

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

**TRACKING NO.: 2022-167**

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:	September 23, 2022	Phone No.:	(416) 392-7205

<b>Purpose</b>	To obtain authority for the City of Toronto (the "City") to enter into two agreements, the Release Agreement and an Acknowledgement & Release Agreement (hereinafter the "Agreements") with Cloverdale Mall Inc. (the "Owner") for the release of an existing sewage easement in favour of the City (the "Easement") registered as EB133146 against title to the Owner's lands more particularly described in Appendix "A" (the "Property") and shown on the location map and Plan R-4685 attached hereto as Appendix "B". The Easement is no longer required by the City as the sanitary and storm sewers have been abandoned.
<b>Property</b>	A portion of the lands municipally known as 2 and 10 East Mall Crescent, being the whole of PIN 07551-0170 as described in the legal description in the attached Appendix "A" and shown on the Location Map attached hereto as Appendix "B" The Easement affects the portion of the Property designated as Part 2, Plan R-4685, highlighted in yellow in Appendix "B".
<b>Actions</b>	1. Authority is granted to enter into the Agreements and a Transfer, Release and Abandonment of the Easement with respect to the Property, substantially on the terms and conditions outlined below, and on such other or amended terms and conditions as may be satisfactory to the Director, Transaction Services, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	The release of the Easement will generate revenue in the amount of \$14,850.00 (exclusive of HST). These funds will be contributed to the Land Acquisition Reserve Fund (XR1012). A registration fee in the amount of \$78.79 (exclusive of HST) is also payable by the Owner. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
<b>Comments</b>	Quadreal Property Group is undertaking a redevelopment of Cloverdale Mall bounded by The East Mall, Dundas Street West and Highway 427, which lands include the Property. Quadreal, through its related company Cloverdale Mall Inc., the registered owner of the Property, requested a release of the Easement from title to the Property. Engineering Constructions Services has no objections to the release of the Easement from the Property as the sanitary and storm sewers have been abandoned.
<b>Terms</b>	<b>Transferor:</b> City of Toronto <b>Transferee:</b> Cloverdale Mall Inc. <b>Interest being released:</b> A Transfer, Release and Abandonment of the Easement with respect to the Property. <b>Consideration for release of the Easement:</b> \$14,850.00 plus applicable HST (the "Release Fee")

<b>Property Details</b>	<b>Ward:</b>	3 – Etobicoke-Lakeshore
	<b>Assessment Roll No.:</b>	A portion of 1919—031-070-00450
	<b>Approximate Size:</b>	N/A
	<b>Approximate Area:</b>	N/A
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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 checked="" 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:	Mark Grimes	Councillor:	
Contact Name:	Kim Edgar	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No objections – September 22, 2022	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Engineering and Construction Services	Division:	<b>Financial Planning</b>
Contact Name:	John Baldesarra	Contact Name:	Filisha Jenkins
Comments:	Concurs with submission of DAF – Sept 22, 2022	Comments:	Concurs with FIS – September 22, 2022

**Legal Services Division Contact**

Contact Name: Jack Payne – September 20, 2022

DAF Tracking No.: 2022-167	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Portfolio Management Van Hua (Acting)</b>	Sept 26 2022	Signed By: Van Hua
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Transaction Services Alison Folosea</b>	Sept 27 2022	Signed By: Alison Folosea

**Appendix "A" – Legal Description****PIN 07551-0170 (LT)**

PCL A-2, SEC B4392 ; PT BLK A, PL 4392 , PART 1 & 2 , R4685 , S/T AN EASEMENT OR RIGHT IN THE NATURE OF AN EASEMENT IN FAVOUR OF THE CORPORATION OF THE BOROUGH OF ETOBICOKE, AT ANY TIME TO ENTER UPON THAT PART OF THE SAID BLK A , DESIGNATED AS PT 2 ON THE SAID PL R4685, FOR THE PURPOSE OF CONSTRUCTING SANITARY AND STORM SEWERS OF ALL KINDS AND SUCH OTHER INCIDENTAL WORKINGS AS MAY BE NECESSARY IN CONNECTION THEREWITH, IN OVER AND UNDER THE SURFACE, OF THE SAID LANDS AND OF KEEPING THEM AT ALL TIMES IN GOOD CONDITION AND REPAIR AND FOR EVERY SUCH PURPOSE, THE SAID THE CORPORATION OF THE BOROUGH OF ETOBICOKE SHALL HAVE ACCESS TO THE SAID LANDS AT ALL TIMES BY ITS SERVANTS, EMPLOYEES AND WORKMEN AS IN EB133146; ETOBICOKE; CITY OF TORONTO

Appendix "B" – Location Map and Plan R-4685

