

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

TRACKING NO.: 2021-254
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:	September 13, 2021	Phone No.:	(416) 392-8160

Purpose	To authorize the service of Offers of Compensation pursuant to section 25 of the <i>Expropriations Act</i> for the interests expropriated in the property located at 16 Linnsmore Crescent ("the Property"), attached as Appendix "A".
Property	Part of Lot 380 on Registered Plan 517E, Part of PIN 10412-0206 (LT), shown as Parts 1 and 2 on Expropriation Plan AT5775382, attached as Appendix "B".
Actions	<ol style="list-style-type: none"> To authorize the preparation and service of Offers of Compensation on the registered owners of the Property ", together with supporting appraisal reports, in accordance with section 25 of the <i>Expropriations Act</i> (the "Act"). To authorize payment of the compensation offered in the amount set out in the Confidential Attachment, plus any applicable HST and Land Transfer Tax, upon acceptance of the Offers of Compensation. Where an Offer of Compensation is accepted in full compensation for an owner's interest in the land, to authorize the payment of statutory interest and all reasonable legal, appraisal and other costs incurred by the owner, to be agreed upon or assessed by the City Solicitor. Where an Offer of Compensation is accepted by a mortgagee, to authorize the payment of compensation for prepayment as required by section 20 of the Act, and all reasonable legal, appraisal and other costs incurred by the mortgagee, to be agreed upon or assessed by the City Solicitor. The Confidential Attachment, setting out the amount of the compensation offered, shall remain confidential until there has been a final determination of the compensation payable to all of the owners, by arbitration or appeal or, if settled, in the discretion of the City Solicitor.
Financial Impact	<p>Funding for the Section 25 Offers, as set out in the Confidential Attachment, is available in the 2021-2030 Capital Budget and Plan Submission for the Toronto Transit Commission within the Easier Access Project (CTT028-1).</p> <p>The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact implications as identified in the Financial Impact section.</p>
Comments	<p>On April 7 and 8, 2021, by its adoption of Item GL21.13, City Council authorized the expropriation of the property interests set out in Appendix "A". A Plan of Expropriation was registered on June 23, 2021 and Notices of Expropriation were served on the owners on July 9, 2021.</p> <p>Each compensation amount set out in Appendix "A" is based upon an appraisal commissioned by the City, prepared by Janterra Real Estate Advisors Inc., with an effective date of June 23, 2021. The Act requires that the Expropriating Authority serve Offers of Compensation with copies of the appraisal on the affected property owners, including mortgagees and other encumbrancers, within three months of registration of the Plan of Expropriation and before taking possession of the expropriated land.</p> <p>Upon acceptance of the Offers of Compensation, the compensation will be apportioned among and paid to the relevant owners according to their entitlements under the Act. Releases of owners' claims resulting from the expropriations, in a form satisfactory to the City Solicitor, will be obtained where appropriate.</p>
Terms	Compensation will be offered in accordance with the Act for the Property, in the amounts set out in the Confidential Attachment.

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	48.1 m ² ± (517.74 ft ² ±)
	Other Information:	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input checked="" type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.
3. Issuance of RFPs/REOIs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000. <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.	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million. <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.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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:	Paula Fletcher	Councillor:		
Contact Name:	Susan Serran	Contact Name:		
Contacted by:	Phone	E-Mail	Memo	Other
Comments:	No objections (Sept 9, 2021)			

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	Duane Lovelace	Contact Name:	Patricia Libardo
Comments:	Incorporated into DAF (Sept 1, 2021)	Comments:	Incorporation into DAF (Sept 13, 2021)

Legal Services Division Contact

Contact Name: Dale Mellor (August 31, 2021)

DAF Tracking No.: 2021-254	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Sept. 14, 2021	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Sept. 16, 2021	Signed by Alison Folosea

Appendix "A"

LOCATION MAP



