

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

**TRACKING NO.: 2022-008**

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

<b>Prepared By:</b>	Mike Saffran	<b>Division:</b>	Corporate Real Estate Management
<b>Date Prepared:</b>	February 9, 2022	<b>Phone No.:</b>	(416) 392-7205

<b>Purpose</b>	To obtain authority to enter into an amending agreement (the "Amending Agreement") with 375-381 Queen Street West Inc. as nominee and bare trustee for Allied Properties Real Estate Investment Trust (the "Purchaser") to amend certain terms in an offer to purchase agreement dated March 9, 2021 (the "Purchase Agreement") with respect to the sale of a stratified portion of the City-owned public lane located to the west of 375 Queen Street West.
<b>Property</b>	Part of PIN: 21412-0310 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, being a stratified portion legally described as Part of Lots 21 and 22 Plan 1B, designated as Part 5 on Plan 66R-32180; City of Toronto, and shown as Part 5 on Plan 66R-32180 attached hereto as Appendix "B" (the "Part 5 Lane").
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the Amending Agreement with the Purchaser, substantially on the terms and conditions set out below, and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.</li> <li>The General Manager, Transportation Services be authorized to give notice to the public of a proposed by-law to permanently close the Part 5 Lane in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the mater during consideration of the proposed by-law.</li> <li>The General Manager of Transportation Services be authorized to advise the public of the proposed closure in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule "A+" activities, by posting notice of the proposed closure on the notices page of the City's website for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Part 5 Lane will be considered.</li> <li>The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.</li> </ol>
<b>Financial Impact</b>	Revenue in the amount of \$280,000.00 (exclusive of HST, applicable taxes and fees) less closing costs. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon closing of the transaction. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
<b>Comments</b>	<p>In accordance with the City's Real Estate Disposal By-law, No. 814-2007, Part 1 of Sketch No. 2019-075 (also shown as Part 6 on Reference Plan 66R-32180) (the "Part 6 Lane") was declared surplus on February 6, 2020 (DAF No. 2020-012) with the intended manner of disposal to be by inviting an offer to purchase from the Purchaser. The purchase price for the Part 6-Lane is in the amount of \$610,000.00 as set out in the Purchase Agreement that was authorized by DAF 2021-038.</p> <p>On July 25, 2012, the Purchaser conveyed to the City a fee simple interest in land for a lane widening as part of City Planning's Notice of Approval Conditions for the development site at 375-381 Queen Street West. The City then registered By-law 1135-2020 on February 3, 2021 dedicating Parts 1 and 2 on Plan 66R-25893 for public lane purposes. In order for the Purchaser's development to be constructed, the Part 5 Lane is required to be declared surplus and conveyed to the Purchaser.</p> <p>In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the Part 5 Lane was declared surplus on November 19, 2021 (DAF No. 2021-167), as amended by DAF No. 2022-018 with the intended manner of disposal to be by inviting an offer to purchase from the Purchaser.</p> <p>Transportation Services has reviewed the feasibility of permanently closing the Part 5 Lane and advised that it has no objection to the proposed closing subject to City Council approving the permanent closure of the Part 5 Lane. All steps necessary to comply with the City's real estate disposal process as set out in Chapter 213 of the City of Toronto Municipal Code have been complied with.</p>
<b>Terms</b>	<p>Amended Terms and Conditions:</p> <ol style="list-style-type: none"> <li>Purchase price amended from \$610,000.00 to \$890,000.00 (which includes the price of the Part 5 Lane).</li> <li>Deposit amended from \$61,000.00 to \$89,000.00.</li> <li>Property description to include the Part 5 Lane in addition to the Part 6 Lane.</li> <li>Sketch No. 2019-075 to be replaced with Reference Plan 66R-32180.</li> </ol> <p>All other terms and conditions of the Purchase Agreement to remain the same.</p>

<b>Property Details</b>	<b>Ward:</b>	10 – Spadina-Fort York
	<b>Assessment Roll No.:</b>	N/A
	<b>Approximate Size:</b>	N/A
	<b>Approximate Area:</b>	Part 5 – 21.2 m <sup>2</sup> (228.2 ft <sup>2</sup> ) Part 6 – 43.0 m <sup>2</sup> (463.0 ft <sup>2</sup> )
	<b>Other Information:</b>	Public lane

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 checked="" 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 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:	Joe Cressy	Councillor:	
Contact Name:	Anthony MacMahon	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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:	No objections – January 14, 2022	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	<b>Transportation Services</b>	Division:	<b>Finance</b>
Contact Name:	Lukasz Pawlowski	Contact Name:	Ciro Tarantino
Comments:	Concurs with submission of DAF – January 14, 2022	Comments:	Concurs with FIS – January 13, 2022

**Legal Services Division Contact**

Contact Name: Gloria Lee – January 10, 2022 and January 28, 2022

DAF Tracking No.: 2022-008	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Portfolio Management Scott Delahunt</b>	Feb. 9, 2022	Signed by Scott Delahunt
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Transaction Services Alison Folosea</b>	Feb. 10, 2022	Signed by Alison Folosea

Appendix "A" – Location Map





