

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

TRACKING NO.: 2021-235
With Confidential Attachment

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

Prepared By:	Patricia Palmieri	Division:	Corporate Real Estate Management
Date Prepared:	September 13, 2021	Phone No.:	416-392-4829
Purpose	To obtain authority for the City of Toronto (the "City") to enter into Minutes of Settlement Agreements (the "Agreements") with the owners of 350 and 352 Strathmore Boulevard (the "Owners"). The Agreements are full settlements of all claims by the Owners under the <i>Expropriations Act</i> for the transfer of fee simple and permanent and temporary interests in favour of the City that were required for the construction of the Toronto Transit Commission ("TTC") Coxwell Station Easier Access Project (the "Project").		
Property	As described in Appendix "A" and shown on Appendix "B" and on the Reference Plans in Appendix "C" (the "Acquired Lands").		
Actions	<ol style="list-style-type: none"> Authority be granted for the City to enter into the Agreements with the Owners substantially on the terms and conditions outlined in Appendix "A" and in the Confidential Attachment, and on such other or amended terms and conditions as may be acceptable to the Director of Transaction Services and in a form satisfactory to the City Solicitor. The Confidential Attachment to remain confidential until there has been a final determination of all property transactions and claims for compensation relative to the Project, and only released publicly thereafter in consultation with the City Solicitor. 		
Financial Impact	<p>Funding for the compensation, as set out in the Confidential Attachment, is available in the 2021-2030 Council Approved Capital Budget and Plan for the TTC under capital account CTT028-1 Easier Access-Phase 2.</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>		
Comments	<p>On October 2, 3 & 4, 2012, City Council adopted GM16.17 thereby authorizing the Director of Real Estate Services to negotiate and acquire and, if unsuccessful, to initiate expropriation proceedings for the Acquired Lands for the purposes of the Project.</p> <p>The Owners agreed to enter into Section 30 agreements for the Acquired Lands. This allowed the City to acquire the lands at the agreed values, indicated in the Confidential Attachment, while preserving the Owners' rights to claim additional compensation as if they were expropriated. On October 22, 2013 Delegated Approval Forms No. 2013-004 & 2013-005 were executed giving the City authority to enter into the Section 30 agreements, and compensate the Owners the agreed values.</p> <p>The City and the Owners have agreed to settle the total compensation payable in accordance with the Act in the amounts set out in the Confidential Attachment in exchange for full and final releases of all claims related to the Acquired Lands. These amounts are reasonable and avoids additional expenses, payable by the City, associated with formal proceedings.</p>		
Terms	See Appendix "A" and the Confidential Attachment		
Property Details	Ward:	Ward 19 – Beaches – East York	
	Approximate Size:	Irregular	

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/REOs:</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/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>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 checked="" 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/REOs.</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 checked="" 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:	Councillor Brad Bradford	Councillor:	
Contact Name:	Rishab Mehan	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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:	Advised on August 18, 2021	Comments:	

Consultation with Divisions and/or Agencies

Division:	TTC	Division:	Financial Planning
Contact Name:	Vincenza Guzzo	Contact Name:	Patricia Libardo
Comments:	Concurred	Comments:	Concurred on August 18, 2021

Legal Services Division Contact

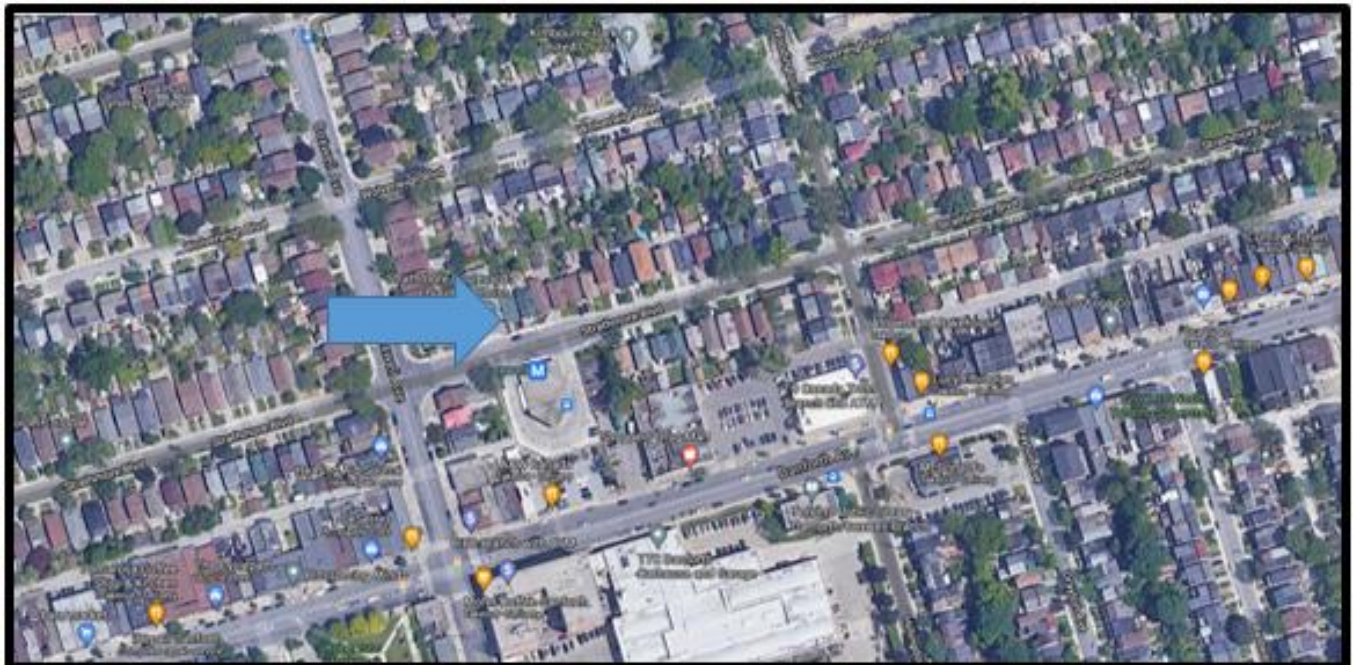
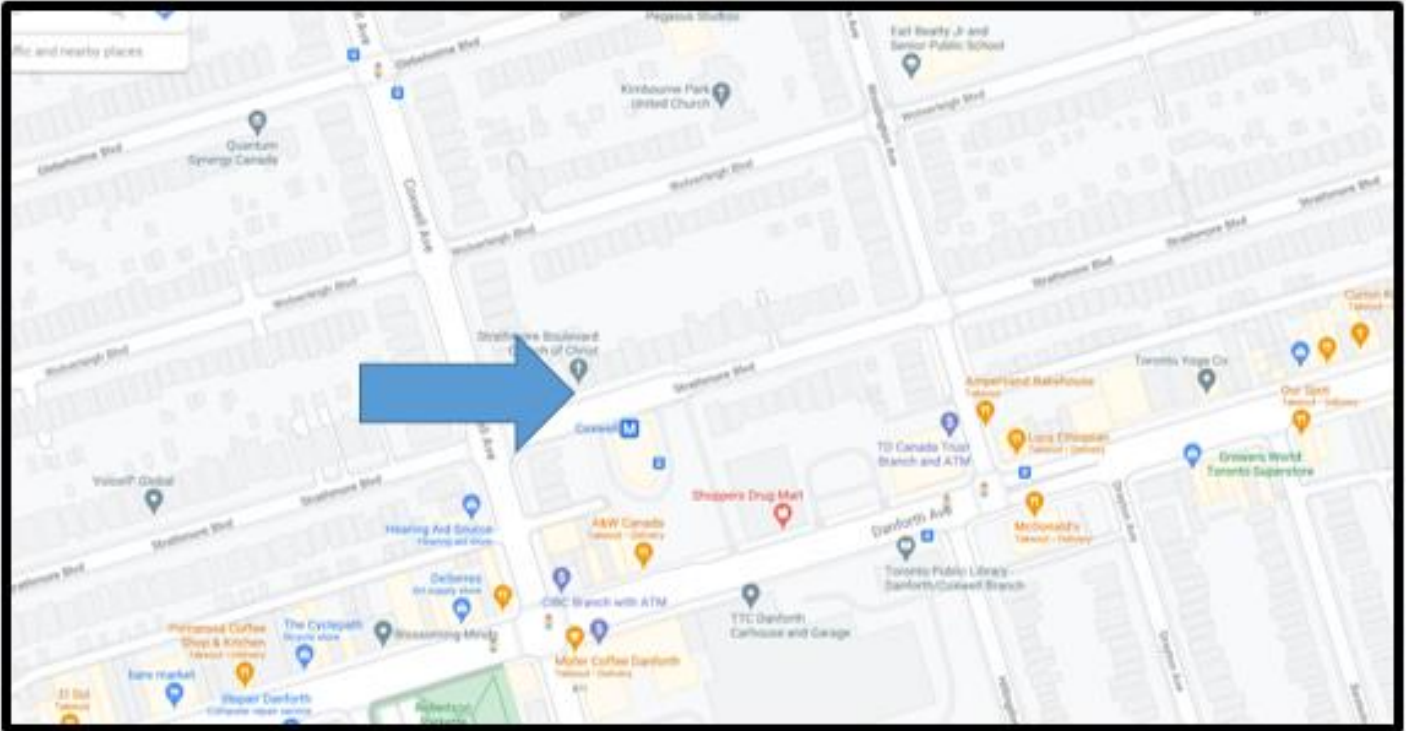
Contact Name: Brendan O'Callaghan

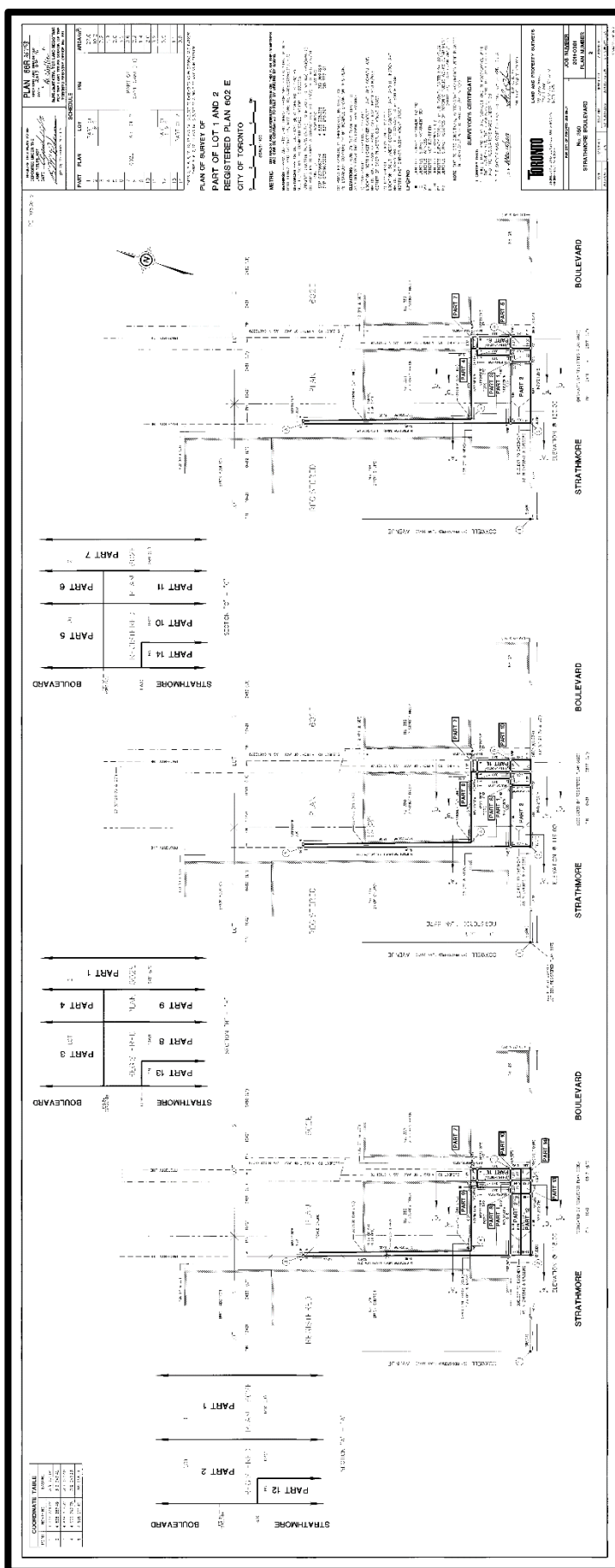
DAF Tracking No.: 2021-235	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Sept. 16, 2021	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Sept. 20, 2021	Signed by Alison Folosea

Appendix "A"
Acquired Lands

Property Address	Legal Description	Property Interest Expropriated and Area of Property
350 Strathmore Boulevard	Part of PIN No. 10421-0481 (LT); Part of Lots 1 & 2 on Plan 602E Toronto as in CT121176, subject to and together with a right-of-way as in CT121176 and subject to permanent easement as in EW2226E and EV69842, City of Toronto	<p>Fee Simple (below grade) – Parts 8, 9, 10, 11, 13 & 14 on Reference Plan 66R-26758</p> <p>Permanent Support Easement (above grade) – Parts 3, 4, 5 & 6 on Reference Plan 66R-26758</p> <p>Temporary Construction Easement – Parts 1, 2, 3, 4, 5, 6 & 7 on Reference Plan 66R-26758</p>
352 Strathmore Boulevard	Part of PIN No. 10421-0480 (LT); Part of Lot 2 on Plan 602E Toronto as in CA672379, subject to and together with a right-of-way as in CA672379; subject to permanent easement as in EW2226E and EV67821, City of Toronto	<p>Fee Simple (below grade) – Parts 8, 9, 10, 11, 13 & 14 on Reference Plan 66R-26761</p> <p>Permanent Support Easement (above grade) – Parts 3, 4, 5 & 6 on Reference Plan 66R-26761</p> <p>Temporary Construction Easement – Parts 1, 2, 3, 4, 5, 6 & 7 on Reference Plan 66R-26761</p>

Appendix "B" – Location Map





Plan 66R-26761

