

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

**TRACKING NO.: 2021-092**

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:	Legal File No.: 2600.700.4110.20
Date Prepared:	May 3, 2021	Phone No.:	416-397-5599

<b>Purpose</b>	To consent to the release of the following encroachment agreements: (1) EP146706, registered on October 23, 1970; (2) CT171602, registered on April 14, 1976; (3) CT199674, registered on October 13, 1976; and (4) CT774634, registered on March 11, 1986 (collectively the "Encroachment Agreements"); and the following planning agreements (5) CT134569, registered on August 8, 1975; (6) CT169106, registered on March 26, 1976; and (7) CT180289, registered on June 8, 1976, (collectively the "Development Agreements") from the lands described as part of Lot 1, Plan 63 Toronto, Lots 8, 9, 10, 11 and 12, and part of Lot 13, Plan 250E Toronto, designated as Parts 1 and 2, on Plan 66R30458; being all of PIN 21106-0281(LT) ( the "Property") and to consent to the release of the Encroachment Agreements from the road allowance lands being PINs 21106-0241 (LT) and 21106-0237 (LT) (collectively the "Road Allowance Lands"). The Encroachment Agreements and the Development Agreements are hereinafter referred to the Agreements.
<b>Property</b>	587-599D Yonge Street, and 2, 2A, 2B, 2C & 2D Dundonald Street and 1, 3, 5, 7, 9 and 9A Gloucester Street
<b>Actions</b>	To consent to the release of the Encroachment Agreements and Development Agreements from the Property and to consent to the release of the Encroachment Agreements from the Road Allowance Lands.
<b>Financial Impact</b>	There is no financial impact.
<b>Comments</b>	The Agreements were entered into with the City in connection with the development and buildings situated at the time on the lands. The buildings have since been demolished, and the current owner, The Clover On Yonge Inc., has since entered into a new Site Plan Agreement registered as Instrument Number AT4952841 on September 7, 2018, for a new redevelopment. Therefore, as the buildings have been demolished and as there is a new redevelopment, it is appropriate to release the Agreements from the Property. In addition, to clean up title to the City's road allowance lands it is appropriate to release the Encroachment Agreements from the Road Allowance Lands.
<b>Terms</b>	<p>Matthew Zentner, Planner, City Planning Toronto and East York District, confirmed by e-mail dated January 15, 2021, and March 25, 2021 in consultation with Gabe Szobel, Solicitor, Planning and Administrative Tribunal Law, that as redevelopment of the lands is secured under the Site Plan Agreement and as the buildings have since been demolished it is appropriate to consent to the release of the Development Agreements from the Property.</p> <p>Ann Marie Hyman, Transportation Services, Right of Way Management, Toronto &amp; East York District, confirmed by memo dated February 1, 2021, that as the buildings have been demolished, it is appropriate to consent to the release the Encroachment Agreements from the Property and the Road Allowance Lands.</p>

<b>Property Details</b>	<b>Ward:</b>	
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<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/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 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 checked="" 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>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Documents required to implement matters for which each position also has delegated approval authority.</li> <li>• Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).</li> </ul>
<b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>• Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul>

<b>Pre-Condition to Approval</b>			
<input type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
<b>Consultation with Councillor(s)</b>			
Councillor:		Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone	E-Mail	Memo
			Other
Comments:		Comments:	
<b>Consultation with Divisions and/or Agencies</b>			
Division:	Transportation Services	Division:	Planning Division
Contact Name:	Anne Marie Hyman	Contact Name:	Matthew Zentner
Comments:	No Objection	Comments:	No Objection
<b>Legal Services Division Contact</b>			
Contact Name:	Gabe Szobel, Solicitor, Planning and Administrative Tribunal Law		

DAF Tracking No.: 2021-092	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Director, Real Estate Law Ray Mickevicius</b>	May 12, 2021	Signed by Ray Mickevicius
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	May 13, 2021	Signed by Alison Folosea