

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

TRACKING NO.: 2021-275

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. 2600-752-9443-2021
Date Prepared:	October 6, 2021	Phone No.:	416-397-5599

Purpose	To consent to the partial release of Instrument Number AT5362656, being a Limiting Distance Agreement, registered on February 12, 2020 (the "LDA") from the lands described as part of Lots 22 & 23 W/S Jarvis Street, Plan 10A, designated as Parts 4 and 5 on Plan 66R-31795, being part of PIN 21098-0276 (LT) (the "Property") and to consent to the release of following encroachment agreements: (1) CT551333 registered on September 23, 1982, and (2) CT906526, registered on October 20, 1987, (collectively the "Encroachment Agreements") from part Lots 22-24 W/S Jarvis Street, Plan 10A, being Parts 1, 2 and 3 on Plan 66R-30409, now described as Parts 1 to 5 on Plan 66R-31795, being all of PIN 21098-0276 (LT)) (the "Original Lands") and from part of Mutual Street Plan 22A Toronto, between Dundas Street East and Shuter Street, being PIN 21098-0194(LT) (the "Road Allowance Lands")
Property	59-71 Mutual Street, Toronto
Actions	To consent to the partial release of the LDA from the Property and to consent to the release of the Encroachment Agreements from the Original Lands and from the Road allowance Lands.
Financial Impact	There is no financial impact.
Comments	<p>In 2020, the LDA was entered into with the City by the current owner of the Property, together with other lands, Mutual Street Inc. (the "Owner") and a nearby owner of the adjoining lands to the south (collectively the "Original Lands"). The Owner has since entered into, with the City, a site plan application number 17 148059 STE 27 SA (the "SPA"). One of the requirements of the SPA is that the Owner transfer the Property, to the City, for lane widening purposes, free and clear from any encumbrances.</p> <p>Pursuant to Section 14 of the LDA, the agreement shall not bind any lands that are acquired by the City for the purpose of a road widening. Accordingly, it is appropriate to consent to the partial release of this agreement from title to the Property. The LDA will remain registered against the remainder of the Original Lands.</p> <p>The Encroachment Agreements were entered into with the City permitting the maintenance of certain encroachments over the public highway in connection with the building situated, at the time, on the Original Lands. A site inspection has confirmed that the building has since been demolished. Therefore, as the building has been demolished and as there is a new redevelopment, it is appropriate to release the Encroachment Agreements from the Original Lands. 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.</p>
Terms	<p>Ann Marie Hyman, Transportation Services, Right of Way Management, Toronto & East York District, confirmed by memo dated September 29, 2021, that as the building has been demolished, it is therefore appropriate to release the Encroachment Agreements from the Original Lands and from the Road Allowance Lands.</p> <p>Reza Moazezi, P. Eng, Development Engineering, Toronto & East York District, in consultation with Ray Kallio, Solicitor, Planning and Administrative Tribunal Law , confirmed by e-mails dated September 29, 2021 and October 4, 2021, that for the reasons noted above, Development Engineering and Planning Law have no objection to the partial release of the LDA from the Property.</p>

Property Details	Ward:	
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	
	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 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. 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:		Councillor:		
Contact Name:		Contact Name:		
Contacted by:	Phone	E-Mail	Memo	Other
Comments:		Comments:		

Consultation with Divisions and/or Agencies

Division:	Development Engineering	Division:	Planning & Administrative Tribunal Law. Legal Services Division
Contact Name:	Reza, Moazezi, Senior Engineer	Contact Name:	Ray Kallio, Solicitor
Comments:	No Objection	Comments:	

Legal Services Division Contact

Contact Name: Carm Curcuruto

DAF Tracking No.: 2021-275	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Director, Real Estate Law Ray Mickevicius	October 7, 2021	Signed by Ray Mickevicius
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	October 7, 2021	Signed by Alison Folosea