

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

TRACKING NO.: 2022-070

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

Prepared By:	Mike Saffran	Division:	Corporate Real Estate Management
Date Prepared:	May 31, 2022	Phone No.:	(416) 392-7205

Purpose	To initiate the process to permanently close and to authorize the General Manager, Transportation Services to give notice to the public of a proposed by-law to permanently close the surplus portion of the public highway, the stub-end of Adele Avenue and to authorize the sale to the abutting property owner, RIngley Construction Ltd. (the "Abutting Owner"), conditional upon City Council authorizing the permanent closure.
Property	Part of PIN 10288-1475 (LT), Part of Adele Avenue, Plan 66M-2436, designated as Part 1 on Plan 66R-32002, Toronto (N York), (the "Highway") and shown on Appendix "A".
Actions	<ol style="list-style-type: none"> 1. Authority be granted to accept the offer to purchase from the Abutting Owner to purchase the Highway for the sum of \$150,000.00 plus HST, substantially on the terms and conditions outlined herein and on such further and other terms as may be deemed appropriate by the Director, Transaction Services and in a form satisfactory to the City Solicitor. 2. A portion of the proceeds of sale be directed to fund the outstanding expenses related to the completion of the sale transaction. 3. The General Manager of Transportation Services be authorized to give notice to the public of a proposed by-law to permanently close the Highway in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Etobicoke York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law. 4. The General Manager of Transportation Services be authorized to advise the public of the proposed closure of the Highway prior to implementation, 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 Etobicoke York Community Council meeting at which the proposed by-law to close the Highway will be considered.
Financial Impact	<p>Revenue in the amount of \$150,000.00, (exclusive of HST and applicable taxes and fees), less closing costs and the usual adjustments is expected to be paid to the City of Toronto for the Highway. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon closing of the transaction.</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>In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the Highway was declared surplus on August 23, 2017 by DAF 2017-126 with the intended manner of disposal to be by inviting an offer to purchase from the Abutting Owner.</p> <p>All steps necessary to comply with the City's real estate disposal process as set out in Article 1 of Chapter 213 of the City of Toronto Municipal Code have been complied with.</p> <p>The Offer to Purchase submitted by the Abutting Owner in the amount of \$150,000.00 is considered fair, reasonable and reflective of market value. It is recommended for acceptance substantially on the terms and conditions outlined below:</p>
Terms	See Page 4

Property Details	Ward:	7 – Humber River-Black Creek
	Assessment Roll No.:	N/A
	Approximate Size:	Irregular-shaped
	Approximate Area:	92.35 m ² (994.08 ft ²)
	Other Information:	Public Highway

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 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 checked="" 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 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>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:	Anthony Perruzza	Councillor:	
Contact Name:	Matias de Dovitiis	Contact Name:	
Contacted by:	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input checked="" type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Councillor consulted – June 2, 2022	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Finance
Contact Name:	Luigi Nicolucci Lukasz Pawlowski Troy Caron	Contact Name:	Marie Barcellos/Ciro Tarantino
Comments:	Concurs with submission of DAF – May 10, 2022	Comments:	Concurs with FIS – March 17, 2022

Legal Services Division Contact

Contact Name: Jacqueline Vettorel – March 16, 2022

DAF Tracking No.: 2022-070	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Portfolio Management Vinette Prescott-Brown	June 9, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Transaction Services Alison Folosea	June 9, 2022	Signed by Alison Folosea

DAF 2022-070 – Terms and Conditions

Irrevocable Date:	May 12, 2022
Purchase Price:	\$150,000.00
Deposit:	\$2.00
Balance:	Certified cheque, bank draft, electronic funds transfer or wire payment on closing
Due Diligence:	45 days after acceptance of the Offer to Purchase by the City for Purchaser to satisfy itself regarding title to the Property.
Closing Date:	45 days after enactment of the Closing By-law
Sale Conditions:	<p>The Purchaser shall accept the Property in "as is" condition, including its environmental condition, and shall provide a Release in favour of the City with respect to any hazardous substances.</p> <p>The Purchaser shall accept the Property subject to the reservation of an easement by the City for Toronto Water purposes (sanitary sewers, storm sewers and watermains).</p>

Appendix "A"



