

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

TRACKING NO.: 2023-069

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

Prepared By:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	February 24, 2023	Phone No.:	416-338-3586

Purpose	To consent to the release and abandonment of any rights the City may have in the easement registered on July 14 1961 as Instrument Number EM62263 (the "Easement") with respect to use of the westerly wall of the building known as 25 Yorkville Avenue, erected to the east of Part 1 on Plan 66R-7336 in the thumbnail description of PIN 21197-0012 (LT).
Property	33 Yorkville Ave, Toronto, ON M4W 1L1 (the "Property")
Actions	1. Authority be granted to execute a Consent document to release and abandon any rights the City may have in the Easement, on such terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
Financial Impact	There is no financial impact resulting from this approval. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	<p>Pem (Yorkville) Holdings Inc. and 11 Yorkville Partners Inc. are two property owners that are presently developing their lands at 33 Yorkville Avenue. Previously, a wall was situated between the two (2) properties for the purposes of inserting joists and girders and an easement was secured between both parties for this wall. This wall has since been demolished and not been on the property for some time with the easement release being pending. 11 Yorkville Partners Inc. needs to facilitate a road widening conveyance to the City as part of their development and the Easement needs to be removed from title in order for the City to accept the conveyance. As such, both property owners are looking to enter into a release of easement agreement with each other to release the Easement from the Property's parcel register.</p> <p>In November 6, 2018, the City sold part of 37 Yorkville and 50 Cumberland to a predecessor of Pem (Yorkville) Holdings Inc., with the developer required to construct a replacement municipal parking garage in the lands retained by the City. As part of completion security for the replacement garage, a third (3rd) mortgage in the amount of \$50,000 was registered in favor of the City as Instrument AT5000977. The third (3rd) mortgage was restated and registered in October 2019 as Instrument number AT5276989. While the release of the Easement is between both owners, the City's consent is required due to the City's mortgages on title. The City's consent to releasing the easement is the final requirement to facilitating the road widening conveyance. The Easement provides no benefit to the City and Real Estate Services staff recommend consenting to its release.</p>
Terms	<p>Property Owner 1: Pem (Yorkville) Holdings Inc.</p> <p>Property Owner 2: 11 Yorkville Partners Inc.</p> <p>Easement to be released: Instrument Number EM62263</p>

Property Details	Ward:	11 – University-Rosedale
	Assessment Roll No.:	190405202000401
	Approximate Size:	Not applicable
	Approximate Area:	Not applicable
	Other Information:	PIN: 211970012

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 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 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 checked="" 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:	Dianne Saxe	Councillor:	
Contact Name:	Dianne Saxe	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" 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:	No objections	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Parking Authority	Division:	Financial Planning
Contact Name:	Mina Shirk	Contact Name:	Filisha Jenkins
Comments:	Comments incorporated	Comments:	Comments incorporated

Legal Services Division Contact

Contact Name:	Soo Kim Lee
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DAF Tracking No.: 2023-069	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	March 2, 2023	Signed by Ronald Ro
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Acting Director, Real Estate Services Vinette Prescott-Brown	March 3, 2023	Signed by Vinette Prescott-Brown

Appendix A: Plan 66R-7336

R-7336

PLAN OF SURVEY OF PART OF
LOT 13 AND ALL OF LOTS 14 & 15 R.P. 355Y
CITY OF TORONTO - MUNICIPALITY OF METROPOLITAN TORONTO
SCALE 1" = 40'
B. J. HAYNES OLS. 1973.

C-10031

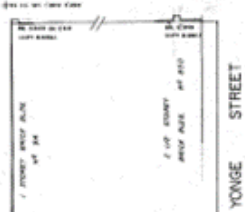
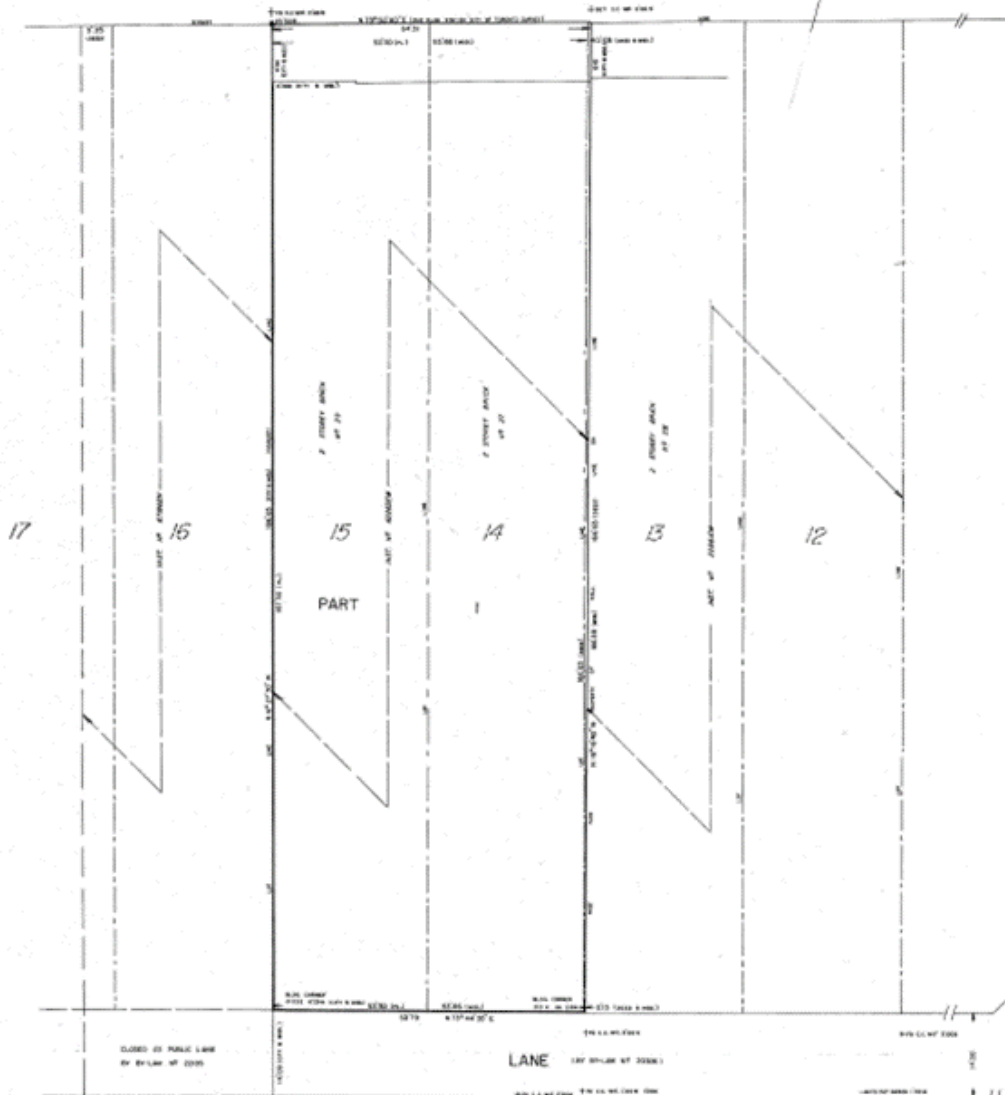
PLAN 66R-7336

APPROVED 26 1973
BY THE
CITY ENGINEER OF TORONTO

PLAN 66R-
RECORDED UNDER N^o
REGISTERED

PART I ALL OF PARCELS 13-1
SECTION 4-350

YORKVILLE (FORMERLY WILLIAM STREET) AVENUE



NOTE:
 S.S. = SETBACK
 C.C. = CITY CORNER
 M.C. = METERS CORNER
 P.L. = PLAIN
 W.S. = WELDED

LANE (BY BY-LAW 47 2000)

NOTE:
 ALL BEARINGS ARE ASSUMED TO BE STRONGS AND ARE
 REFERRED TO THE STRONG M^oS OF THE SOUTH LIMIT OF
 YORKVILLE AVENUE FOR PLANS 66R-100 CITY OF TORONTO SURVEYS

NOTE:
 1. THE SURVEY WAS COMPLETED BY THE SURVEYOR
 2. THE SURVEY WAS COMPLETED BY THE SURVEYOR
 3. THE SURVEY WAS COMPLETED BY THE SURVEYOR

SURVEYOR'S CERTIFICATE
 I, THE SURVEYOR, HEREBY CERTIFY THAT
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER.
 2. I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.
 3. THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY.
 4. THIS SURVEY WAS COMPLETED ON THE 27th DAY OF JULY, 1973.

B. J. HAYNES
 OLS.
 SURVEYOR

B. J. HAYNES P. ENG. OLS.
 1720 LAWRENCE AVE. E., SCARBOROUGH
 PHONE 757-2636

1973(1) 10 25-36