

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

TRACKING NO.: 2023-025

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:	October 13, 2023	Phone No.:	(416) 397-0806

Purpose	To authorize 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 interest along the Lakeshore East Rail Corridor as identified in Appendix "A".
Property	The property along Lakeshore East Rail Corridor, legally described in the chart shown in Appendix "A" and also shown on the expropriation plan in Appendix "C".
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> (the "Act"), in the amount of \$673,789.00.
Financial Impact	The total compensation offered to the City, subject to payment of any outstanding realty taxes, in the amount of \$673,789.00, , will be directed to the Land Acquisition Reserve Fund (XR1012). The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
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 the Lakeshore East-West Corridor GO Expansion Project. On January 19, 2022, with the registration of Expropriation Plan No. AT5965200, Metrolinx expropriated a fee simple interest over a part of the City-owned property. A Notice of Expropriation was served to the City on February 18, 2022. In accordance with Section 25 of the Act, Metrolinx has served an Offer of Compensation, together with the related appraisal, on the City, with the following options for acceptance: <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 interest, 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 Act, in respect of the determination of compensation, and subject to adjustment in accordance with any compensation that may be subsequently determined under the Act or any other Act, or agreed upon. In addition, Metrolinx is required to pay interest at 6% per annum in accordance with Section 33 of the Act. Corporate Real Estate Management Appraisal Unit staff reviewed the submitted appraisal and recommends acceptance of the Offer A amount.
Terms	Not applicable.

Property Details	Ward:	24 – Scarborough-Guildwood
	Assessment Roll No.:	19-01-072-410-0050
	Approximate Size:	
	Approximate Area:	4,463 m2 ± (801.5 ft2 ±) (0.198 acres ±)
	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/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 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:	
Contact Name:	Antonette DiNovo	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 type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	Consulted	Comments:	

Consultation with Divisions and/or Agencies

Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	

Legal Services Division Contact

Contact Name:	Lisa Davies
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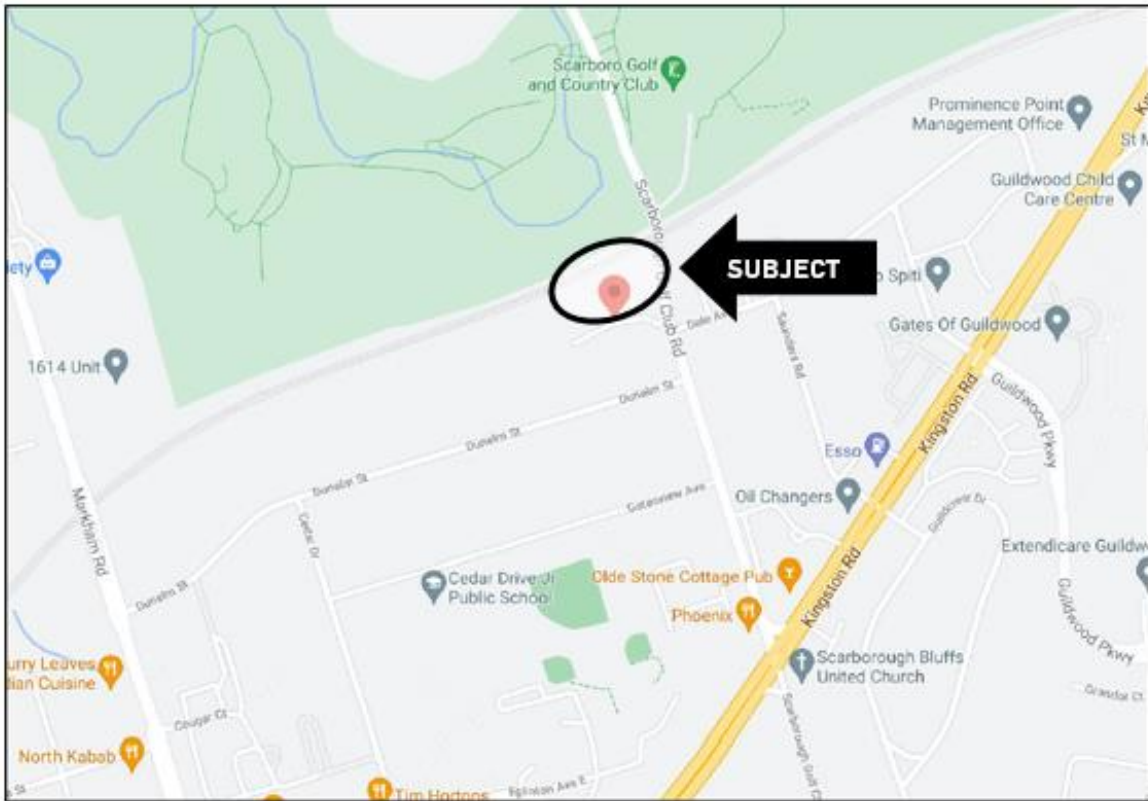
DAF Tracking No.: 2023-025	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown <input type="checkbox"/> Approved by:	Oct. 16, 2023	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Oct. 24, 2023	Signed by Alison Folosea

Appendix "A"
Expropriated Property Interests

Property Interest	PIN Nos.	Approximate Location of Expropriated Interest	Approximate Area (sq.ft)
Partial Fee Simple	PIN 064760177	Parkland adjacent to Tilighast Lane Condo • Part 1 on Expropriation Plan AT5965200	8,627.27

Appendix "B"

Location Maps and Sketches



Appendix "C" Expropriation Plan AT5965200

LEGEND

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- III DENOTES IRON BAR
- SCP DENOTES SPECIFIED CONTROL POINT
- SB DENOTES STANDARD IRON BAR
- RB DENOTES ROUND IRON BAR
- WIT DENOTES WITNESS
- 1017 DENOTES CALLON DIETZ, O.L.S.'s
- GD DENOTES GEORGINA LTD., O.L.S.'s
- JOB DENOTES J.D. BARNES LIMITED, O.L.S.
- PLN DENOTES PROPERTY IDENTIFIER NUMBER
- M DENOTES MEASURED
- S DENOTES SET
- P1 DENOTES PLAN 668-31558
- P2 DENOTES PLAN 668-31553

SCHEDULE			
ALL RIGHT, TITLE AND INTEREST			
THE PARTS ENUMERATED HEREUNDER REFERS TO LAND IN WHICH ALL RIGHT, TITLE AND INTEREST ASSOCIATED WITH THE SO EXPANSION PROJECT IS EXPROPRIATED BY METROLINK.			
PART	LOT	CONCESSION	AREA (Sq.M.)
1	PART OF 17	D	801.5
PART OF ROAD ALLOWANCE BETWEEN LOTS 16 AND 17 (CLOSED BY BY-LAW No. 183 AS IN INSTR. SC509900)			
		P.I.N.	CITY OF TORONTO
		MOST RECENT TRANSFERENCE	

PLAN AT5965200

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF TORONTO (No. 68) AT 2:15:35 P.M. ON THE 13th DAY OF JANUARY, 2022, AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER No. 06478-0079(LT) AND THE CERTIFICATE OF APPROVAL IS REGISTERED AS NUMBER AT5965200.

"James J. Pate"
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TORONTO (No. 68)

EXPROPRIATION ACT EXPROPRIATION PLAN

OF PART OF
LOT 17 CONCESSION D
AND PART OF
**ROAD ALLOWANCE BETWEEN
LOTS 16 AND 17 CONCESSION D**
(CLOSED BY BY-LAW No. 183 AS IN INSTRUMENT SC509900)
(GEOGRAPHIC TOWNSHIP OF SCARBOROUGH)

IN THE
CITY OF TORONTO

SCALE 1:500

1 SHEET OF 01

JAKE SURGENOR
ONTARIO LAND SURVEYOR

EXPROPRIATION CERTIFICATE

METROLINK DOES HEREBY EXPROPRIATE PURSUANT TO SECTION 9 OF THE EXPROPRIATIONS ACT R.S.O. 1990, C.E. 26, AS AMENDED AND SECTION 20 OF THE METROLINK ACT, 2006, S.O. 2006, C. 16, AS AMENDED THIS PLAN IS PREPARED IN ACCORDANCE WITH THE INSTRUCTIONS OF METROLINK APPROVAL TO EXPROPRIATE THE LAND SHOWN HEREON WAS GRANTED BY THE MINISTER OF TRANSPORTATION ON THE 20th DAY OF DECEMBER, 2021.

THE EXPROPRIATING AUTHORITY
METROLINK

Jason Ryan
JASON RYAN
VICE PRESIDENT, PRE-CONSTRUCTION SERVICES
CPG

DATE: Jan 13/22
I HAVE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE EXPROPRIATIONS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- (2) THE SURVEY WAS COMPLETED ON THE 23rd OF DECEMBER, 2021.

DATE: 14 JAN 2022
Jake Surgenor
JAKE SURGENOR
ONTARIO LAND SURVEYOR

CL: 0206-11047-2020-0202131-2401124011 #Issue Plan: 0202-1845-Eng January 10, 2022

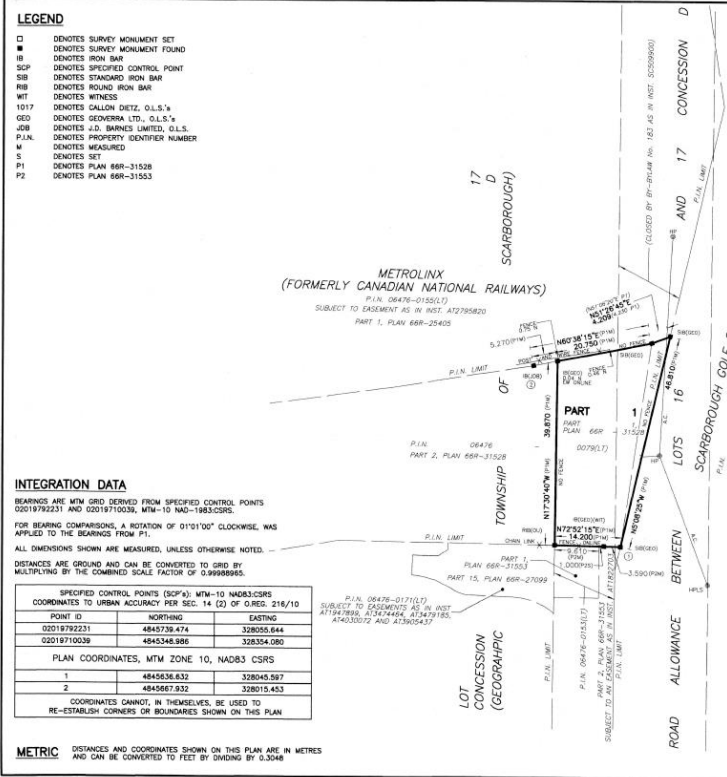
Callon Dietz INCORPORATED

ONTARIO LAND SURVEYORS

CARLETON PLACE LONDON NORTH BAY

info@callondietz.com callondietz.com

SURVEY BY: PA DRAWN BY: DU FILE No: 21-24511 B PLAN No: 202-3043



INTEGRATION DATA

BEARINGS ARE MTM GRID DERIVED FROM SPECIFIED CONTROL POINTS 02019792231 AND 02019710039, MTM-10 NAD-1983 CSRS.

FOR BEARING COMPARISONS, A ROTATION OF 01°31'00" CLOCKWISE, WAS APPLIED TO THE BEARINGS FROM P1.

ALL DIMENSIONS SHOWN ARE MEASURED, UNLESS OTHERWISE NOTED.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99988965.

SPECIFIED CONTROL POINTS (SCP's), MTM-10 NAD83 CSRS			
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10			
POINT ID	NORTHING	EASTING	
02019792231	4845739.474	328055.644	
02019710039	4845348.886	328354.080	

PLAN COORDINATES, MTM ZONE 10, NAD83 CSRS			
1	4845636.832	328045.587	
2	4845687.932	328075.453	

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

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