

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

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:	May 18, 2022	Phone No.:	416-338-7612

Purpose	To authorize the City to accept the 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 part of the City-owned lands at 10 Dickens Ave (Dundas St E & Logan Ave).
Property	Part of the City-owned lands known municipally known as 10 Dickens Ave (Dundas St E & Logan Ave), and legally described in Appendix "A" and shown on Appendix "B and "C".
Actions	1. Authorize the acceptance of Offer (A), Full Settlement, 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 compensation offered to the City, subject to payment of any outstanding realty taxes, is in the amount of \$133,700.00, and will be directed to the Land Acquisition Reserve Fund (XR1012).</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 January 11, 2021, Metrolinx notified the City it was commencing expropriation proceedings on the Property in order to facilitate the construction and operation of the Ontario Line Project. On May 18, 2021, with the registration of Expropriation Plan No. AT5740205 (Appendix "C"), Metrolinx expropriated all rights, title and interests on the property, as detailed in Appendix "A". Notices of Expropriation were served on the City.</p> <p>In accordance with Section 25 of the <i>Expropriations Act</i>, Metrolinx has served an Offer of Compensation, together with the related appraisal, on the City, 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>Corporate Real Estate Management's Appraisal Unit has reviewed the submitted appraisal and recommends the acceptance of Offer A.</p>
Terms	<i>Not Applicable</i>

Property Details	Ward:	14 – Toronto-Danforth
	Assessment Roll No.:	
	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 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 checked="" 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:	Paula Fletcher	Councillor:	
Contact Name:	Paula Fletcher	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	Councillor Notified	Comments:	

Consultation with Divisions and/or Agencies

Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name:	Luxmen Aloysius
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DAF Tracking No.: 2022-088	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	May 18, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	June 14, 2022	Signed by Alison Folosea

Appendix "A"
Expropriated Property Interests

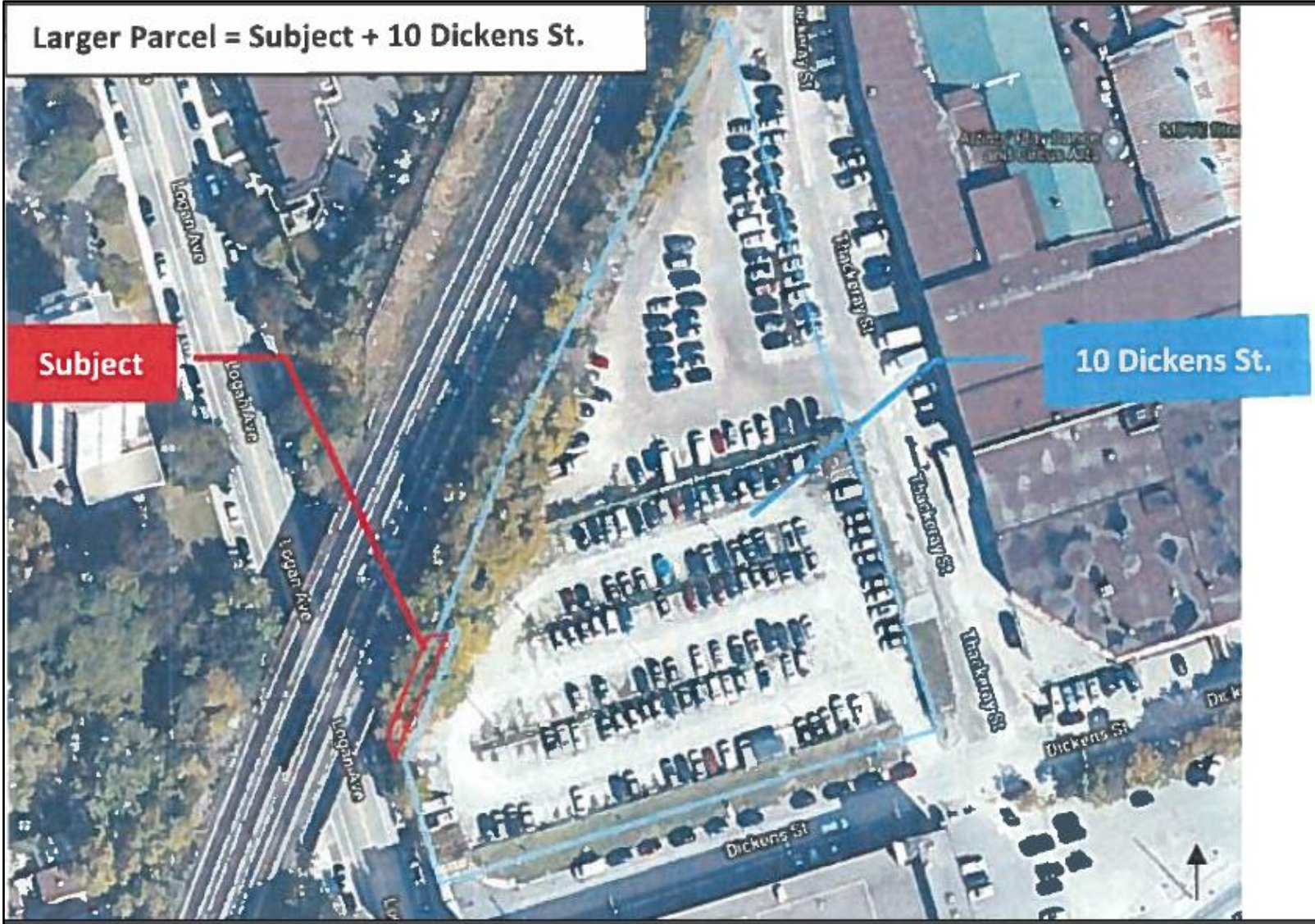
Property Interest	Address / PIN No.	Approximate Location of Expropriated Interest	Approximate Area (m ²)
All rights and Interests	Former Lane East Side of Logan Avenue. 210590235	Parts 1 on Expropriation Plan AT5740205 <ul style="list-style-type: none"><li data-bbox="678 321 1260 380">• Pt Lane PI 48E Toronto closed by ER107458 as in ER107458; City of Toronto	69

Appendix "B"
Location Map / Aerial Map

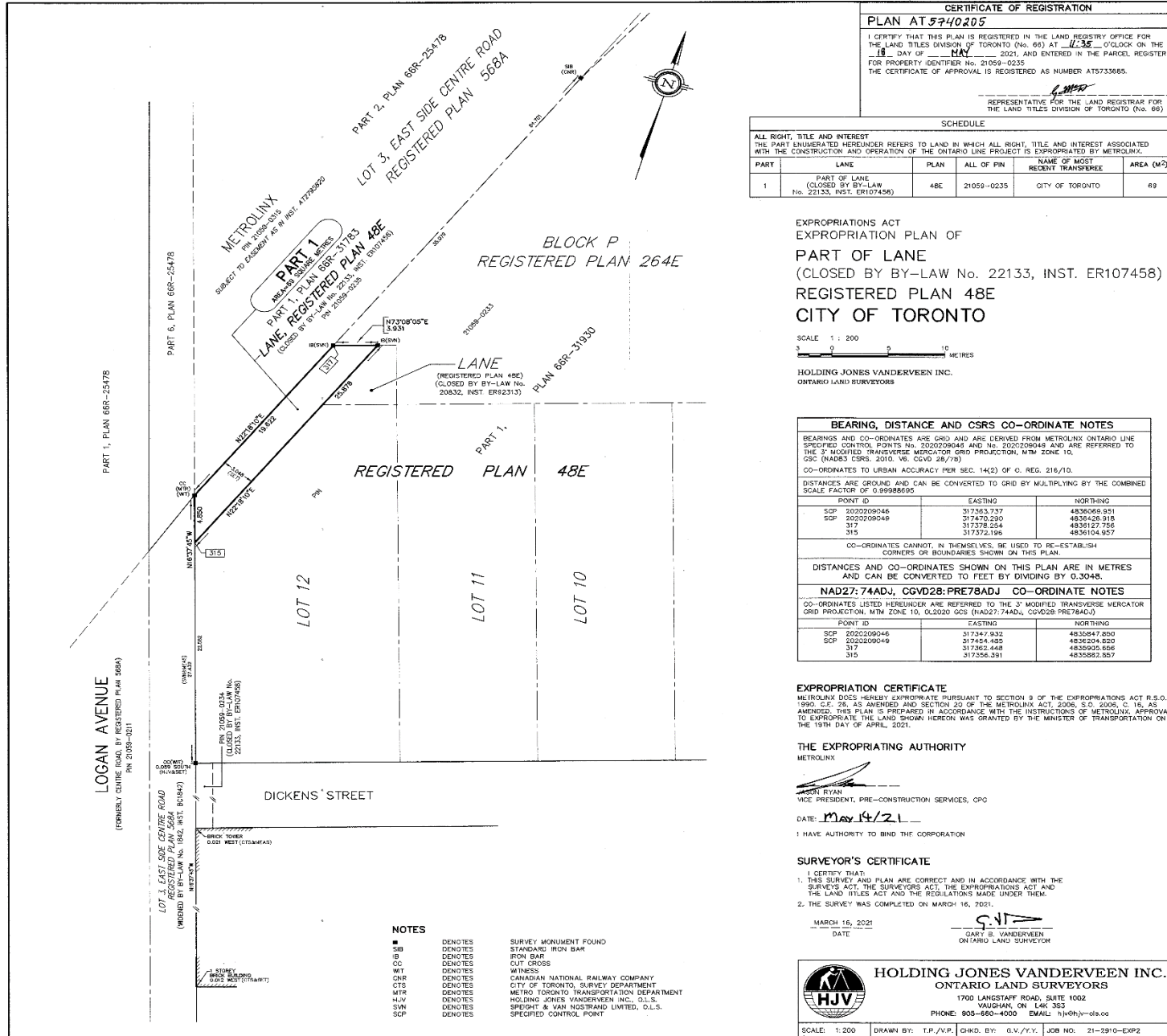
Larger Parcel = Subject + 10 Dickens St.

Subject

10 Dickens St.



Appendix "C" Expropriation Plan



CERTIFICATE OF REGISTRATION
PLAN AT 5740205

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TILES DIVISION OF TORONTO (No. 601) AT 12:36 O'CLOCK ON THE 18 DAY OF MAY, 2021, AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER No. 21059-0235. THE CERTIFICATE OF APPROVAL IS REGISTERED AS NUMBER AT5733065.

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TILES DIVISION OF TORONTO (No. 665)

SCHEDULE

ALL RIGHT, TITLE AND INTEREST THE PART ENUMERATED HEREUNDER REFERS TO LAND IN WHICH ALL RIGHT, TITLE AND INTEREST ASSOCIATED WITH THE CONSTRUCTION AND OPERATION OF THE ONTARIO LINE PROJECT IS EXPROPRIATED BY METROLINK.

PART	LANE	PLAN	ALL OF PIN	NAME OF MOST RECENT TRANSFEREE	AREA (M ²)
1	PART OF LANE (CLOSED BY BY-LAW No. 22133, INST. ERI07458)	48E	21059-0235	CITY OF TORONTO	89

EXPROPRIATIONS ACT
EXPROPRIATION PLAN OF
PART OF LANE
(CLOSED BY BY-LAW No. 22133, INST. ERI07458)
REGISTERED PLAN 48E
CITY OF TORONTO

SCALE 1 : 200

3 0 3 10 METRES

HOLDING JONES VANDERVEEN INC.
ONTARIO LAND SURVEYORS

BEARING, DISTANCE AND CSRS CO-ORDINATE NOTES

BEARINGS AND CO-ORDINATES ARE GRID AND ARE DERIVED FROM METROLINK ONTARIO LINE SPECIFIED CONTROL POINTS No. 202020948 AND No. 202020949 AND ARE REFERRED TO THE 3' MODIFIED TRANSVERSE MERCATOR GRID PROJECTION, MTM ZONE 10, CSC (NAD83 CSRS, 2010, NO. CGVD 25/79)

CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O. REG. 216/10.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99988695

POINT ID	EASTING	NORTHING
SCP 202020948	317253.727	4836069.931
SCP 202020949	317470.230	4836268.918
317	317378.554	4836127.756
315	317332.195	4836104.957

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCES AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NAD27: 74ADJ, CGVD28: PRE78ADJ CO-ORDINATE NOTES

CO-ORDINATES LISTED HEREUNDER ARE REFERRED TO THE 3' MODIFIED TRANSVERSE MERCATOR GRID PROJECTION, MTM ZONE 10, O.2020 023 (NAD27:74ADJ, CGVD28:PRE78ADJ)

POINT ID	EASTING	NORTHING
SCP 202020946	317347.932	4835847.890
SCP 202020949	317454.485	4836204.850
317	317362.448	4835995.596
315	317256.391	4835882.957

EXPROPRIATION CERTIFICATE

METROLINK DOES HEREBY EXPROPRIATE PURSUANT TO SECTION 9 OF THE EXPROPRIATIONS ACT R.S.O. 1990, C.28, AS AMENDED AND SECTION 20 OF THE METROLINK ACT, 2006, S.O. 2006, C.16, AS AMENDED, THIS PLAN IS PREPARED IN ACCORDANCE WITH THE INSTRUCTIONS OF METROLINK. APPROVAL TO EXPROPRIATE THE LAND SHOWN HEREON WAS GRANTED BY THE MINISTER OF TRANSPORTATION ON THE 18TH DAY OF APRIL, 2021.

THE EXPROPRIATING AUTHORITY
METROLINK

[Signature]
ASST. PRESIDENT, PRE-CONSTRUCTION SERVICES, CPC

DATE: May 14/21

I HAVE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE EXPROPRIATIONS ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON MARCH 16, 2021.

MARCH 16, 2021
DATE

[Signature]
DARYL B. VANDERVEEN
ONTARIO LAND SURVEYOR

HOLDING JONES VANDERVEEN INC.
ONTARIO LAND SURVEYORS

1700 LANCASTER ROAD, SUITE 100Z
VAUGHAN, ON L4K 3S3
PHONE: 905-860-4000 EMAIL: hlv@hvj-ols.ca

SCALE: 1:200 DRAWN BY: T.P./V.P. CHKD. BY: G.V./Y.Y. JOB NO: 21-2910-EXP2

- NOTES**
- DENOTES SURVEY MONUMENT FOUND
 - SB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - CC DENOTES CUT CROSS
 - MT DENOTES MET
 - CNR DENOTES CANADIAN NATIONAL RAILWAY COMPANY
 - CTS DENOTES CITY OF TORONTO, SURVEY DEPARTMENT
 - MTR DENOTES METRO TORONTO TRANSPORTATION DEPARTMENT
 - HLV DENOTES HOLDING JONES VANDERVEEN INC., O.L.S.
 - SVN DENOTES SPROUNT & VAN NOSTRAND LIMITED, O.L.S.
 - SCP DENOTES SPECIFIED CONTROL POINT