

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

TRACKING NO.: 2022-302

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

Prepared By:	Rocchina Zambri	Division:	Corporate Real Estate Management
Date Prepared:	December 14, 2022	Phone No.:	416-338-2995

Purpose	To obtain authority to acquire a below-grade fee simple portion of the property located at 5365 Dundas Street West (the "Lands"), as shown in Appendix "B" and to enter into a negative support easement agreement (the "Easement") with Concert Real Estate Corporation (the "Owner").
Property	The lands subject to the Easement is a stratified portion of the Lands, legally described as part of PIN 07549-0191(LT), being Part of Lot 7, Concession 5, Colonel Smith's Tract, designated as Parts 1 & 2 on Reference Plan 66R-32507 shown in Appendix "B" (the "Reference Plan"), City of Toronto (the "Easement Lands"). The fee simple lands is legally described as part of PIN 07549-0191 (LT), being Part of Lot 7, Concession 5, Colonel Smith's Tract, designated as Parts 4 and 5 on the Reference Plan, City of Toronto (the "Property")
Actions	1. The City to accept the offer from the Owner to obtain the Property and to enter into the Easement and any ancillary agreements with the Owner, substantially on the terms and conditions as set out below, and including such other or amended terms and conditions as may be deemed appropriate by the Director, Transaction Services, or his or her designate, and in a form acceptable to the City Solicitor.
Financial Impact	There is no financial impact associated with the Easement and fee simple lands. The consideration for such rights are nominal. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	The Owner entered into a Site Plan Agreement with the City on December 13, 2019 to construct a multi-phased residential development. Pursuant to the Site Plan Agreement, the Owner has agreed to transfer the Property to the City and to grant the City an easement in, on, over and through a portion of the lands above the Property for the support and the safe operation of municipal subsurface infrastructures, together with the right of ingress and egress over the Easement Lands.
Terms	Term: In the event that the perpetual duration of the Easement is precluded by statute or common law the easement will expire in Nine Hundred and Ninety-Nine (999) years from the date of the its registration on title to the Property. Notice: Written notice must be provided to the City and/or the TTC in order to commence work of any type whatsoever, including the excavation, construction, grading, drilling, digging, demolition, deconstruction or other material alteration of the Easement Lands or improvements in, on, over or through the Easement Lands. Written notice must also be provided if there are alterations to the Easement Lands or effect changes to the use of the Easement Lands. Compliance: The Owner shall keep and maintain the Easement Lands and all improvements in, on, over or through the Easement Lands, excluding for certainty the Property and the subsurface systems, in a good and safe condition, in compliance with all applicable laws, by-laws, regulations, standards and governmental policies.

Property Details	Ward:	3 – Etobicoke-Lakeshore
	Assessment Roll No:	
	Approximate Size:	
	Approximate Area:	Irregular
	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 checked="" 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 checked="" 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 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:	Councillor Amber Morley	Councillor:	
Contact Name:	Councillor Amber Morley	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" 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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

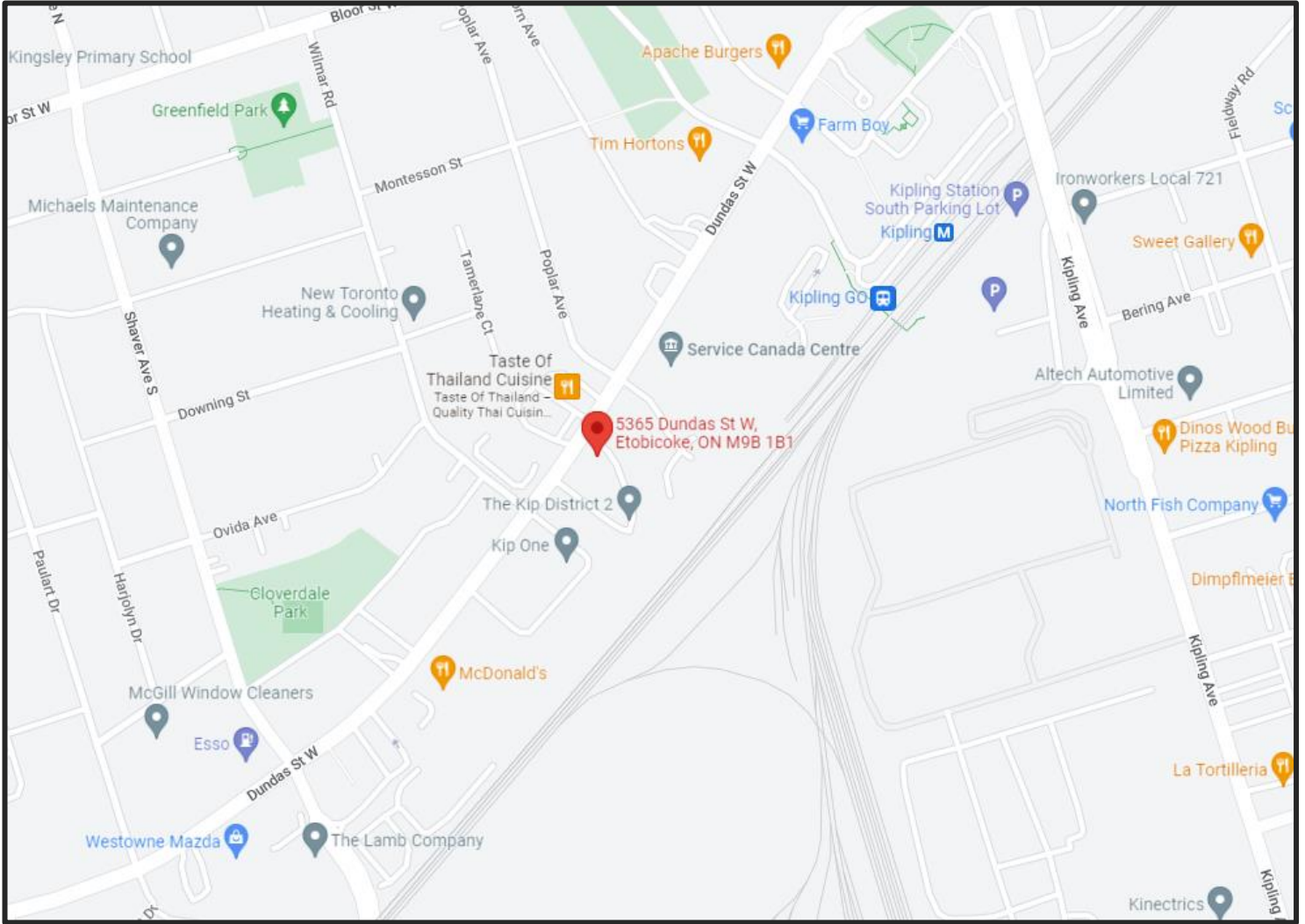
Division:	TTC	Division:	Financial Planning
Contact Name:	Matthew Kavanaugh	Contact Name:	Filisha Jenkins
Comments:	Concur	Comments:	Concur

Legal Services Division Contact

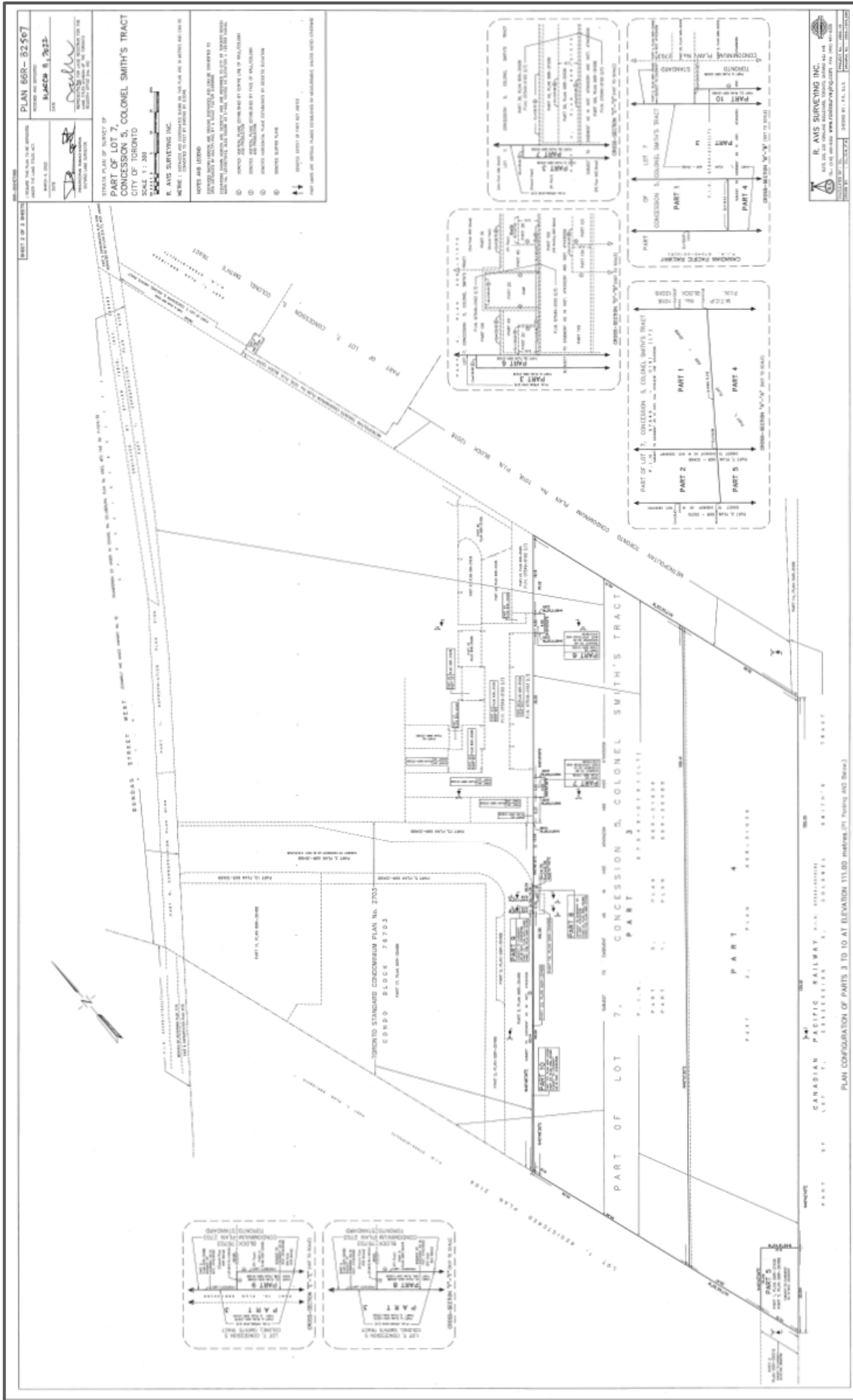
Contact Name:	Dale Mellor
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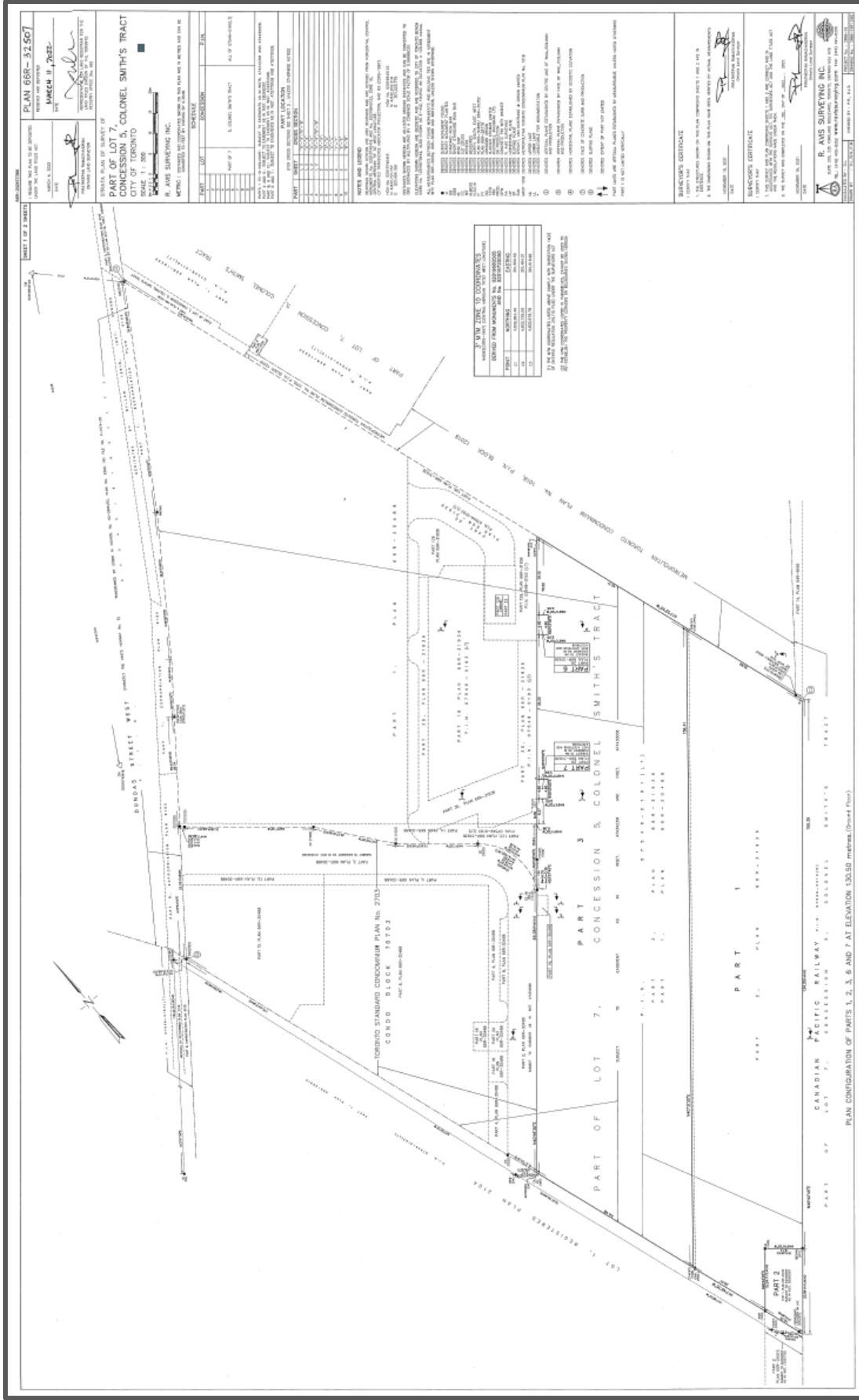
DAF Tracking No.: 2022-302	Date	Signature
Concurred with by: Manager, Real Estate Services Van Hua	Dec. 14, 2022	Signed by Van Hua
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vnette Prescott-Brown <input checked="" type="checkbox"/> Approved by:	Dec. 14, 2022	Signed by Vnette Prescott-Brown
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix A – Location Map



Appendix B – Reference Plan 66R-32507





PROJECT NO. PLAN 688-32507
 DATE: JANUARY 2023
 DRAWN BY: MAREK J. ZARZYCKI
 CHECKED BY: [Signature]

OWNER: R. AMIS SURVEYING INC.
 PROJECT: PART OF LOT 7, CONCESSION 5, COLONEL SMITH'S TRACT
 CITY OF TORONTO
 SCALE: 1:500

NOTES AND RECORDS

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE RAILWAY UNLESS OTHERWISE SPECIFIED.
6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CANAL UNLESS OTHERWISE SPECIFIED.
7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRAINAGE CANAL UNLESS OTHERWISE SPECIFIED.
8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UTILITY LINE UNLESS OTHERWISE SPECIFIED.
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UTILITY TRENCH UNLESS OTHERWISE SPECIFIED.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UTILITY STRUCTURE UNLESS OTHERWISE SPECIFIED.
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20. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UTILITY STRUCTURE UNLESS OTHERWISE SPECIFIED.

3' M ZONE TO CONSERVES

NO.	DESCRIPTION	DATE
1	EXISTING	2023
2	NEW	2023
3	NEW	2023
4	NEW	2023
5	NEW	2023
6	NEW	2023
7	NEW	2023
8	NEW	2023
9	NEW	2023
10	NEW	2023
11	NEW	2023
12	NEW	2023
13	NEW	2023
14	NEW	2023
15	NEW	2023
16	NEW	2023
17	NEW	2023
18	NEW	2023
19	NEW	2023
20	NEW	2023

BOUNDARY CONDITIONS

1. TO THE NORTH: [Description]
2. TO THE SOUTH: [Description]
3. TO THE EAST: [Description]
4. TO THE WEST: [Description]
5. TO THE NORTHWEST: [Description]
6. TO THE SOUTHWEST: [Description]
7. TO THE NORTHEAST: [Description]
8. TO THE SOUTHEAST: [Description]

BOUNDARY CONDITIONS

1. TO THE NORTH: [Description]
2. TO THE SOUTH: [Description]
3. TO THE EAST: [Description]
4. TO THE WEST: [Description]
5. TO THE NORTHWEST: [Description]
6. TO THE SOUTHWEST: [Description]
7. TO THE NORTHEAST: [Description]
8. TO THE SOUTHEAST: [Description]

R. AMIS SURVEYING INC.
 1000 SHEPPARD AVENUE EAST, SUITE 100
 SCARBOROUGH, ONTARIO M1S 1T5
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW.AMISURVEYING.COM

PLAN CONFIGURATION OF PARTS 1, 2, 3, 6 AND 7 AT ELEVATION 100.00 meters (Ground Floor)