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

Approve	eu pursuant to the Delegated Authority contain	ied 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 11, 2023	Phone No.:	(416) 398-0806
Purpose	To authorize the acceptance of the payments 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	Six properties along Lakeshore East (LSE) Rail Corridor, legally described in the chart shown in Appendix "A" and also shown on the location maps in Appendix "B".		
Actions	 Authorize the acceptance of Offer (B) (Advance Payment) 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	The total compensation offered to the City for the permanent interests, subject to payment of any outstanding realty taxes, is estimated to be \$652,400.00 and will be directed to the Land Acquisition Reserve Fund (XR1012). Revenue to the City for the temporary easements in the amount of \$37,840.00 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.		
	The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.		
Comments	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 September 28, October 27 & 29, 2021 and January 14, 19 & 25, 2022 with the registration of Expropriation Plan Nos. AT5870500, AT5898379, AT5894710, AT5901811, AT5961517 and AT5970336, Metrolinx expropriated temporary or permanent interests over the City-owned properties identified in Appendix "A". Notices of Expropriation were served to the City on October 8 and November 5, 2021 and January 24 and February 24, 2022. 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: • 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 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> . Corporate Real Estate Management Appraisal Unit staff reviewed the submitted appraisals and recommends acceptance of the Offer B amounts.		
Terms	Not applicable.		
Property Details	Ward:	25 – Scarborough -	- Rouge Park, 24 - Scarborough - Guildwood
	Assessment Roll No.:		Construction of the second of
	Approximate Size:	Various	
	Approximate Size.	See Appendix "A"	
	Other Information: N/A		

Α.		Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1.	Acquisitions:	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
2A	Expropriations Where City is Expropriating Authority:	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B	Expropriations For Transit- Related Purposes Where City is Property Owner or Has Interest in Property Being	(a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	X (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
	Expropriated:	(b) Request Hearings of Necessity.	(b) Request Hearings of Necessity.
		(c) Waive Hearings of Necessity.	(c) Waive Hearings of Necessity.
3.	Issuance of RFPs/REOIs:	Delegated to more senior positions.	Issuance of RFPs/REOIs.
4.	Permanent Highway Closures:	Delegated to more senior positions.	Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5.	Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6.	Limiting Distance Agreements:	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
7.	Disposals (including Leases of 21 years or more):	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
8.	Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9.	Leases/Licences (City as Landlord/Licensor):	(a) Where total compensation (including options/ renewals) does not exceed \$50,000.	(a) Where total compensation (including options renewals) does not exceed \$1 Million.
		(b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.	(b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmenta assessments and/or testing, etc.
		Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
10.	Leases/Licences (City as Tenant/Licensee):	Where total compensation (including options/ renewals) does not exceed \$50,000.	Where total compensation (including options/ renewals) does not exceed \$1 Million.
11.	Easements (City as Grantor):	Where total compensation does not exceed \$50,000.	(a) Where total compensation does not exceed \$1 Million.
		Delegated to more senior positions.	(b) When closing roads, easements to pre- existing utilities for nominal consideration.
12.	Easements (City as Grantee):	Where total compensation does not exceed \$50,000.	Where total compensation does not exceed \$1 Million.
13.	Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14.	Miscellaneous:	Delegated to more senior positions.	 (a) Approvals, Consents, Notices and Assignments under all Leases/Licences (b) Releases/Discharges
			(c) Surrenders/Abandonments
			(d) Enforcements/Terminations
			(e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates
			(f) Objections/Waivers/Cautions (g) Notices of Lease and Sublease
			(b) Consent to regulatory applications by City, as owner
			(i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title
			(j) Documentation relating to Land Titles applications
			(k) Correcting/Quit Claim Transfer/Deeds

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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

x 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:	Paul Ainslie		
Contact Name:	Charrissa Klander	Contact Name:	Antonette DiNovo		
Contacted by:	Phone X E-Mail Memo Other	Contacted by:	Phone X E-mail Memo Other		
Comments:	Consulted	Comments:	Consulted		
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				

DAF Tracking No.: 2023-027		Date	Signature
X Recommended by: Approved by:	Manager, Real Estate Services Vinette Prescott-Brown	Jan. 13, 2023	Signed by Vinette Prescott-Brown
X Approved by:	Director, Real Estate Services Alison Folosea	Jan. 20, 2023	Signed by Alison Folosea

APPENDIX "A" EXPROPRIATED PROPERTY INTERESTS

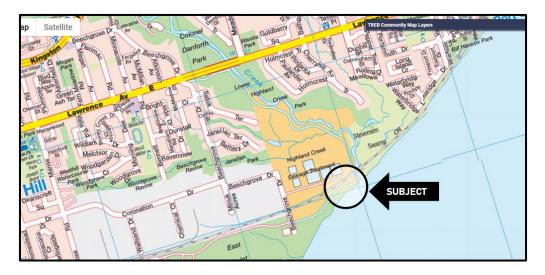
Property	PIN Number	Approximate Area (sq.m)	Property Interest
UnOpened Road ROW – Highland Creek Bridge • Part 1 on Expropriation Plan AT5894710	PIN 06525-0924	943.0	Fee Simple
105 Bridgend Street (Parkland) • Part 1 on Expropriation Plan AT5898379	PIN 06524-0266	2,136.6	Fee Simple
90 Morningside Avenue Part 1 on Expropriation Plan AT5965167 	PIN 06384-0299	1,100.50	Fee Simple
Kimridge Avenue Part 1 on Expropriation Plan AT5870500 	PIN 06448-0455	985.0	Fee Simple
Part of Tillinghast Condo Driveway Parts 1, 2 & 3 on Expropriation Plan AT5961811 	PIN 064760153	520.5	Temporary Easement
UnOpened Road ROW-Highland Creek Bridge-2 • Part 1 on Expropriation Plan AT5970336	PIN 065251160	375.10	Temporary Easement

OFFERS OF COMPENSATION

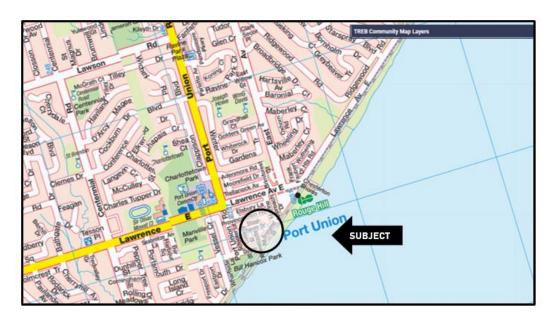
Property	Compensation	Condition of Offer
UnOpened Road ROW – Highland Creek Bridge	\$139,800.00	Offer to City subject to payment of any outstanding realty taxes
105 Bridgend Street (Parkland)	\$316,800.00	Offer to City subject to payment of any outstanding realty taxes
90 Morningside Avenue	\$73,800.00	Offer to City subject to payment of any outstanding realty taxes
Kimridge Avenue	\$122,000.00	Offer to City subject to payment of any outstanding realty taxes
Part of Tillinghast Condo Driveway	\$24,500.00	Offer to City subject to payment of any outstanding realty taxes
UnOpened Road ROW- Highland Creek Bridge-2	\$13,340.00	Offer to City subject to payment of any outstanding realty taxes
Total	\$690,240.00	

APPENDIX "B" LOCATION MAPS

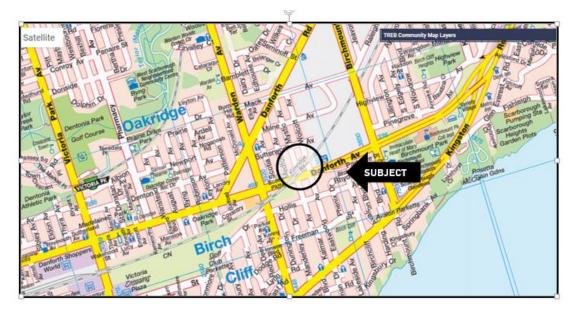
UnOpened Road ROW – Highland Creek Bridge



Parkland – 105 Bridgend Street



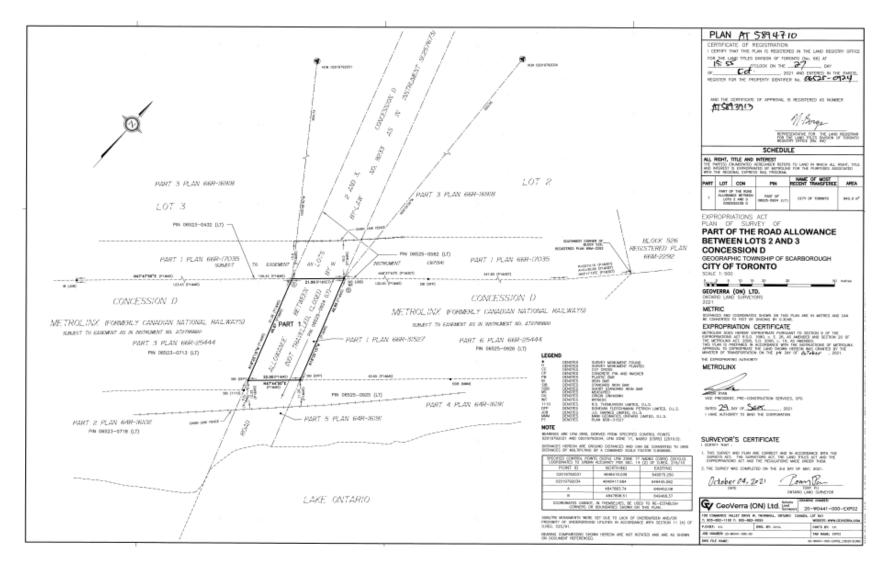
Kimridge Avenue



90 Morningside Avenue and Tillinghast Condo Driveway



APPENDIX "C" EXPROPRIATION PLANS



AT5898379

