

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

**TRACKING NO.: 2021-097**

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

<b>Prepared By:</b>	Joe Corigliano	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	March 31 <sup>st</sup> , 2021	<b>Phone No.:</b>	416 392 1167

<b>Purpose</b>	This DAF amends DAF 2020-215 (October 7, 2020) by increasing compensation to be paid to Metro Toronto Condominium Corporation No. 805 ("MTCC 805") by \$25,000, in light of increased legal costs and to adjust for a delay in the City's expropriation.,
<b>Property</b>	The City is expropriating part of the property owned by MTCC 805, being a shared driveway between the condominiums at 5791-5793 Yonge Street to the south, and the Newtonbrook Plaza Development at 5799-5915 Yonge Street to the north as shown on the Location Map in Appendix "A and B"
<b>Actions</b>	1. Authority be granted for to amend and increase the financial compensation payable to MTCC 805 (the "Settlement and Release Agreement") reported in Delegated Approval Form (2020-215) from \$535,000.00 to \$560,000.00
<b>Financial Impact</b>	<p>Funding for the increase in compensation from \$535,000.00 to \$560,000.00 (an increase of \$25,000.00) is available in the 2021 - 2030 Council Approved Capital Budget and Plan for Corporate Real Estate Management (CREM) under capital project account CCA226-07.</p> <p>The updated break down of compensation arising from the expropriation settlements described in DAF 2020-215 (October 7, 2020) is amended with respect to amount payable to MTCC 805 only, all previously approved amounts remain the same:</p> <p>Total expenditure of \$868,000.00. based upon settlement discussions with each of TSCC 2048, TSCC 2064 and TSCC 805 and are inclusive of any and all fees and taxes, including legal fees:</p> <p>TSCC 2048:       \$154,000.00</p> <p>TSCC 2064:       \$154,000.00</p> <p>TSCC 805:         \$560,000.00</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>
<b>Comments</b>	The City's initial expropriation timeline was not met. As a result there was a delay in the City registering the necessary expropriation plan. MTCC 805 requested additional compensation. The increased compensation reflects the time and increased costs need to satisfy the conditions of settlement agreements between MTCC 805 and the City of Toronto and is considered fair.
<b>Terms</b>	<p>All other terms with exception of the increase in payment to Metro Toronto Condominium Corporation No. 805 ("MTCC 805") remain the same as per Delegated Approval Form 2020-215</p> <p><a href="https://www.toronto.ca/wp-content/uploads/2020/10/8e39-2020-215_5795-Yonge-St.pdf">https://www.toronto.ca/wp-content/uploads/2020/10/8e39-2020-215_5795-Yonge-St.pdf</a></p>

<b>Property Details</b>	<b>Ward:</b>	18 – Willowdale
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	459.68 m <sup>2</sup> ± (4,948 ft <sup>2</sup> ±)
	<b>Approximate Area:</b>	
	<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/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><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 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:	J. Fillion	Councillor:	
Contact Name:	J. Fillion	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 <b>October 7<sup>th</sup>, 2020</b>	Comments:	

**Consultation with Divisions and/or Agencies**

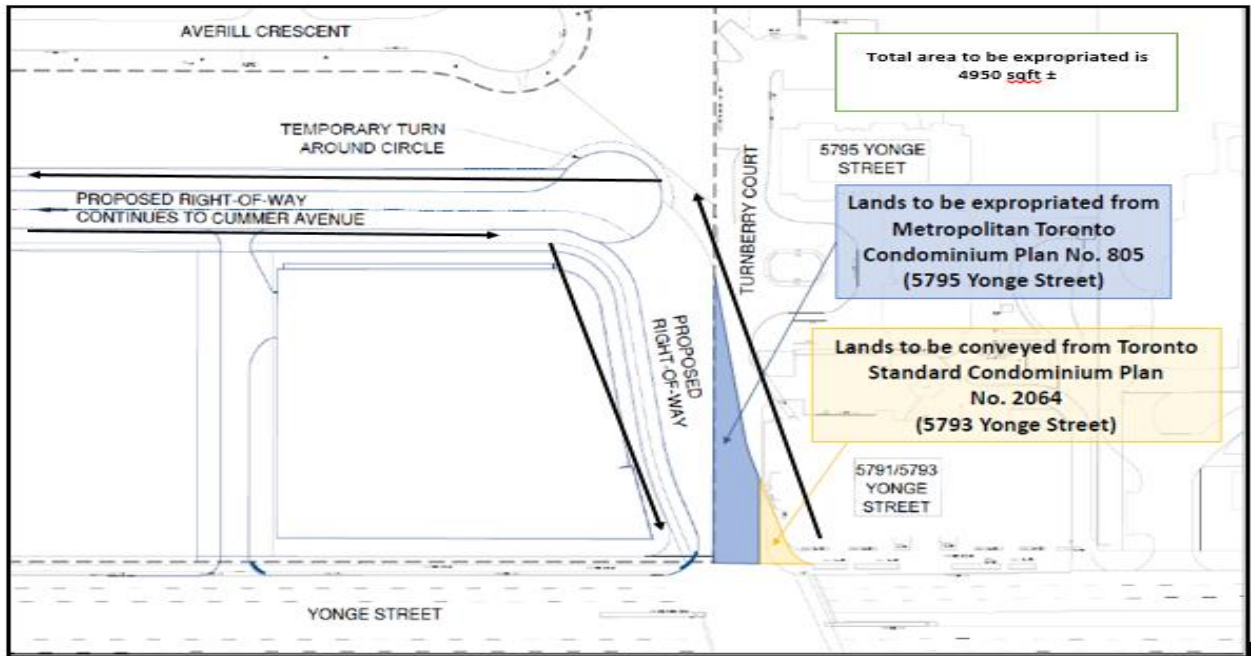
Division:	<b>Transportation Services</b>	Division:	<b>Financial Planning</b>
Contact Name:	Ashely Curtis <b>October 7<sup>th</sup>, 2020</b>	Contact Name:	Filisha Jenkins
Comments:	No objections	Comments:	No objections March 29 <sup>th</sup> 2021

**Legal Services Division Contact**

Contact Name: Vanessa Bacher ( March 22 2021)

DAF Tracking No.: 2021-097	Date	Signature
Concurred with by: Manager, Real Estate Services		
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Daran Somas</b>	<b>April 12, 2021</b>	Signed by Daran Somas
<input type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	<b>April 13, 2021</b>	Signed by Alison Folosea

APPENDIX A – Location Map/ Aerial View with proposed Right of Way



APPENDIX B – Location Map/ Aerial View with proposed Right of Way (CONTINUED)

