

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

**TRACKING NO.: 2023-296**  
**with Confidential Attachment**

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property			
Prepared By:	Boluwarin Mojeed	Division:	Corporate Real Estate Management
Date Prepared:	November 7, 2023	Phone No.:	437-996-8720
<b>Purpose</b>	To obtain authority to enter into a temporary easement extension agreement (the "Agreement") with 1326776 Ontario Inc. (the "Owner") to extend a temporary easement over the lands known as 2295 Dundas Street West, Toronto to facilitate construction of a new municipal facility on the adjacent lands (2299 Dundas Street West, Toronto, the "City Property").		
<b>Property</b>	Part of the property municipally known as 2295 Dundas Street West, Toronto, legally described as Part of Lot 3-5 Plan 664 City West as in CA575913; City of Toronto, being all of PIN: 21350-0292 (LT) (the "Property"), as shown on the Location Map in Appendix "A" and the Registered Reference Plan in Appendix "B".		
<b>Actions</b>	1. Authority be granted to enter into the Agreement with the Owner, substantially on the major terms and conditions set out in Appendix "C" and in Confidential Attachment "D" and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.		
<b>Financial Impact</b>	See Confidential Attachment "D".		
<b>Comments</b>	<p>The City plans to construct a new municipal facility at 2299 Dundas Street West as part the George Street Revitalization ("GSR") project to establish a replacement shelter for the Seaton House. The City cannot carry out the work required by the Ontario Building Code at the City Property without the temporary easement for access, installation of construction hoarding, fencing and dust protection measures.</p> <p>The City purchased a temporary easement at this location for \$400,000.00 as authorized by DAF 2020-183. The transaction closed on October 28, 2020, and the easement is registered on title to 2295 Dundas Street West as AT5556932. But the easement term expires on December 31, 2023, and an extension is required. The Additional Compensation for is considered fair, reasonable and reflective of market value, and will avoid the need to continue with expropriation proceedings as set out in <a href="#">GG7.11</a> (as adopted by General Government Committee on October 20, 2023). The Agreement is recommended for acceptance on the major terms and conditions set out in Appendix "C".</p>		
<b>Terms</b>	See Appendix "C".		
<b>Property Details</b>	<b>Ward:</b>	4 – Parkdale-High Park	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	106 m <sup>2</sup> ± (1,141 ft <sup>2</sup> ±)	
	<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 checked="" 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:	Gord Perks	Councillor:	
Contact Name:	Karen Duffy	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X E-Mail <input 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:	Shelter, Support & Housing Corporation	Division:	<b>Financial Planning</b>
Contact Name:	Loretta Ramadhin	Contact Name:	Ciro Tarantino
Comments:	Comments Incorporated	Comments:	Comments Incorporated

**Legal Services Division Contact**

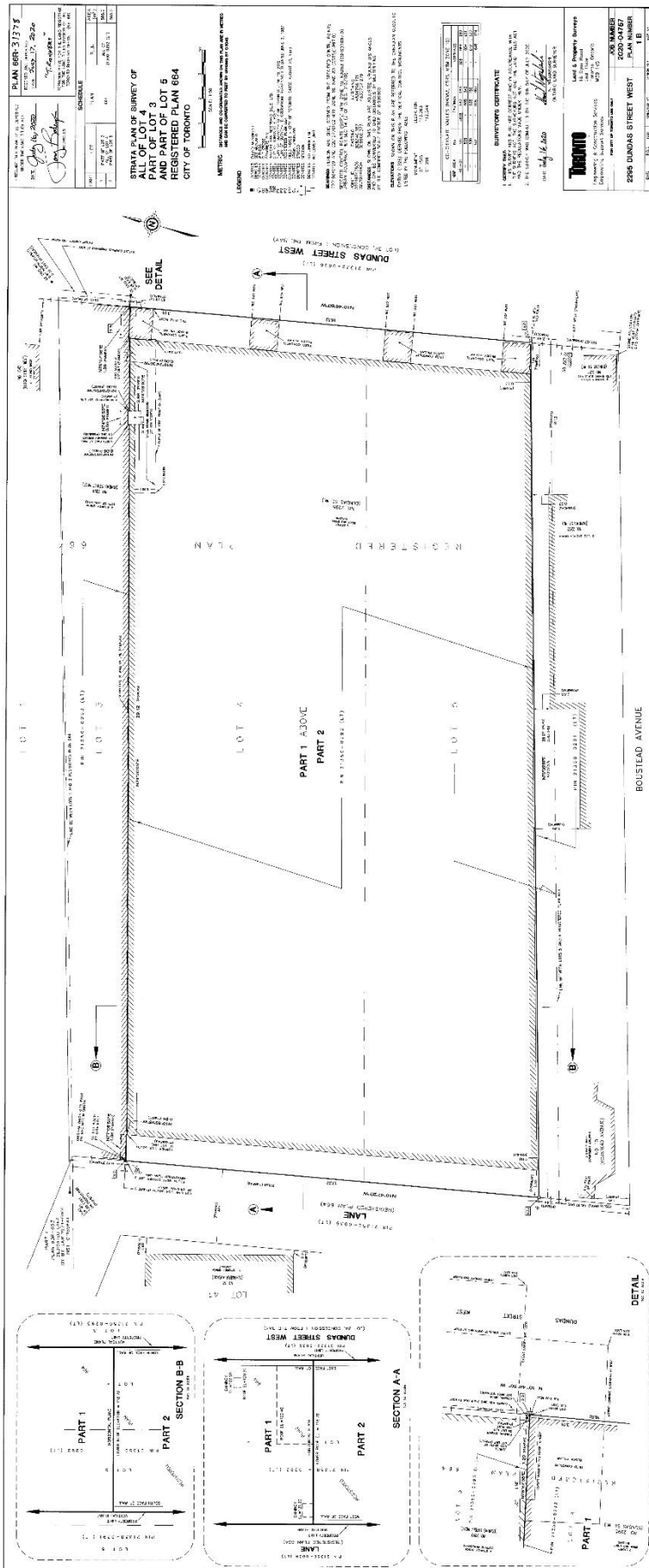
Contact Name: Vanessa Bacher

DAF Tracking No.: 2023-296	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> Jennifer Kowalski	Nov. 8, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> Alison Folosea	Nov. 9, 2023	Signed by Alison Folosea





# Appendix "B" – Registered Reference Plan



**Appendix "C" – Terms**

**Transferor** – 1326776 Ontario Inc.

**Property Rights Transferred** – Temporary Easement as set out in Instrument AT556932, with timelines and compensation modified as set out below.

**Temporary Easement Term** – The Owner agrees to extend the Temporary Easement Term from 10 months to 18 months, beginning on date to be named by the City on 30 days written notice to the Owner.

**Temporary Easement Deadline** – The Owner agrees to extend the deadline under the Temporary Easement from December 31, 2023 until December 31, 2026.

**Additional Compensation for Temporary Easement Extension** – As set out in Confidential Attachment "D".

**Temporary Easement Purpose** – for all purposes relating to the construction of a new municipal facility on the City Property, including without limitation, providing contractor access to the City Property, the removal of fencing and curbing to allow access, installation of construction hoarding, fencing and dust protection measures, construction staging and storage of all supplies and equipment.

**Prospective purchasers:** Owner covenants and agrees to disclose to any prospective purchaser of the lands, that the easement registered as AT556932 is extended until 2026, and not to transfer the property without requiring the purchaser to enter into an assumption agreement requiring said purchaser to be bound by the easement and the easement extension.

All other terms of AT556932 remain in full force and effect, as modified by extension agreement.