

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

TRACKING NO.: 2021-080

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

Prepared By:	Jack Harvey	Division:	Corporate Real Estate Management
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Date Prepared:	March 4, 2021	Phone No.:	(416) 397-7704
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Purpose
 To obtain authority for the City of Toronto (the "City") to: (1) authorize the solicitors for 2470347 Ontario Inc. (the "Owner") to make an application under the Land Titles Act (Ontario) (the "LTA Application") on behalf of the City to convert title of the City-owned lands more particularly described in Appendix "A" attached hereto from "Land Titles Conversion Qualified (LTCQ)" to "Land Titles Absolute Plus (LT+)"; and (2) consent, as property owner, to a Part Lot Control application (the "PLC Application") made by the Owner in connection with a subdivision application in respect of a portion of the lands municipally described as 1260 Dufferin Street, more particularly described in Appendix "B" and also known as "Wallace Emerson Park", to facilitate the proposed development of the Galleria Mall Lands (defined below) by the Owner. The proposed redevelopment project includes the enlargement and reconfiguration of Wallace Emerson Park and the construction of a new community centre on the west side of the enlarged and reconfigured park.

Property
 Firstly, all of PIN 21313-0674 (LT), being Lot 24 Plan D1382 Toronto; Part Lot 9 Plan 61 Toronto Part 1, 63R-1289; City of Toronto (the "Conversion Lands");
 Secondly, part of PIN 21313-0118 (LT), being Part of Lots 1, 2, 9, 10, 11, 12, 16 and 17 and all of Lots 19 and 20 on Plan M567 Toronto designated as Parts 14, 15, 16, 17, 19, 33, 34, 35, 36 and 37 on Plan 66R30758 ("PLC Lands 1");
 Thirdly, part of PIN 21313-0674 (LT), being Part of Lot 9, Registered Plan 61 York and Part of Lot 24, Plan D1382 Toronto designated as Parts 20, 21, 65 and 66 on Plan 66R30758 ("PCL Lands 2") (the PCL Lands 1 and PLC Lands 2 are referred to herein collectively as the "Part Lot Control Lands").

Actions
 1. Authority be granted to authorize the solicitors for the Owner to make the LTA Application on behalf of the City to convert the Conversion Lands from LTCQ to LT+;
 2. Authority be granted to authorize the City to consent, as property owner, to the PLC Application in respect to the Part Lot Control Lands and the Owner's adjoining lands;
 3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact
 The City will receive revenue of \$644.89 plus HST as a legal services fee from the Owner in accordance with the City of Toronto Municipal Code Chapter 441, Appendix C – Schedule 15. There are no other financial implications resulting from this approval.
 The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.

Comments
 Pursuant to Item TE33.5, as adopted by City Council at its meeting held on June 26, 27, 28 and 29, 2018, City Council directed the Owner to submit a complete Plan of Subdivision Application for the lands at 1245 Dupont Street, 1260 Dupont Street, and 213 Emerson Avenue (collectively, the "Galleria Mall Lands"). In order for the Subdivision Agreement to be registered against title to the Galleria Mall Lands, all lands involved must be converted to "Land Titles Absolute Plus (LT+)". The Plan of Subdivision will include the Conversion Lands and Part Lot Control Lands, as those lands will be transferred to the Owner at a later date pursuant to the terms of a land exchange between the City and the Owner authorized pursuant to GM28.28, as adopted by Council at its meeting held on June 26, 27, 28 and 29, 2018.

Terms
 In order to proceed with the redevelopment of the Galleria Mall Lands, the Owner has requested the consent from the City to (1) apply under the Land Titles Act (Ontario), on behalf of the City, to convert the Conversion Lands from "Land Titles Conversion Qualified (LTCQ)" to "Land Titles Absolute Plus (LT+)", and (2) to submit a Part Lot Control application in respect of the Part Lot Control Lands.

The letter of consent that is provided to the Owner will expressly state that the City's consent is being given solely in the City's capacity as land owner and that, by giving consent, the City shall not (i) be deemed to support or endorse the merits of the Owner's applications; nor (ii) fetter City Council's discretion in any way. The City will retain the right to appear and be heard at any hearings that may be held in respect of the LTA Application. The owner shall be required to assume all risks, cost and expense associated with each application.

Property Details	Ward:	18 - Davenport
	Assessment Roll No.:	N/A
	Approximate Size:	N/A
	Approximate Area:	N/A
	Other Information:	N/A

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</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 & Parks & 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><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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>Delegated to more senior positions.</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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</p> <p><input 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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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 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/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input checked="" 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 checked="" 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 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 Bailao	Councillor:	
Contact Name:	Michael Vieira	Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Approved – February 24, 2021	Comments:	

Consultation with Divisions and/or Agencies

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Approved – February 24, 2021

Legal Services Division Contact

Contact Name: Stefan Radovanovich (March 3, 2021)

DAF Tracking No.: 2021-080	Date	Signature
Concurred with by: N/A		X
<input checked="" type="checkbox"/> Recommended Manager, Real Estate Services by: Alex Schuler	March 4 th , 2021	Signed by Alex Schuler
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Graham Leah	March 11, 2021	Signed by Graham Leah

Appendix "A"

Description of Conversion Lands

Lot 24 Plan D1382 Toronto, Part Lot 9 Plan 61 Toronto Part 1, 63R1289; City of Toronto, being all of PIN 21313-0674 (LT).

Appendix "B"

Description of Part Lot Control Lands

Part of Lots 1, 2, 9, 10, 11, 12, 16 and 17 and all of Lots 19 and 20 on Plan M567 Toronto designated as Parts 14, 15, 16, 17, 19, 33, 34, 35, 36 and 37 on Plan 66R30758, being part of PIN 21313-0118 (LT)

Part of Lot 9, Registered Plan 61 York and Part of Lot 24, Plan D1382 Toronto designated as Parts 20, 21, 65 and 66 on Plan 66R30758, being part of PIN 21313-0674 (LT)