

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

TRACKING NO.: 2022-032

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	January 27 th , 2022	Phone No.:	416-392-1167

Purpose	To obtain authority to enter into a Settlement and Release Agreement (the "Agreement") with Toronto Standard Condominium Corporation No. 2064 ["TSCC 2064"] and Toronto Standard Condominium Corporation No. 2048 ["TSCC 2048"] (the "Owners") to convey lands to the City of Toronto for road widening purposes, and works ancillary to the construction of a new public road (the "Project")
Property	5791-5793 Yonge Street, illustrated as Part 3 and 4 on the Draft Plan reference plan attached in Schedule "A" ; and its location shown in Appendix "B"
Actions	1. Authority be granted to enter into the Settlement and Release Agreement with the Owner to acquire a Permanent easement over the Property, substantially on the major terms and conditions set out below, and including such other terms and conditions as may be deemed appropriate by the Director, Transaction Services ("Director") and in a form acceptable to the City Solicitor.
Financial Impact	<p>The City will pay the Owner consideration in the amount of \$2.00 (inclusive of HST) and \$5000.00 (inclusive of HST) for legal expenses.</p> <p>Funding is available in the Corporate Real Estate Management Division's 2021 Council Approved Capital Budget and included in the Staff recommended 2022-2031 Budget and Plan under (CCA226-01 - Strategic Property Acquisitions - 2015)</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 November 9th 2021, City Council authorized the initiation of expropriation proceedings for two property interests: one temporary easement in part of the property known municipally as 5795 Yonge Street and; one fee simple interest in part of the property municipally known as 5791-5793 Yonge Street.</p> <p>http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.GL26.8</p> <p>Corporate Real Estate Management have been able to negotiate a Settlement and Release Agreement for the fee simple interest over the lands know as 5791-5793 Yonge Street.</p>
Terms	Corporate Real Estate Management staff consider the major terms and conditions of the Agreement set out in Financial Impact above to be fair and reasonable.

Property Details	Ward:	18 – Willowdale
	Assessment Roll No.:	
	Approximate Size:	8.7m x 24m
	Approximate Area:	
	Other Information:	Triangular portion along the West and North property lines

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 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:

- 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:	J.Filion	Councillor:	
Contact Name:	J Filion	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Concurs (Jan 12 th 2022)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Perry Korouyenis	Contact Name:	Ciro Tarantino
Comments:	Concurs (Jan 26 th 2022)	Comments:	Concurs (Jan 26 th 2022)

Legal Services Division Contact

Contact Name:	Vanessa Bacher (Jan 26 th 2022)
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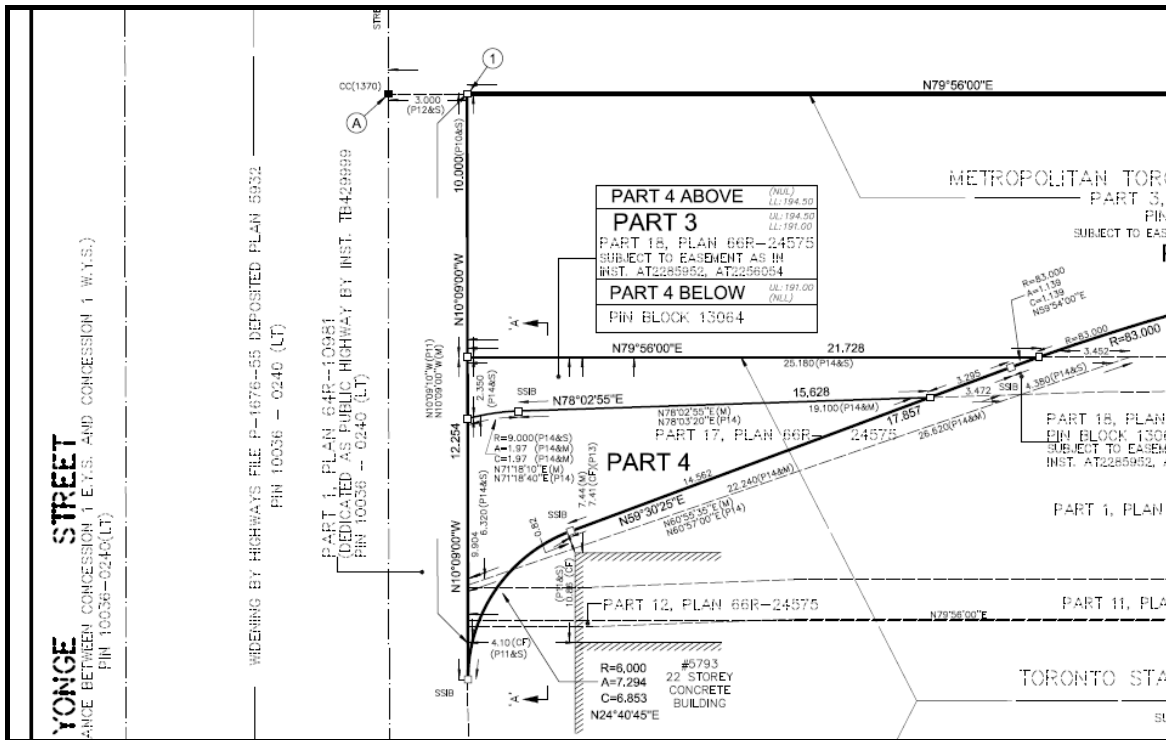
DAF Tracking No.: 2022- 032	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	Jan. 27, 2022	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Scott Delahunt	Jan. 27, 2022	Signed by Scott Delahunt
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		n/a

Appendix A -

Fee Simple Interest in part of the property municipally known as 5791-5793 Yonge Street, legally described as being part of the Common Elements of Toronto Standard Condominium Plan No. 2064, illustrated as Parts 3 and 4 on the excerpted portion of the Draft Plan prepared by KRCMAR, DWG NAME 08-024RP0, dated 15 Feb, 2018,

SCHEDULE			
PART	PLAN	PIN BLOCK	AREA @ EL:191.00 (m ²)
1	PART OF COMMON ELEMENTS METROPOLITAN TORONTO CONDOMINIUM PLAN No. 805	PART OF PIN BLOCK 11805	425.6
2			34.1
3	PART OF COMMON ELEMENTS TORONTO STANDARD CONDOMINIUM PLAN No. 2064	PART OF PIN BLOCK 13064	35.5
4			55.4

PART 1 - SUBJECT TO EASEMENT AS IN INST. TB333354
 PART 3 - SUBJECT TO EASEMENT AS IN INST. AT2285952, AT2256054
 PARTS 3, 4 - SUBJECT TO EASEMENT AS IN INST. AT2360074, AT1366126



Appendix B - Location Map / Aerial View with Proposed Right of Way

