

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

TRACKING NO.: 2023-271

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

Prepared By:	Carm Curcuruto	Division:	Legal File No. 2600-752-1343-2023
Date Prepared:	October 12, 2023	Phone No.:	416 397-5599

<b>Purpose</b>	To consent to the release of the following agreements; (1) EP138153, registered on December 15, 1967 (2) EP146970, registered on November 26, 1970 (3) CT114131, registered on April 9, 1975 (4) CT169812, registered on March 31, 1976 (5) CA231470, registered on April 5, 1993 (6) CT507775, registered on November 19 1981 (collectively the "Encroachment Agreements") and agreement (7) CA11215, registered on March 1, 1989, (the "Development Agreement") from the lands described as Firstly: Lots 32-36 Inclusive, East Side of Yonge Street, Plan 22A , Toronto, Secondly: Part Lot 31, East Side of Yonge Street, Plan 22A, Toronto, as in EP126440 being all of PIN 21101-0164 (LT) (the "Property").
<b>Property</b>	363-385 Yonge Street.
<b>Actions</b>	To consent to the release of the Encroachment Agreements and Development Agreement from the Property.
<b>Financial Impact</b>	There is no financial impact.
<b>Comments</b>	The previous owners entered into Encroachment and Development Agreements with City of Toronto in connection with the development and encroachments situated on the lands. The buildings have since been demolished, and there is a redevelopment project under Application No. 2018.CC43.16. Therefore, as the buildings have been demolished and there is a redevelopment, it is appropriate to release the Encroachment and Development Agreements from the Property.
<b>Terms</b>	<p>Derek Waltho, Senior Planner, City Planning Toronto, and East York District, confirmed by e-mail dated August 1, 2023, in consultation with Ray Kallio, Solicitor, Planning and Administrative Tribunal Law, that as redevelopment of the lands under Application 2018.CC43.16 is proceeding and the prior buildings have been demolished, it is appropriate to consent to the release of the Development Agreement from the Property.</p> <p>Ann Marie Hyman, Transportation Services, Right of Way Management, Toronto &amp; East York District, confirmed by memo dated September 7, 2023, that the buildings giving rise to the encroachments have been demolished and it is therefore appropriate to consent to the release of the Encroachment Agreements from the Property.</p>

<b>Property Details</b>	<b>Ward:</b>	20 - Trinity-Spadina
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	
	<b>Other Information:</b>	

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 &amp; Parks &amp; 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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 &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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 checked="" 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:		Councillor:		
Contact Name:		Contact Name:		
Contacted by:	Phone	E-Mail	Memo	Other
Comments:		Comments:		

**Consultation with Divisions and/or Agencies**

Division:	<b>City Planning</b>	Division:	<b>Transportation Services</b>
Contact Name:	<b>Derek Waltho, Senior Planner</b>	Contact Name:	<b>Ann Marie Hyman</b>
Comments:	No Objections	Comments:	No Objections

**Legal Services Division Contact**

Contact Name:	Carm Curcuruto, Legal Conveyancing Clerk
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DAF Tracking No.: 2023-271	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Director, Real Estate Law Ray Mickevicius</b>	Oct. 24, 2023	Signed by Ray Mickevicius
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services Alison Folosea</b>	Oct. 24, 2023	Signed by Alison Folosea