

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

TRACKING NO.: 2022-298

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

Prepared By:	Blendian Stefani	Division:	Corporate Real Estate Management
Date Prepared:	December 1, 2022	Phone No.:	(416) 397-7481

Purpose	To authorize the acceptance of the payment of compensation offered by Metrolinx, the expropriating authority, pursuant to Section 25 of the <i>Expropriations Act</i> for the expropriated property interests identified in Appendix "A" along the Lakeshore East (LSE) Corridor.
Property	The Property along Lakeshore East (LSE) Rail Corridor, legally described in the chart shown in Appendix "A" and also shown on the location map in Appendix "B".
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 amount of \$947,900.00.
Financial Impact	<p>The total compensation offered to the City, subject to payment of any outstanding realty taxes, is estimated to be \$947,900.00 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 14, 2021, Metrolinx notified the City and all registered owners that it was commencing expropriation proceedings for various property interests to facilitate its Lakeshore East-West Corridor Expansion Project. On October 27, 2021 with the registration of Expropriation Plan No. AT5894696, Metrolinx expropriated permanent interests over the City-owned property identified in Appendix "A". A Notice of Expropriation was served to the City on November 5, 2021.</p> <p>In accordance with Section 25 of the <i>Expropriations Act</i> (the "Act"), 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>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>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 Appraisal Unit staff reviewed the submitted appraisals and recommends acceptance of the Offer A amount.</p>
Terms	Not applicable.

Property Details	Ward:	25 – Scarborough – Rouge Park
	Assessment Roll No.:	
	Approximate Size:	Various
	Approximate Area:	See Appendix "A"
	Other Information:	N/A

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/Licensor):</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:	Jennifer McKelvie	Councillor:	
Contact Name:	Charrissa Klander	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 checked="" type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Concurs

Legal Services Division Contact

Contact Name:	Lisa Davies
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DAF Tracking No.: 2022-298	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown <input type="checkbox"/> Approved by:	Dec. 1, 2022	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Dec. 7, 2022	Signed by Alison Folosea

APPENDIX "A"
EXPROPRIATED PROPERTY INTERESTS

Property	PIN Number	Approximate Area (sq.m)	Property Interest
UnOpened Road ROW – Chemical Court • Part 1 on Expropriation Plan AT5894696	PIN 06393-0100	1,178.8	Fee Simple

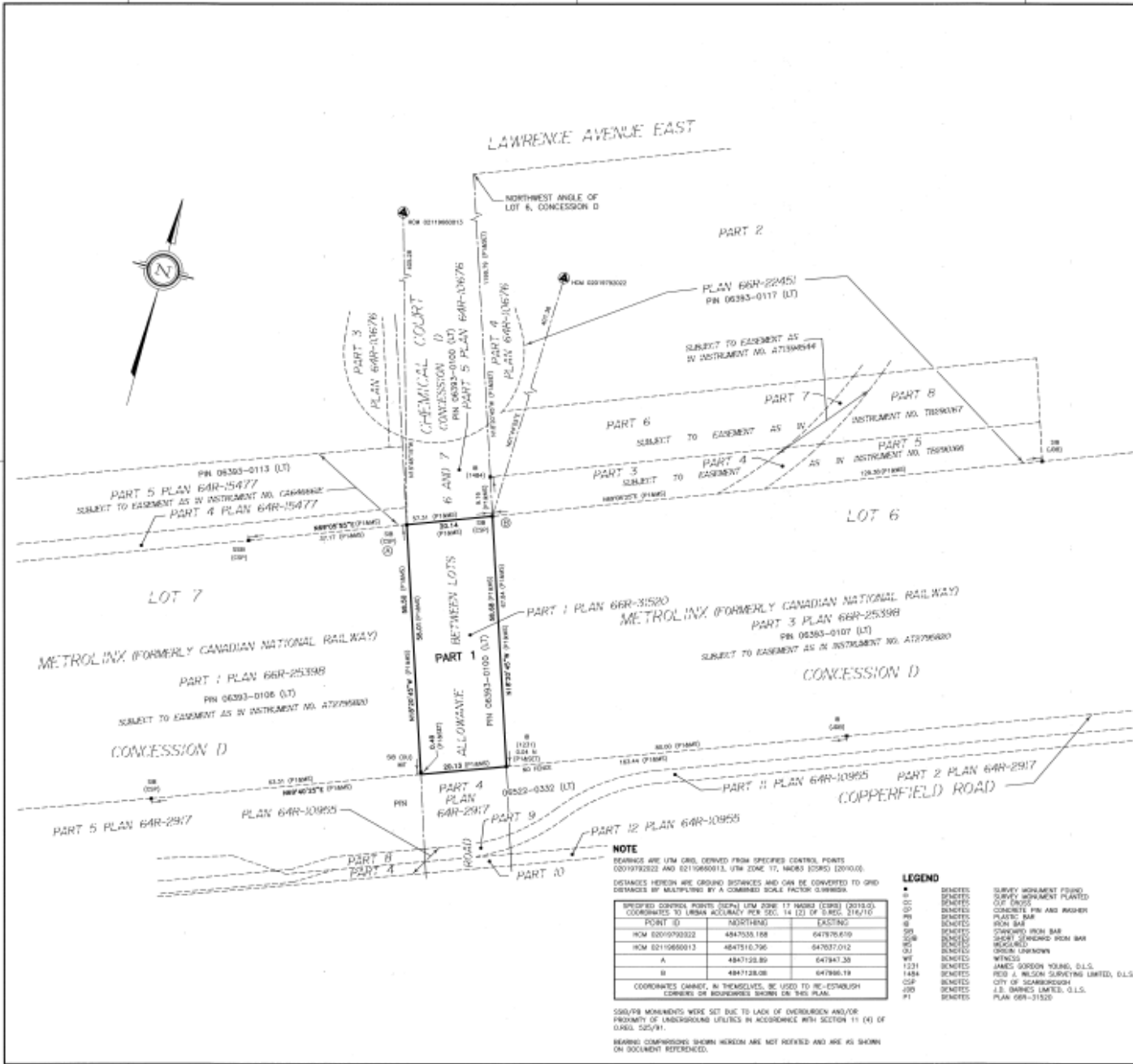
APPENDIX "B"
LOCATION MAP

UnOpened Road ROW – Chemical Court



APPENDIX "C" EXPROPRIATION PLAN

AT5894696



PLAN AT 5894696

CERTIFICATE OF REGISTRATION
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TILES DIVISION OF TORONTO (No. 06) AT
15:48 O'CLOCK ON THE **27** DAY
OF **Oct**, 2021 AND ENTERED IN THE PARCEL REGISTER FOR THE PROPERTY IDENTIFIER No. **06393-0100**

AND THE CERTIFICATE OF APPROVAL IS REGISTERED AS NUMBER
AT 5893910

M. Pong
REGISTRAR FOR THE LAND REGISTRY
OFFICE OF THE LAND TILES DIVISION OF TORONTO

SCHEDULE

ALL RIGHT, TITLE AND INTEREST
THE PARTS HEREBY IDENTIFIED HEREBY RELATE TO LAND IN WHICH ALL RIGHT, TITLE AND INTEREST IS EXPROPRIATED BY METROLINX FOR THE PURPOSES ASSOCIATED WITH THE REGIONAL EXPRESS RAIL PROGRAM.

PART	LOT	CON	FIN	NAME OF MOST RECENT TRANSFEREE	AREA
1	PART OF ROAD ALLOWANCE BETWEEN LOTS 6 AND 7, CONCESSION D	PART OF	06393-0100 (LT)	CITY OF TORONTO	1178.0 m ²

EXPROPRIATIONS ACT
PLAN OF SURVEY OF
PART OF THE ROAD ALLOWANCE
BETWEEN LOTS 6 AND 7
CONCESSION D
GEOGRAPHIC TOWNSHIP OF SCARBOROUGH
CITY OF TORONTO

SCALE 1:500

GEOVERRA (ON) LTD.
INCORPORATED LAND SURVEYORS
2021

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

EXPROPRIATION CERTIFICATE
METROLINX DOES HEREBY EXPROPRIATE PURSUANT TO SECTION 9 OF THE EXPROPRIATIONS ACT, R.S.O. 1990, c. 6, 24, 40, 40.01 AND SECTION 20 OF THE METROLINX ACT, 2006, S.O. 2006, c. 16, AS AMENDED. THIS PLAN IS PREPARED IN ACCORDANCE WITH THE RESTRICTIONS OF METROLINX APPROVAL TO EXPROPRIATE THE LAND SHOWN HEREON AS GRANTED BY THE MINISTER OF TRANSPORTATION ON THE 19 DAY OF October, 2021.

THE EXPROPRIATING AUTHORITY
METROLINX

JOHN FRYAN
VICE PRESIDENT, PRE-CONSTRUCTION SERVICES, OPE

DATED **29** DAY OF **Sept**, 2021
I HAVE AUTHORITY TO SIGN THIS CERTIFICATE

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TILES ACT AND THE EXPROPRIATIONS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 30th DAY OF APRIL, 2021.

October 04, 2021
Tom Pong
DATE
TORONTO
ONARIO LAND SURVEYOR

NOTE
BORINGS ARE UTM GRID COORDINATES FROM SPECIFIED CONTROL POINTS 02019792022 AND 02119660013, UTM ZONE 17, NAD83 (CSRS) (2011.0). DISTANCES HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A CORRECTED SCALE FACTOR 0.999928.

POINT ID	NORTHING	EASTING
NCM 02019792022	4847535.168	647976.610
NCM 02119660013	4847510.790	647937.012
A	4847128.89	647947.30
B	4847128.08	647966.19

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

LEGEND

■	SENTINEL	SURVEY MONUMENT FOUND
●	SENTINEL	SURVEY MONUMENT PLANTED
○	SENTINEL	CUT DRYS
▭	SENTINEL	CONCRETE PIN AND WOODEN PLASTIC BAR
□	SENTINEL	IRON BAR
⊠	SENTINEL	CONCRETE IRON BAR
⊞	SENTINEL	SMALL WOODEN IRON BAR
⊟	SENTINEL	WEDGED
⊠	SENTINEL	WOODEN SPRING
WF	SENTINEL	WITNESS
1231	SENTINEL	JAMES GORDON YOUNG, O.L.S.
1484	SENTINEL	FRIS J. NELSON SURVEYING LIMITED, O.L.S.
OSP	SENTINEL	CITY OF SCARBOROUGH
OSI	SENTINEL	J.D. BARNEZ LIMITED, O.L.S.
PT	SENTINEL	PLAN 689-31520

GeoVerra (ON) Ltd. Ontario **LAND SURVEYORS** **20-W0441-000-EXP-07**

150 COMMERCE VALLEY DRIVE W., THORNHILL, ONTARIO CANADA, L3T 0A7
TEL: 905-882-1100 FAX: 905-882-0000 WEB: WWW.GEOVERRA.COM

FLORIAN: DA DAN: BY: S.H.A. CHRIS: BY: T.H.
JOB NUMBER: 20-0441-000-00 THE NAME: EXP7
PAC FILE NAME: 20-0441-000-EXP7_20210404.DWG