being subject to the reservation of any claim that may remain with respect to the related use.</p>
Terms	Jessica Braun, Solicitor, Planning and Administrative Tribunal Law, in consultation Christian Ventresca, Manager, City Planning Division, Scarborough District, confirmed by e-mail dated September 3, 2020, that for the reason noted above, Planning Law and City Planning have no objection to the release of the LDA from the Property.

Property Details	Ward:	
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	
	Other Information:	

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 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 checked="" 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:		Councillor:		
Contact Name:		Contact Name:		
Contacted by:	Phone	E-Mail	Memo	Other
Comments:				

Consultation with Divisions and/or Agencies

Division:	City Planning	Division:	Planning and Administrative Tribunal Law
Contact Name:	Christian Ventresca, Manager	Contact Name:	Jessica Braun
Comments:	No Objections	Comments:	No Objections

Legal Services Division Contact

Contact Name:	Carm Curcuruto, Legal Conveyancing Clerk
---------------	--

DAF Tracking No.: 2020-234

Date

Signature

<input checked="" type="checkbox"/> Recommended by: Director, Real Estate Law Ray Mickevicius	Oct. 7, 2020	Signed by Ray Mickevicius
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct. 13, 2020	Signed by Alison Folosea