

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

TRACKING NO.: 2023-234

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	December 1, 2023	Phone No.:	416-392-1167

Purpose	To obtain authority to pay the remaining portion of final legal fees to Davies Howe LLP, the solicitors of the Scarborough Chinese Baptist Church (the "Owner") in order to resolve their claim of compensation under the <i>Expropriations Act</i> , for the expropriated fee simple interest of a portion of 3223 Kennedy Road as shown on the attached Expropriation Plan, AT3144528, Appendix "A".
Property	A portion of 3223 Kennedy Road legally described as, Part of PIN 06019-0010(LT), being part of Lot 30, R.P. 9828, Scarborough, City of Toronto, designated as Parts 1 and 2 on Expropriation Plan AT3144528 (as shown in Appendix "B")
Actions	1. Authorize payment of final legal compensation, plus any applicable H.S.T., to the Owners solicitor
Financial Impact	Funding for the Legal Fees in the amount of \$6,867.01 (incl. HST) associated with this property are included in the 2023 Approved Capital Budget for Transportation Services under capital account CTP808-37-02. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.
Comments	At its meeting held on July 11, 12 and 13, 2012, City Council adopted Item GM15.17 authorizing the expropriation of a Portion of 3223 Kennedy Road for the construction of a portion of the Redlea Avenue extension. A Plan of Expropriation was registered on October 4, 2012 and Notice of Expropriation was served to the Owner on October 26. In accordance with the <i>Expropriations Act</i> , the City is responsible for all associated cost incurred by the owner. Pursuant to the Expropriations Act, the Owners legal fees have been agreed to by both parties in the final settlement amount stated in the Financial Impact Section above.
Terms	Legal fees in the amount of \$6,867.01 (incl. HST) will be paid to Davies Howe LLP, the solicitors of the Scarborough Chinese Baptist Church (the "Owner")

Property Details	Ward:	Ward 22 – Scarborough - Agincourt
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	3,151.947 sq.m. (33,928 sq.ft.)
	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 checked="" 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 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:	Nick Mantas	Councillor:	
Contact Name:	Nick Mantas	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:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Matthew Davis/Anson Yuen	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

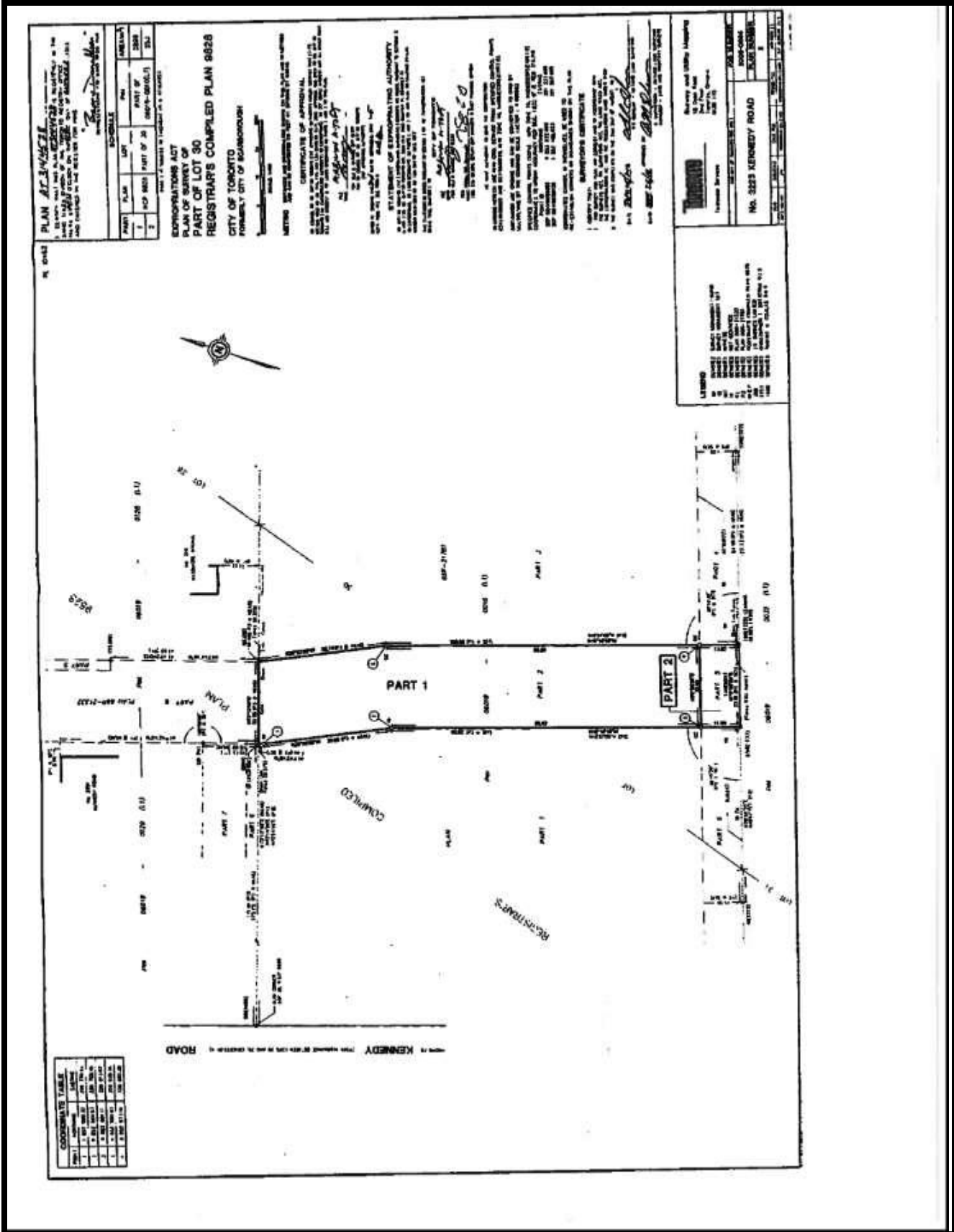
Legal Services Division Contact

Contact Name:

DAF Tracking No.: 2023-234	Date	Signature
Concurred with by: Manager, Real Estate Services Jennifer Kowalski	Dec. 1, 2023	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	Dec. 1, 2023	Signed by Niall Robertson
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		N/A

APPENDIX "A" EXPROPRIATION PLAN AT3144528 – PORTION OF 3223 KENNEDY RD

DAF: 2023-234



PLAN AT 3144528
 PART 1 of 1 sheets to be filed as a project.

PART	PLAN	DATE	AREA (sq. ft.)
1	NO. 3223 KENNEDY RD	2023	10,000
2	NO. 3223 KENNEDY RD	2023	10,000

EXPROPRIATION ACT
PLAN OF SURVEY OF
PART OF LOT 30
REGISTRAR'S COMPILED PLAN 8028
CITY OF TORONTO
 FORMERLY CITY OF SCARBOROUGH

CERTIFICATE OF APPROVAL
 I, the Registrar, do hereby certify that the above plan of survey, as shown on the attached plan, is in accordance with the provisions of the Expropriation Act, R.S.O. 1990, c. E.17, and the provisions of the City of Toronto Act, R.S.O. 1997, c. 24, and that the same is a valid and lawful expropriation plan.

APPROVED BY:
 [Signature]
 REGISTRAR

REGISTERED:
 [Signature]
 REGISTRAR

NO. 3223 KENNEDY ROAD
 [Signature]
 [Signature]

COORDINATE TABLE

POINT	NORTHING	EASTING
1	5485.12	10000.00
2	5485.12	10000.00
3	5485.12	10000.00
4	5485.12	10000.00
5	5485.12	10000.00
6	5485.12	10000.00
7	5485.12	10000.00
8	5485.12	10000.00
9	5485.12	10000.00
10	5485.12	10000.00

LEGEND

---	Proposed Expropriation Line
---	Proposed Right-of-Way Line
---	Proposed Easement Line
---	Proposed Accessway Line
---	Proposed Utility Line
---	Proposed Boundary Line
---	Proposed Survey Line
---	Proposed Road Line
---	Proposed Lot Line
---	Proposed Section Line
---	Proposed Township Line
---	Proposed County Line
---	Proposed Provincial Line
---	Proposed Federal Line

APPENDIX "B" – SUBJECT LOCATION MAP – 3223 KENNEDY RD.

