

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

**TRACKING NO.: 2022-253**

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

Prepared By:	Patricia Palmieri	Division:	Corporate Real Estate Management
Date Prepared:	November 2, 2022	Phone No.:	416-392-4828

<b>Purpose</b>	To obtain authority to enter into an entrance connection easement agreement (the "Agreement") with 481 UNI Investments Inc. (the "Owner") with respect to the property as described below, for the purpose and existence of a subway entrance and the operation of the Toronto Transit Commission ("TTC") facilities.
<b>Property</b>	16 E/S University Av, 17 E/S University Av, 18 E/S University Av, 19 E/S University Av, 20 E/S University Av, 16 W/S Centre Av, 17 W/S Centre Av, 18 W/S Centre Av, 19 W/S Centre Av, 20 W/S Centre Av PI 147 Toronto (aka Centre St); City Of Toronto; being all of Pin 21199-0084 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, known as (the "Owner Lands").  College Av PI 1 Toronto; Avenue St PI 24 Toronto; Park Lane PI 24 Toronto; Park Lane PI 147 Toronto; Park Lane PI D14 Toronto aka University Av between College Ave & Dundas St W; Secondly; LT 1 PI 24 Toronto forced road; City of Toronto; being all of PIN 21199-0046 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division, known as (the "City Lands").
<b>Actions</b>	1. Authority be granted to enter into the Agreement with the Owner, on the terms and conditions outlined below, and including such other or amended terms and conditions as may be acceptable to the Director of Transaction Services, or his or her designate, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	The Owner shall pay a fee of \$615,000.00 (plus HST) to TTC for the Subway entrance connection prior to registration of a condominium under the Condominium Act, 1998. Revenues will be directed to the 2022 Council Approved Operating Budget for the TTC under account number 330-0000 under the Corporate Non-Departmental Operating Revenue cost centre 9999.  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>	In accordance with a Site Plan Agreement entered into between the City and the Owner, the Owner has elected to provide certain facilities and services to the City, including a subway entrance connecting the Owner's Lands to St. Patrick subway station. Both parties have agreed to the establishment of easements for the efficient operation of the new subway entrance, subject to and in accordance with the terms set out below.  The proposed fee and other major terms and conditions of the Agreement are considered to be fair, reasonable and reflective of market rates.
<b>Terms</b>	<b>Terms:</b> The Owner grants and conveys to the City and TTC, easements over the Owners Lands for the following purposes: <ul style="list-style-type: none"> <li>• passage and re-passage of pedestrians over the Owners Lands for the purpose of access to the City Lands and ingress and egress to and from the Owner's building</li> <li>• a non-exclusive general access easement in favour of the City and TTC, for passage and re-passage of pedestrians through the portions of the Owner Lands in which pedestrian routes are located</li> <li>• to install and maintain the portions of the fire safety system passing through the Owner's Lands and serving the City's Lands, the TTC's facilities and the Owner's Lands on a shared basis.</li> <li>• The Owner acknowledges that due to the City operating requirements the City may require the use of the Owner's Lands at any time of the day, including but not limited to the hours of 22:00 and 7:00</li> </ul> <b>Fee:</b> \$615,000.00 plus HST  <b>Maintenance:</b> Each party will maintain its facilities in good order and condition, subject to and in accordance with the Agreement, including the entrance connection facilities, which are to be maintained in accordance with the Agreement and to the standards and specifications required by the TTC.

<b>Property Details</b>	<b>Ward:</b>	Ward 11 – University Rosedale
	<b>Assessment Roll No.:</b>	190406650000100
	<b>Approximate Size:</b>	Irregular
	<b>Approximate Area:</b>	Irregular
	<b>Other Information:</b>	none

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 checked="" 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:	Councillor Mike Layton	Councillor:	
Contact Name:	Marco Bianchi	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:	Advised	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	TTC	Division:	<b>Financial Planning</b>
Contact Name:	Matthew Kavanaugh	Contact Name:	Filisha Jenkins
Comments:	Concurs	Comments:	Concurs

**Legal Services Division Contact**

Contact Name:	Dale Mellor
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DAF Tracking No.: 2022-253	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Vinette Prescott-Brown</b>	Nov. 3, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Transaction Services Alison Folosea</b>	Nov. 4, 2022	Signed by Alison Folosea

### Location Map

