

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

**TRACKING NO.: 2021-084**  
 Confidential Attachment

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	March 10, 2021	Phone No.:	(416) 392-8160

<b>Purpose</b>	To authorize a settlement for the payment of market value, disturbance damages and the reimbursement of reasonable legal, appraisal and other costs (the "Costs") pursuant to the <i>Expropriations Act</i> and a Full and Final Release and Direction (the "Release") from the owners, Salim Alagha and Souheila Alagha (the "Owners "). The Release relates to the acquisition of two temporary construction easements from part of the property municipally known as 50 Romfield Drive, required for the works as part of the Toronto-York Spadina Subway Extension Project (the "Project").
<b>Property</b>	A portion of the property municipally known as 50 Romfield Drive, described as part of Parcel 270-1, Section M1033, Lot 270 on Plan 66M-1033, designated as Parts 1 and 2 on 66R-25164 as part of PIN 10247-0387(LT) (the "Acquired Lands"), the temporary easement over the Acquired Lands acquired by way of Temporary Easement Agreements dated November 30, 2010 (the "2010 Agreement") and December 15, 2015, as shown in Appendix "A".
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. Authority be granted to pay the settlement funds including the reimbursement of the Owners' Costs in accordance with the <i>Expropriations Act</i> and pursuant to the Release and as outlined in the terms and conditions outlined below and in the Confidential Attachment.</li> <li>2. The Confidential Attachment should remain confidential until there has been a final determination of all property transactions and claims for compensation related to the Project and only released publicly thereafter in consultation with the City Solicitor.</li> <li>3. The City Solicitor be authorized to complete the settlement on behalf of the City, including paying any necessary expenses. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	<p>Funding for the Release, as set out in the Confidential Attachment, is available in the 2021-2029 Council Approved Capital Budget and Plan for the Toronto Transit Commission (the "TTC"), within the Toronto-York Spadina Subway Extension Capital Project (CTT134-01).</p> <p>The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.</p>
<b>Comments</b>	<p>This property is a residential property located west of Keele Street, south of Finch Avenue West. On November 30, 2010, the Owners and the City entered into the 2010 Agreement for the taking of a four (4) year temporary easement, with an option to renew for one (1) additional year over the Acquired Lands for the purpose of constructing the Project. The City exercised its option to renew on October 9, 2014, to December 14, 2015. A further temporary easement was acquired on December 15, 2010 in order to complete the construction of the Project.</p> <p>The Owners will be submitting invoices for legal and other professional fees incurred in accordance with the <i>Expropriations Act</i>. The City Solicitor's office will review the claim for legal and other fees and will recommend a reasonable amount for the reimbursement of Costs incurred since the acquisition in November 2010.</p> <p>The City's consultant and the City Solicitor's recommendations are the basis for the Release of all claims arising from the expropriation and construction of the Project. The terms and conditions of the Release as set out in the Confidential Attachment, are considered to be fair and reasonable and are being recommended for approval.</p>
<b>Terms</b>	As set out in Confidential Attachment

<b>Property Details</b>	<b>Ward:</b>	7 – Humber River-Black Creek
	<b>Assessment Roll No.:</b>	Part of 1908-03-3-320-06800
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	27.3 m <sup>2</sup> ± (293.8 ft <sup>2</sup> ±)
	<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>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 &amp; Parks &amp; Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</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 more senior positions.</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 more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</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 checked="" 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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><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 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 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 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:	Anthony Perruzza	Councillor:	
Contact Name:	Jessica Pointon	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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:	No objections (March 4, 2021)	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	TTC	Division:	<b>Financial Planning</b>
Contact Name:	Jerry Pimentel	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF	Comments:	Incorporated into DAF (March 4, 2021)

**Legal Services Division Contact**

Contact Name: Constance Lanteigne (March 3, 2021)

DAF Tracking No.: 2021-084	Date	Signature
Concurred with by: Manager, Real Estate Services		
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Mar. 23, 2021	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Mar. 25, 2021	Signed by Alison Folosea

### Appendix "A": Location Map & R-Plan



