

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

TRACKING NO.: 2022-116

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

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management
Date Prepared:	July 11, 2022	Phone No.:	(416) 397-0806

Purpose	To authorize the City to accept payments of compensation offered by Metrolinx, the expropriating authority, pursuant to Section 25 of the <i>Expropriations Act</i> for the expropriated property interests in various properties along the Lakeshore East Rail Corridor as identified in Appendix "A"
Property	Seven properties or parts of properties along Lakeshore East Rail Corridor, legally described in the chart shown in Appendix "A" and also shown on the location map in Appendix "C".
Actions	1. Authorize the acceptance of Offer (A) (Full settlement of the City's interest) of the Offer of Compensation served by Metrolinx in accordance with the requirements of the <i>Expropriations Act</i> , in the amounts set out in Appendix "B".
Financial Impact	The total compensation offered to the City, subject to payment of any outstanding realty taxes, is in the amount of \$71,940.00, as set out in Appendix "C", will be directed to the Land Acquisition Reserve Fund (XR1012). 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 January 14, 2021, Metrolinx notified the City and all registered owners that it was commencing expropriation proceedings for various property interests to facilitate the Lakeshore East-West Corridor Expansion Project. On September 28, 2021 and October 27, 28 & 29, 2021, with the registration of Expropriation Plans Nos. AT5870458, AT5895558, AT5894244, AT5895591, AT5898228, AT5895506 and AT5894498, Metrolinx expropriated temporary and/or permanent easement interests over seven City-owned properties. Notices of Expropriation were served to the City on November 5 and 8, 2021. In accordance with Section 25 of the <i>Expropriations Act</i> (the "Act"), Metrolinx has served Offers of Compensation, together with the related appraisals, on the City, with the following options for acceptance: <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 Act, in respect of the determination of compensation, and subject to adjustment in accordance with any compensation that may be subsequently determined under the Act or any other Act, or agreed upon. In addition, Metrolinx is required to pay interest at 6 per cent per annum in accordance with Section 33 of the Act. Corporate Real Estate Management Appraisal Unit staff reviewed the submitted appraisals and recommends acceptance of the Offer A amounts.
Terms	Not applicable.

Property Details	Ward:	24-Scarborough-Guildwood, 25-Scarborough-Rouge Park & 18-Beaches-East York
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	483.1 m2 ± (5,200 ft2 ±)
	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 (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:	Paul Ainslie / Brad Bradford	Councillor:	Jennifer McKelvie
Contact Name:	Antonette Dinovo / Ashley Milman	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No objections	Comments:	No Issue

Consultation with Divisions and/or Agencies

Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	No Comments

Legal Services Division Contact

Contact Name: Lisa Davies

DAF Tracking No.: 2022-116	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	July 15, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 22, 2022	Signed by Alison Folosea

Appendix "A"
Expropriated Property Interests

Property Interest	PIN Nos.	Approximate Location of Expropriated Interest	Approximate Area (sq.ft)
Temporary Easement	PIN 065220083	1 foot reserve adjacent to rear lot line of Greyabbey Trail properties • Part 1 on Expropriation Plan AT5895558	1,079
	PIN 063840335	1 foot reserve adjacent to front lot line of 76 & 78 Morningside Ave • Part 1 on Expropriation Plan AT5894244	129
	PIN 063900486	1 foot reserve adjacent to rear lot line of Pixley Crescent properties • Part 1 on Expropriation Plan AT5895591	678
	PIN 063840149	1 foot reserve adjacent to rear lot line of Syracuse Cres properties • Part 1 on Expropriation Plan AT5898228	388
	PIN 063840152	1 foot reserve adjacent to Tivoli Court properties • Part 1 on Expropriation Plan AT5895506	259
	PIN 21014-0736	61 Stephenson Ave (Stephenson Park) • Part 1 on Expropriation Plan AT5870458	2,018
Permanent Easement Subsurface	PIN 06522-0332	Copperfield Road • Parts 1, 2, 3 & 4 on Expropriation Plan AT5894498	649

Appendix "B"
Offers of Compensation

PIN Nos.	Compensation	Condition of Offer
065220083	\$19,400.00	Offer to City subject to payment of any outstanding realty taxes
063840335	\$2,400.00	Offer to City subject to payment of any outstanding realty taxes
063900486	\$11,900.00	Offer to City subject to payment of any outstanding realty taxes
063840149	\$7,500.00	Total compensation offered to City subject to payment of any outstanding realty taxes
063840152	\$4,700.00	Offer to City subject to payment of any outstanding realty taxes
06522-0332	\$600.00	Offer to City subject to payment of any outstanding realty taxes
21014-0736	\$25,440.00	Offer to City subject to payment of any outstanding realty taxes
Total	\$71,940.00	

