

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

TRACKING NO.: 2021-003

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

Prepared By:	Anna Edwards	Division:	Corporate Real Estate Management
Date Prepared:	June 30, 2021	Phone No.:	(416) 338-3185

Purpose	To obtain authority to amend the decision of City Council in respect of Report No. 16 of the Committee of Works, adopted by City Council at its meeting on October 15, 1951 (the "Original Authority"), for the City of Toronto (the "City") to enter into an agreement of purchase and sale with Unity Health Toronto (the "Purchaser"), for the sale, at nominal value, of a portion of a closed lane as described below.
Property	A portion of City-owned closed lane known municipally as Part of the Victoria Street Lane, Toronto, and shown as Appendix "A", legally described as PT UNNAMED LANE PL 22A TORONTO BTN VICTORIA ST & BOND ST S OF SHUTER ST AS CLOSED BY EP78624; CITY OF TORONTO (The "Property").
Actions	1. Authority be granted to enter into an agreement of purchase and sale with the Purchaser substantially on the major terms and conditions set out in Appendix "B" and including such other terms and conditions as may be deemed appropriate by the Director of Transaction Services, and in a form satisfactory to the City Solicitor.
Financial Impact	There is no financial impact. The agreement of purchase and sale is at nominal consideration. The Purchaser is responsible for all out-of-pocket expenses that may be incurred by the City (except legal fees) as a result of this conveyance. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.
Comments	Pursuant to the Original Authority, City Council authorized the closure of the Property and its conveyance, at no charge, to the Sisters of St. Joseph, who operate St. Michael's Hospital (the "Hospital") adjacent to the lane. The Hospital desired to secure title to the lane in order to construct a new wing of the Hospital. The Property was stopped up and closed in 1952 pursuant to By-Law No. 18533, registered as Instrument No. EP78624, and was intended to be conveyed to the owner of the lands abutting the Property. The new wing of the Hospital was built on the Property. Through a series of name changes, Sisters of St. Joseph, is now operating as Unity Health Toronto. Unity Health Toronto is the registered owner of the lands abutting the Property and it operates the Hospital. The Purchaser is in the process of constructing a 6-storey addition (the Shuter Wing) to the Hospital, and through the planning process, it was discovered that the Property remains in City ownership. A search of the City of Toronto By-law Status Registry indicates that By-Law No. 18533 has not been amended, repealed or superseded, and remains in effect. An amendment to the Original Authority is required to authorize the City to enter into an agreement of purchase and sale, at nominal value, with the Purchaser, in order to complete the conveyance contemplated in the Original Authority, and such amendment is not materially inconsistent with the Original Authority.
Terms	Refer to Appendix "B".

Property Details	Ward:	13 - Toronto Centre
	Assessment Roll No.:	
	Approximate Size:	6.1 m x 8.2 m ± (20 ft x 27 ft ±)
	Approximate Area:	50.5 m ² ± (544 ft ² ±)
	Other Information:	

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/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>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 checked="" 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:	Kristyn Wong-Tam	Councillor:	
Contact Name:	Lorraine Hewitt	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No objections (October 21, 2020)	Comments:	

Consultation with Divisions and/or Agencies

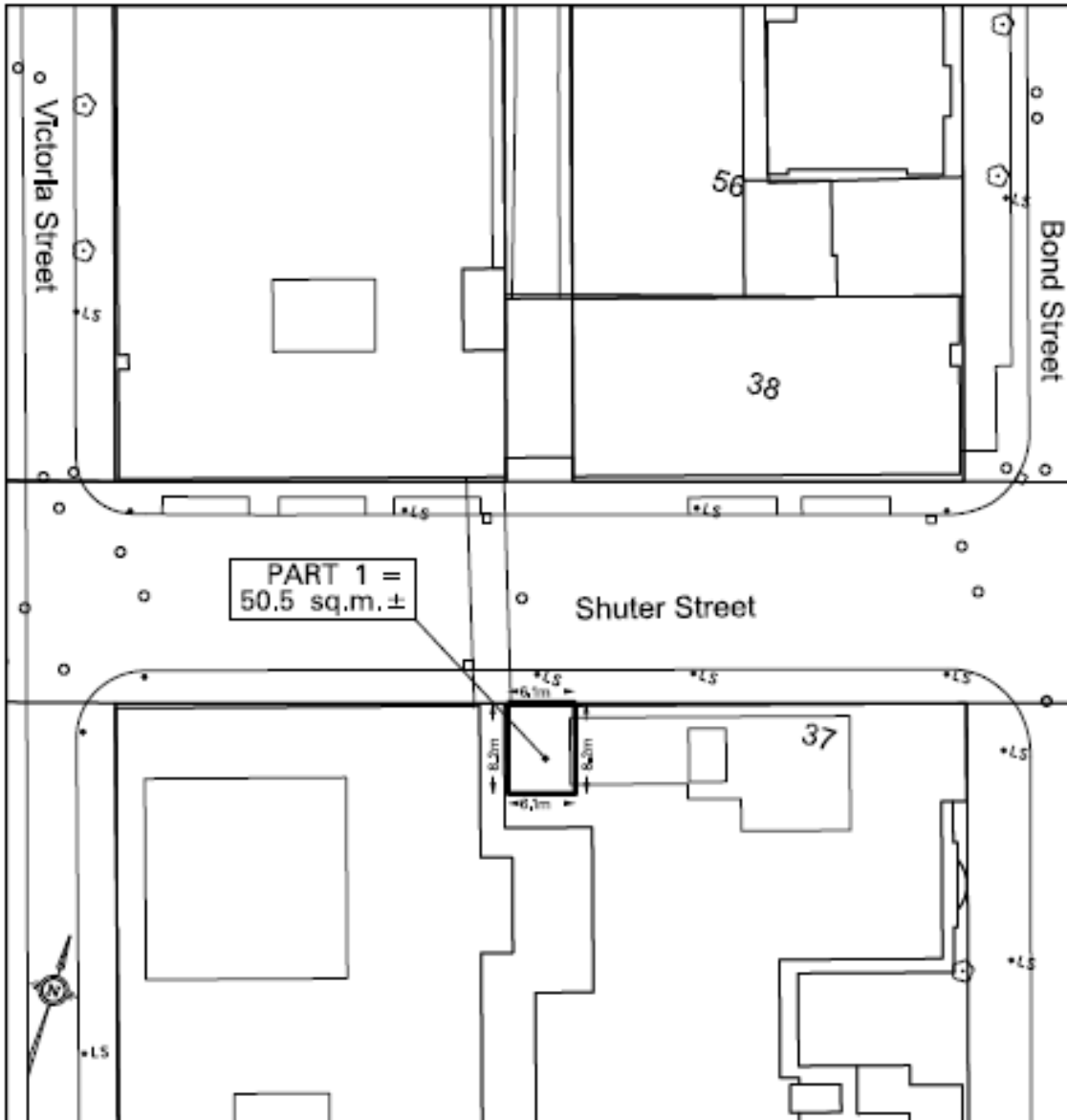
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Patricia Libardo
Comments:		Comments:	Incorporated in the DAF (October 30, 2020)

Legal Services Division Contact

Contact Name:	Shirley Chow
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DAF Tracking No.: 2021 - 003	Date	Signature
Concurred with by:		
<input checked="" type="checkbox"/> Recommended by: Manager, Transaction Services Daran Somas	07/19/2021	Signed By: Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	07/21/2021	Signed By: Alison Folosea

Appendix A – Sketch PS-2020-062



<p>Toronto <small>ENGINEERING & CONSTRUCTION SERVICES ENGINEERING SUPPORT SERVICES LAND MANAGEMENT SERVICES</small></p>		<p>PROPERTY INFORMATION SHEET CITY OWNED LAND SKETCH SHOWING CLOSED PART OF VICTORIA STREET LANE, SOUTH OF SHUTER STREET</p>	
<p><small>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS, MEASUREMENTS ARE APPROXIMATE</small></p>		<p>WARD 13 - TORONTO CENTRE DATE: AUGUST 27, 2020</p>	
<p><small>CHECK BY ANA MICHALEK PREPARED BY: DWAYNE HITT</small></p>		<p>SKETCH No. PS-2020-062</p>	

Appendix "B"**Major Terms and Conditions**

Purchaser: Unity Health Toronto

Property: Part of the Victoria Street Lane, Toronto, legally described as PT UNNAMED LANE PL 22A TORONTO BTN VICTORIA ST & BOND ST S OF SHUTER ST AS CLOSED BY EP78624; CITY OF TORONTO

Irrevocable Date: Thirty (30) days after the date of the Purchaser's execution of the agreement of purchase and sale.

Purchase Price: Two Dollars (\$2.00)

Deposit: Nil

Closing Date: Ten (10) business days after the date the City secures the appropriate internal approvals for this transaction.

Sale Conditions:

- The Purchaser is the sole registered and beneficial owner of the lands adjoining the Property, upon which the Hospital is situated.
- The Purchaser shall accept the Property in "as is", including its environmental condition, and shall provide a Release in favour of the City with respect to any hazardous substances.
- The Purchaser indemnified the City in respect of all claims and demands in respect of the closure of the Property as a public highway.