

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

TRACKING NO.: 2022-084

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

Prepared By:	Avery Carr	Division:	Corporate Real Estate Management
Date Prepared:	March 25, 2022	Phone No.:	647-458-1934

Purpose	To obtain authority to enter into a possession date agreement (the " Agreement ") with Metrolinx, which would allow Metrolinx to secure early possession of expropriated lands identified in Appendix "A".
Property	Portion of the PINs shown in Appendix "A" (the " Properties ").
Actions	1. Authority be granted to enter into the Agreement with Metrolinx to modify the date of possession for the expropriated Properties from June 30, 2022 to March 31, 2022, substantially on the major terms and conditions set out below, and including such other terms and conditions as may be deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor.
Financial Impact	There are no financial implications to the City. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	On March 16, 2022 and March 21, 2022, Metrolinx registered Expropriation Plans on title to the Properties, thereby expropriating permanent easements and 7-year temporary easements in the Properties. By letter dated March 24, 2022, Metrolinx provided the City with Notices of Expropriation, Notices of Election and Notices of Possessions. The date of possession is June 30, 2022 (" Possession Date "), at least three months after the date of the notices, as prescribed in the <i>Expropriations Act (the "Act")</i> .
Terms	The Properties are required by Metrolinx for tunneling works as part of the Scarborough Subway Extension (SSE). Due to urgent timing concerns related to project delivery of the SSE, Metrolinx has requested an early possession date of March 31, 2022. The City is agreeable to entering into the Agreement to provide Metrolinx with early possession of the properties. The modified possession date will allow Metrolinx to meet critical construction timelines for SSE, an important project that will contribute significantly to public transit expansion in the City. Possession Date: March 31, 2022 Other: The City waives the requirements under the <i>Act</i> that an application be made to a judge for an adjustment of the date of possession. The acceleration of the Possession Date to March 31, 2022 is without prejudice to the rights of the City under the <i>Act</i> . Corporate Real Estate Management staff consider the major terms and conditions of the Agreement, including those noted above, to be fair and reasonable.

Property Details	Ward:	21 – Scarborough Centre, 23 – Scarborough North , 24 – Scarborough Guildwood
	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 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 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:

- 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:

- 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:	Michael Thompson	Councillor:	Cynthia Lai,
Contact Name:	Debbie Gedz	Contact Name:	Jim Murphy
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"/> X <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No concerns (Mar 28, 2022)	Comments:	No concerns (Mar 28, 2022)
Councillor:	Paul Ainslie		
Contact Name:	Alex Amelin		
Contacted by:	Email		
Comments:	No concerns (Mar 28, 2022)		

Consultation with Divisions and/or Agencies

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	No concerns (Mar 28, 2022)

Legal Services Division Contact

Contact Name:	Luxmen Aloysius (Mar 28, 2022)
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DAF Tracking No.: 2022-084	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	March 28, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	March 28, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"

Impacted Properties

Those lands in the City of Toronto described as follows:

1. Part of PIN 06353-0256 (LT) being Part of Lot 26, Concession D and Part of Road Allowance between Concession C and D designated as Parts 1, 2 and 3 on Expropriation Plan No. AT6018523;
2. Part of PIN 06363-0184 (LT) being Part of Lot 22, Concession D and part of Road Allowance between Lots 22 and 23, Concession D, designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Expropriation Plan No. AT6018679;
3. Part of PIN 06278-0181 (LT) being Part of Lot 22, Concession D and part of Road Allowance between Lots 22 and 23, Concession D, designated as Parts 8 and 9 on Expropriation Plan No. AT6018679;
4. Part of PIN 06294-0017 (LT) being Part of Lot 23, Concession D and part of Road Allowance between Lots 22 and 23, Concession D, designated as Parts 10 and 11 on Expropriation Plan No. AT6018679;
5. Part of PIN 06281-0148 (LT) being Part of Road Allowance between Lots 22 and 23, Concession 1 and Part of 10' Widening Plan 4895, designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Expropriation Plan No. AT6018433;
6. Part of PIN 06284-0201 (LT) being Part of the Original Road Allowance between Lots 22 and 23, Concession 1 designated as Parts 1 and 2 on Expropriation Plan No. AT601486;
7. Part of PIN 06286-0156 (LT) being Part of Widening Plan M784 designated as Part 1 and 2 on Expropriation Plan No. AT6018571;
8. Part of PIN 06286-0161 (LT) being Part of Road Allowance between Lots 22 and 23, Concession 1 designated as Parts 3, 4, 5, 6, 7, 8 and 9 on Expropriation Plan No. AT6018571;
9. Part of PIN 06000-0220 (LT) being Part 27' Widening Plan M-784 designated as Parts 1 and 2 on Expropriation Plan No. AT6018804;
10. Part of PIN 06000-0218 (LT) being Part of Road Allowance between Concession 1 and 2, designated as Parts 3 and 4 on Expropriation Plan No. AT60188;
11. Part of PIN 06000-0217 (LT) being Part of Lot 19 and 26, Registrar's compiled Plan No. 10152 and Part of Road Allowance between Lots 22 and 23 Concession 2, designated as Parts 5. 6. 7. 8. 9. 10, 11, 12, 13, 14, 15 and 16 on Expropriation Plan No. AT60188;
12. Part of PIN 06280-0083 (LT) being Part of Road Allowance between Lots 22 and 23 Concession 1, designated as Parts 1, 2, 3 and 4 on Expropriation Plan No. AT6018478;
13. Part of PIN 06171-0058 (LT) being Part of Macdonald Cartier Freeway Registrar's Compiled Plan 10152 and Part of Road Allowance between Lots 22 and 23 Concession 2, designated as Parts 1 and 2 on Expropriation Plan No. AT6022407;
14. Part of PIN 06000-0123 (LT) being Part of Corporate Drive Plan 66M-2175, designated as Parts 3 and 4 on Expropriation Plan No. AT6022407;

15. Part of PIN 06172-0186 (LT) being Part of 27' Widening Plan 65M-1341, designated as Parts 1 and 2 on Expropriation Plan No. AT6022475;
16. Part of PIN 06172-0185 (LT) being Part of Road Allowance between Lots 22 and 23 Concession 2, designated as Parts 3 and 4 on Expropriation Plan No. AT6022475;
17. Part of PIN 06171-0032 (LT) being Part of 27' Widening Plan 65M-1341, designated as Parts 5 and 6 on Expropriation Plan No. AT6022475;
18. Part of PIN 06171-0026 (LT) being part of Part Lot 3A Registrar's Compiled Plan 10152 and Part of Road Allowance Between Lots 22 and 23, Concession 2, designated as Parts 7, 8, 9, 10 and 11 on Expropriation Plan No. AT6022475;
19. Part of PIN 06173-0279 (LT) being Part of McCowan Road Plan M-1341 designated as Parts 1 and 2 on Expropriation Plan No. AT6022619;
20. Part of PIN 06173-0052 (LT) being Part of Road Allowance Between Lots 22 and 23, Concession 2 designated as Parts 3 and 4 on Expropriation Plan No. AT6022619;
21. Part of PIN 06078-0034 (LT) being Part Lot 22 Concession 3; Part of Road Allowance Between Lots 22 and 23, Concession 2 and Part Road Allowance between Concession 2 and 3, designated as Parts 5 and 6 on Expropriation Plan No. AT6022619;
22. Part of PIN 06078-0033 (LT) being Part of 27 Foot Widening Plan M-1341, designated as Parts 7 and 8 on Expropriation Plan No. AT6022619;
23. Part of PIN 06078-0031 (LT) being Part Lot 22 Concession 3, designated as Parts 9 and 10 on Expropriation Plan No. AT6022619;
24. Part of PIN 06173-0283 (LT) being Part of Road Allowance Between Lots 22 and 23, Concession 2 (Closed by Bylaw 14720, Instrument SC448169), designated as Parts 11 and 12 on Expropriation Plan No. AT6022619;
25. Part of PIN 06173-0004 (LT) being Part of Block Y Plan M-1341, designated as Parts 13 and 14 on Expropriation Plan No. AT6022619;
26. All of PIN 06173-0054 (LT) being All of Block I (1 Foot Reserve) Plan M-1662, designated as Parts 15 and 16 on Expropriation Plan No. AT6022619.