

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

TRACKING NO.: 2023-055

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

Prepared By:	Trixy Pugh	Division:	Corporate Real Estate Management
Date Prepared:	April 2, 2023	Phone No.:	(416) 392-8160

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 at 145 Queen Street West (the "Property"), in connection with the Ontario Line Project.
Property	Part of the property municipally known as 145 Queen Street West, described as Parts 1 to 3 on the Plan of Expropriation registered on July 27, 2022 as AT6141864 (the "Expropriated Interests") in Appendix "A".
Actions	1. Authorize the acceptance of Offer (B) (Advance Payment) of the Offer of Compensation served by Metrolinx in accordance with the requirements of the <i>Expropriations Act</i> , in the amount of \$0.
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>The City is not the owner of the Property, but is a party to a Site Plan Agreement on title. On November 26, 2021, Metrolinx notified the City and all registered owners that it was commencing expropriation proceedings for property interests at the Property to facilitate its Ontario Line Project. On July 27, 2022 with the registration of Expropriation Plan No. AT6141864, Metrolinx acquired ownership of the Expropriated Interests. A Notice of Expropriation was served to the City on August 16, 2022.</p> <p>In accordance with Section 25 of the <i>Expropriations Act</i> (the "Act"), Metrolinx has served an Offer of Compensation 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>As staff are still in the process of reviewing the Offer of Compensation, it is appropriate for the City to accept Offer (B) at this time, without prejudice to its rights to claim additional compensation in the future. Relevant approval authority will be further sought once settlements are reached with Metrolinx with respect to final determination of all claims and compensation payable to the City in accordance with the <i>Act</i>.</p>

Property Details	Ward:	10 – Spadina-Fort York
	Assessment Roll No.:	1904-6-3-080-00100
	Approximate Size:	
	Approximate Area:	
	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 checked="" 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 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:	Ausma Malik	Councillor:	
Contact Name:	Ausma Malik	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

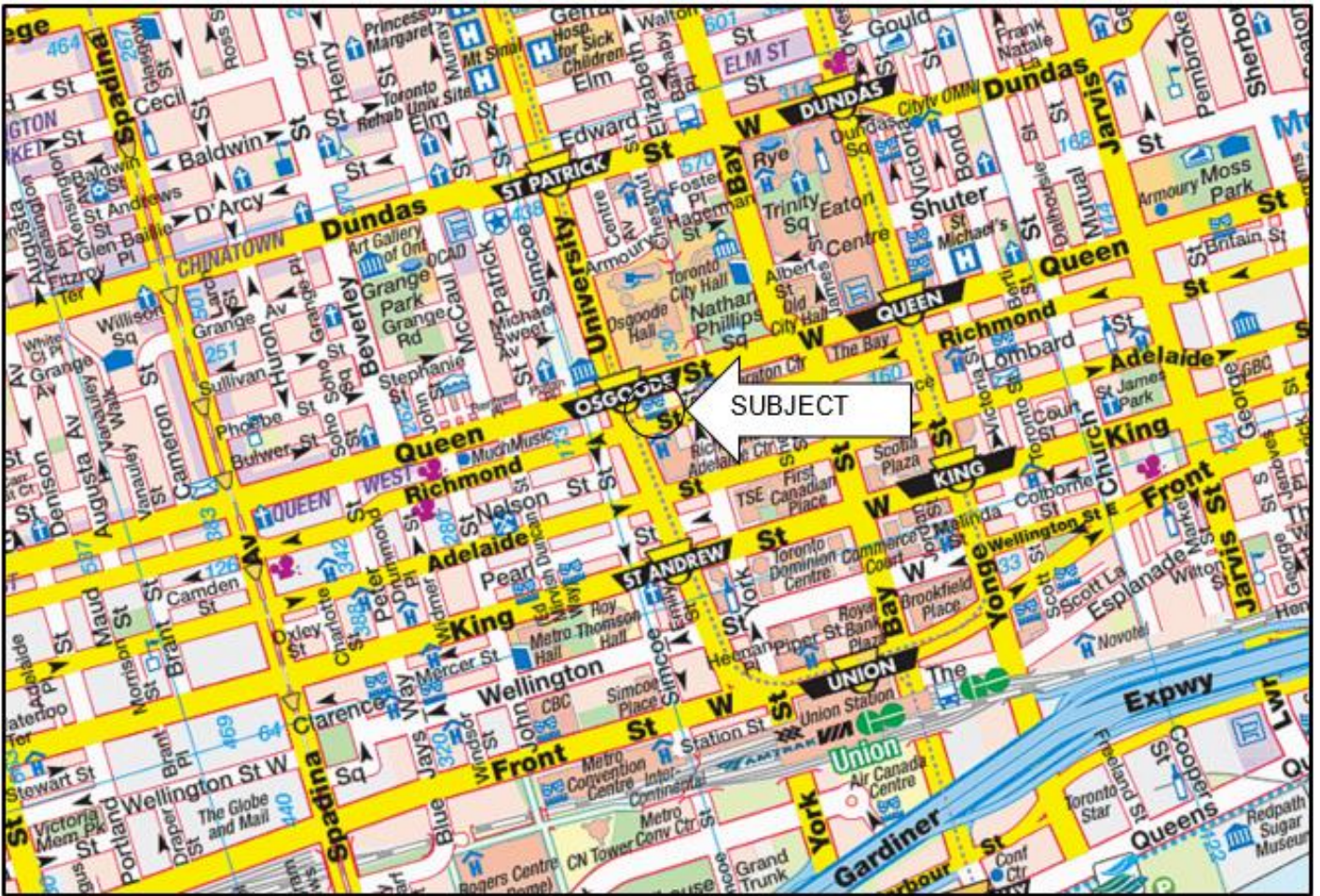
Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Filisha Jenkins
Comments:		Comments:	Concurs

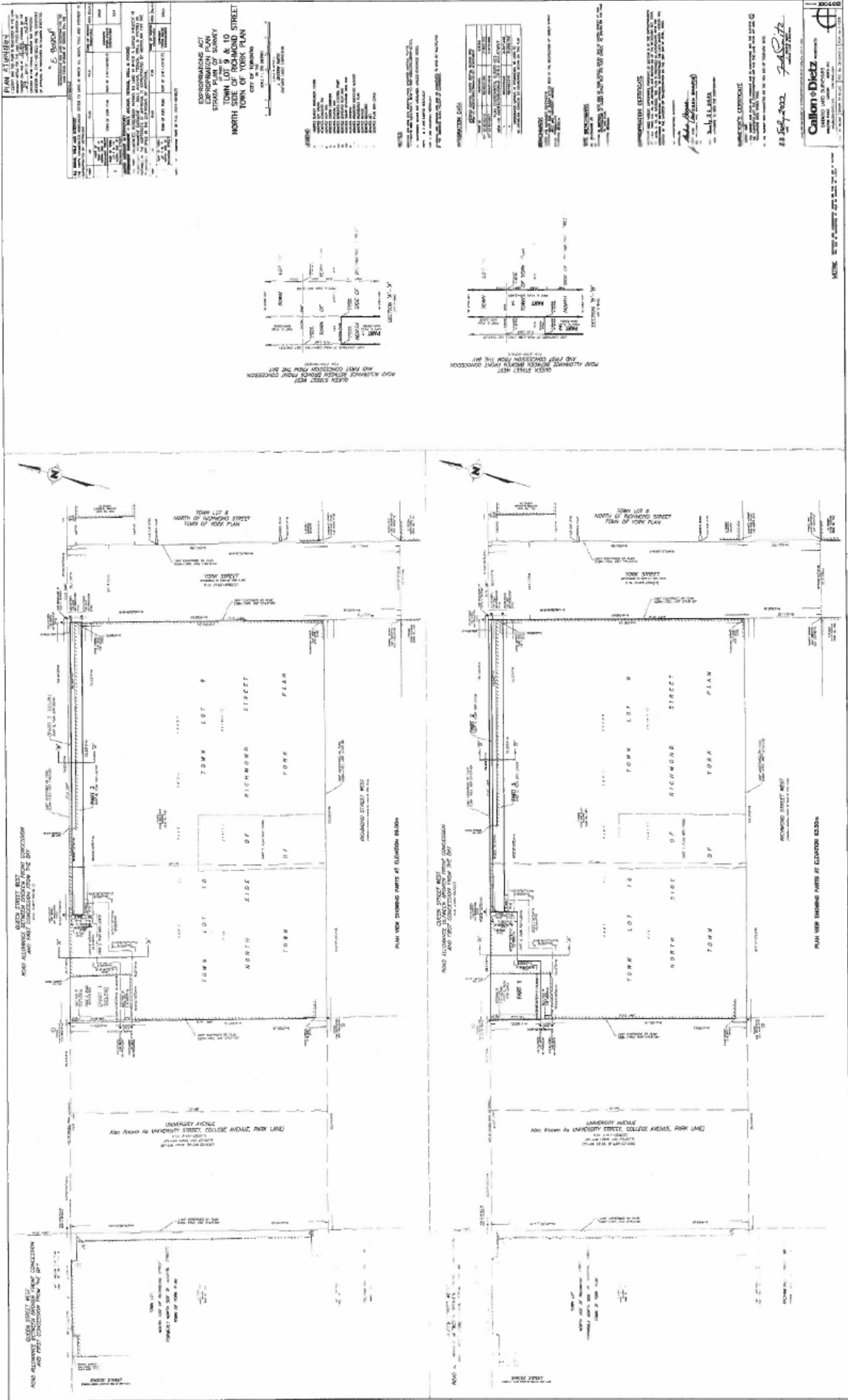
Legal Services Division Contact

Contact Name:	Luxmen Aloysius
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DAF Tracking No.: 2023-055	Date	Signature
Concurred with by: Manager, Real Estate Services Ronald Ro	April 3, 2023	Signed by Ronald Ro
<input type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Leila Valenzuela	April 3, 2023	Signed by Leila Valenzuela
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Acting Director, Real Estate Services Vinette Prescott-Brown		X

APPENDIX "A" Location Map & Expropriation Plan





PLAN 11 (SHOWN)

EXPERIMENTAL PLAN
 SHOWING LOTS 9, 10, 14, 15
 NORTH SIDE OF RICHMOND STREET
 CITY OF TORONTO

NO.	DESCRIPTION	DATE	BY	FOR
1	PREPARED FOR THE CITY OF TORONTO	1911
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EXPLANATIONS ACT
 EXPERIMENTAL PLAN
 SHOWING LOTS 9, 10, 14, 15
 NORTH SIDE OF RICHMOND STREET
 CITY OF TORONTO

SECTION 11
 SECTION 12
 SECTION 13
 SECTION 14
 SECTION 15

NOTES

1. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S ZONING BY-LAW.
2. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S CONVEYANCE ACT.
3. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S ROAD ACT.
4. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S UTILITY ACT.
5. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S BUILDING ACT.
6. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S FIRE PREVENTION ACT.
7. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S LAND USE ACT.
8. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S ENVIRONMENTAL ACT.
9. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S OCCUPATIONAL SAFETY AND HEALTH ACT.
10. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S ACCESSIBILITY ACT.
11. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC ACCESS ACT.
12. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC WORKS ACT.
13. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC UTILITIES ACT.
14. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC TRANSPORTATION ACT.
15. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC SERVICES ACT.
16. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC SAFETY ACT.
17. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC HEALTH ACT.
18. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC EDUCATION ACT.
19. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC CULTURE ACT.
20. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC RECREATION ACT.
21. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC LIBRARY ACT.
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23. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC RECORDS ACT.
24. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC INFORMATION ACT.
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49. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC RECORDS ACT.
50. THE PLAN IS SUBJECT TO THE CITY OF TORONTO'S PUBLIC INFORMATION ACT.

CONVEYANCE ACT
 EXPERIMENTAL PLAN
 SHOWING LOTS 9, 10, 14, 15
 NORTH SIDE OF RICHMOND STREET
 CITY OF TORONTO

SECTION 11
 SECTION 12
 SECTION 13
 SECTION 14
 SECTION 15

UNIVERSITY AVENUE
 EXPERIMENTAL PLAN
 SHOWING LOTS 9, 10, 14, 15
 NORTH SIDE OF RICHMOND STREET
 CITY OF TORONTO

SECTION 11
 SECTION 12
 SECTION 13
 SECTION 14
 SECTION 15

CLIFTON STREET
 EXPERIMENTAL PLAN
 SHOWING LOTS 9, 10, 14, 15
 NORTH SIDE OF RICHMOND STREET
 CITY OF TORONTO

SECTION 11
 SECTION 12
 SECTION 13
 SECTION 14
 SECTION 15

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