

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2023-026

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:	January 25 , 2023	Phone No.:	(416) 397-0806										
Purpose	To authorize the acceptance of payments of compensation offered by Metrolinx, the expropriating authority, pursuant to Section 25 of the <i>Expropriations Act</i> for the expropriated property interests along the Lakeshore East Rail Corridor as identified in Appendix "A"												
Property	The properties along Lakeshore East 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 Offers of Compensation served by Metrolinx in accordance with the requirements of the <i>Expropriations Act</i> , in the amounts set out in Appendix "A".												
Financial Impact	<p>The total compensation offered to the City for the permanent interests, subject to payment of any outstanding realty taxes, is estimated in the amount of \$38,100.00 and will be directed to the Land Acquisition Reserve Fund (XR1012) Revenue to the City for the temporary easements in the amount of \$527,232.00 will be directed to the 2023 Operating Budget submission for Corporate Real Estate Management, under Cost Center FA1379 and Functional Area Code 3220200000, for Council consideration.</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 the Lakeshore East-West Corridor Expansion Project. On September 28, 2021 and January 14, 2022, with the registration of Expropriation Plans No. AT5870558 and AT5961830, Metrolinx expropriated temporary and permanent interests over the City-owned properties. Notices of Expropriation were served to the City on October 8, 2021 and February 24, 2022.</p> <p>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:</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 interest at 6 per cent per annum in accordance with Section 33 of the <i>Act</i>.</p> <p>Corporate Real Estate Management Appraisal Unit staff reviewed the submitted appraisals and recommends acceptance of the Offer A amounts.</p>												
Terms	Not applicable.												
Property Details	<table border="1"> <tr> <td>Ward:</td><td>24 – Scarborough-Guildwood & 20 – Scarborough Southwest</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td>Various</td></tr> <tr> <td>Approximate Area:</td><td>See Appendix "A"</td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>	Ward:	24 – Scarborough-Guildwood & 20 – Scarborough Southwest	Assessment Roll No.:		Approximate Size:	Various	Approximate Area:	See Appendix "A"	Other Information:			
Ward:	24 – Scarborough-Guildwood & 20 – Scarborough Southwest												
Assessment Roll No.:													
Approximate Size:	Various												
Approximate Area:	See Appendix "A"												
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/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 (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	Councillor:	Gary Crawford
Contact Name:	Antonette DiNovo	Contact Name:	Monique Lisi
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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:	Consulted	Comments:	Consulted

Consultation with Divisions and/or Agencies

Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	

Legal Services Division Contact

Contact Name: Lisa Davies

DAF Tracking No.: 2023-026	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Jan. 25, 2023	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Jan. 26, 2023	Signed by Alison Folosea

Appendix "A"

Expropriated Property Interests

Property Interest	PIN Nos.	Approximate Location of Expropriated Interest	Approximate Area (sq.ft)
Temporary Easement (24 months)	06476-0178(LT)	Parkland adjacent to Tillinghast Lane Condo • Part 1 on Expropriation Plan AT5961830	48,045.74
Permanent Easements	06444-0559(LT) & 06444-0516(LT)	Woodrow Ave Overpass & Woodrow Parkette • Part 1 & 2 on Expropriation Plan AT5870558	1765.3 574.8
Temporary Easements	06444-0559(LT) & 06444-0517(LT)	Woodrow Ave Overpass & 155 Raleigh Ave • Part 1 & 3 on Expropriation Plan AT5870558	1765.3 326.1

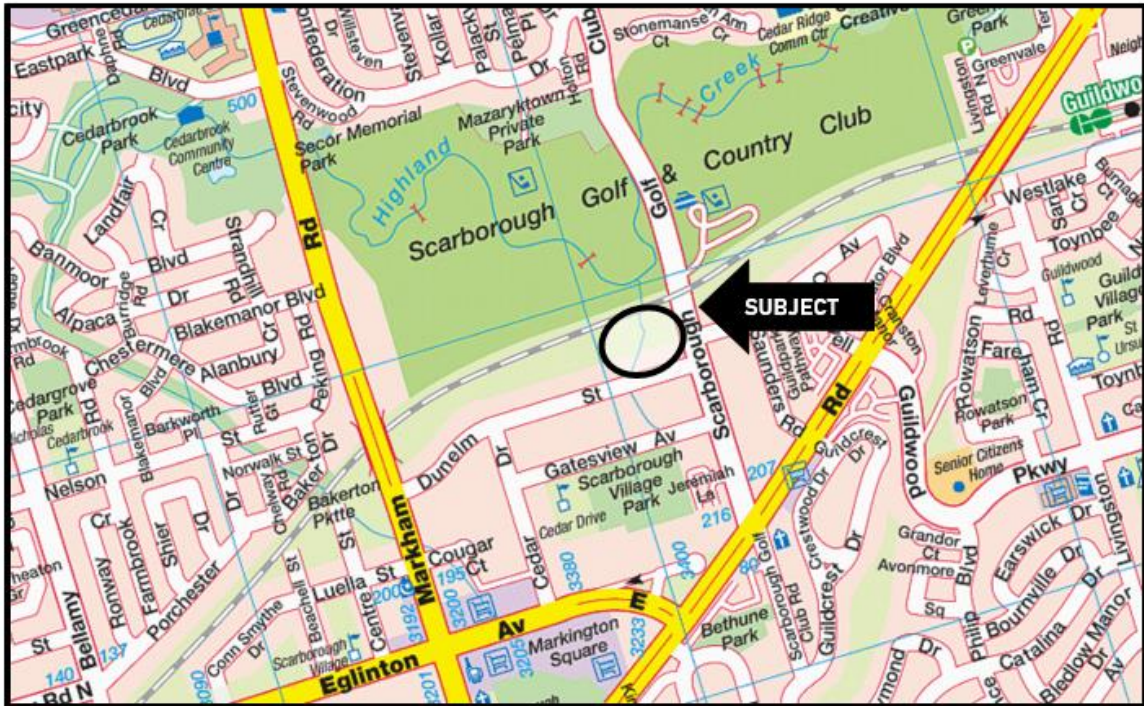
Offers of Compensation

PIN Nos.	Expropriated Interests	Compensation	Condition of Offer
06476-0178(LT)	Temporary Easement	\$525,332.00	Offer to City subject to payment of any outstanding realty taxes
06444-0559(LT)	Permanent Interest	\$28,700.00	Offer to City subject to payment of any outstanding realty taxes
	Temporary Interest	\$1,000.00	
06444-0516(LT)	Permanent Interest	\$9,400.00	Offer to City subject to payment of any outstanding realty taxes
06444-0517(LT)	Temporary Interest	\$900.00	Total compensation offered to City subject to payment of any outstanding realty taxes
Total		\$565,332.00	

Appendix "B"

Location Maps

Tillinghast Condo Drive



Woodrow Park

