

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

TRACKING NO.: 2022-089

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

Prepared By:	Glenn Zeta	Division:	Corporate Real Estate Management
Date Prepared:	April 12, 2022	Phone No.:	416-338-7612

Purpose	To authorize the City to accept the advance payment of compensation offered by Metrolinx, the expropriating authority, pursuant to Section 25 of the <i>Expropriations Act</i> for the expropriated property interest in parts of 2526 Eglinton Avenue East as identified in Appendix "A".
Property	Parts of lands municipally known as 2526 Eglinton Avenue East and legally described in Appendix "A" and shown on Appendix "C" and "D" (the "Property").
Actions	1. Authorize the acceptance of Offer (B) of the Offer of Compensation served by Metrolinx in accordance with the requirements of the <i>Expropriations Act</i> , in the amount set out in Appendix "B".
Financial Impact	<p>The total compensation offered to the City, subject to payment of any outstanding realty taxes, is in the amount of \$1.00.</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 February 10, 2021, with the registration of Expropriation Plan No. AT5647415, Metrolinx expropriated all rights, title and interests in the Property as detailed in Appendix "A" in order to facilitate the construction and operation of the Scarborough Subway Extension and all works and uses ancillary thereto.</p> <p>Notice of Expropriation were served on the City.</p> <p>In accordance with Section 25 of the <i>Expropriations Act</i>, Metrolinx has served Offers of Compensation, together with the related appraisal, on the City, as set out in Appendix "C", with the following options for acceptance:</p> <ul style="list-style-type: none"> • Offer (A) - offer of an amount in full and final settlement of all claims pertaining to the expropriation of the property interests, subject to payment of any outstanding realty taxes; or • Offer (B) - offer of immediate payment of an amount that represents 100% of the market value of the lands expropriated as estimated by the expropriating authority, subject to payment of any outstanding realty taxes, without prejudice to the expropriated owners' rights conferred by the <i>Expropriations Act</i>, in respect of the determination of compensation, and subject to adjustment in accordance with any compensation that may be subsequently determined under the <i>Expropriations Act</i> or any other Act, or agreed upon. <p>In addition, Metrolinx is required to pay the City's reasonable legal, appraisal and other costs actually incurred for the purposes of determining the compensation payable in accordance with Section 32 of the <i>Expropriations Act</i>, and interest at 6 per cent per annum in accordance with Section 33 of the <i>Expropriations Act</i>.</p> <p>As staff are still in the process of reviewing the Offers of Compensation and accompanying appraisal, in consultation with external expropriation consultants, it is appropriate for the City to accept Offer (B) at this time, without prejudice to its rights to claim additional compensation in the future. Relevant approval authority will be further sought once a settlement is reached with Metrolinx with respect to final determination of all claims and compensation payable to the City in accordance with the <i>Expropriations Act</i>.</p>
Terms	Not Applicable

Property Details	Ward:	21 – Scarborough Centre
	Assessment Roll No.:	1901062010018000000
	Approximate Size:	N/A
	Approximate Area:	See Appendix "A"
	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 checked="" 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 checked="" 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 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:
<ul style="list-style-type: none"> • Documents required to implement matters for which each position also has delegated approval authority. • Expropriation Applications and Notices following Council approval of expropriation (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers with such signing authority).
Director, Real Estate Services also has signing authority on behalf of the City for:
<ul style="list-style-type: none"> • 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			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
Consultation with Councillor(s)			
Councillor:	Michael Thompson	Councillor:	
Contact Name:	Debbie Gedz	Contact Name:	
Contacted by:	Phone	E-Mail	Memo
			Other
Comments:	Concurred – April 12, 2022		
Consultation with Divisions and/or Agencies			
Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	Comments Incorporated – April 6, 2022
Legal Services Division Contact			
Contact Name:	Luxmen Aloysius		

DAF Tracking No.: 2022-089	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	Apr. 13, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Apr. 13, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

Appendix "A"
Expropriated Property Interests

Property Interest	Address / PIN No.	Approximate Location of Expropriated Interest	Approximate Area (m ²)
All rights and Interests	2526 Eglinton Avenue East 063530202	Parts 1 on Expropriation Plan AT5647415 <ul style="list-style-type: none"> • PART OF LOT 26 CONCESSION D, DESIGNATED AS PART 1 ON EXPROPRIATION PLAN AT5647415; SCARBOROUGH SUBJECT TO AN EASEMENT AS IN SC367390 TOGETHER WITH AN EASEMENT AS IN SC367390 CITY OF TORONTO 	245

Appendix "B"
Offers of Compensation

PIN Nos./Nature of Taking	Compensation	Condition of Offers
063530202 All rights and interests	\$1.00	Offer to City subject to payment of any outstanding realty taxes

Appendix "C"
Location Map / Aerial Map



Appendix "D"
Expropriation Plan

