

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

**TRACKING NO.: 2024-005**

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:	January 4, 2024	Phone No.:	416 392-1167

<b>Purpose</b>	To obtain authority to enter into an Agreement, in accordance with Section 24 of the Expropriations Act (the "Agreement") with Ontario Food Terminal Board (the "Owner") to settle the expropriation of a fee simple interest in a portion (40 m <sup>2</sup> ) of the property located at 165 The Queensway
<b>Property</b>	Approximately 40 square meters of the property known municipally as 165 The Queensway, legally described as Part of PIN 07623-0033 (LT) Part of Lot 10, Plan 1176, designated as Part 1 on Plan 66R-33117 "Appendix C" (the "Property")
<b>Actions</b>	1. Authority be granted to enter into the Agreement with the Owner to settle all claims related to the expropriation of the Property, substantially on the major terms and conditions set out below, and including such other terms and conditions as may be deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
<b>Financial Impact</b>	<p>The following costs will be incurred in connection with the Offer:</p> <ul style="list-style-type: none"> <li>1. Purchase Price - \$15,085.00</li> <li>2. HST - \$265.50 (\$1961.05 HST - HST Rebate of \$1,695.55)</li> <li>3. Legal: \$10,000.00</li> </ul> <p>Total: \$25,350.50</p> <p>Funding is available in the 2023-2032 Council Approved Capital Budget and Plan for Transportation Services in (CTP817-05-289).</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
<b>Comments</b>	<p>The City, as a municipality, is authorized by the City of Toronto Act, 2006, R.S.O. 1990, c. E.26 and the Expropriations Act, R.S.O. 1990, c. E.26 (the "Act") to expropriate land for municipal purposes; At its meeting on June 14, 2023, by adopting Item No. GG4.23, the Council for the City of Toronto authorized the initiation of expropriation proceedings to acquire a fee simple interest in a portion of the Property, shown as "Appendix B" Part 1 on Plan 66R-33117 ; <a href="https://secure.toronto.ca/council/agenda-item.do?item=2023.GG4.23">https://secure.toronto.ca/council/agenda-item.do?item=2023.GG4.23</a></p> <p>The City and the Owner have agreed to enter into this Agreement pursuant to and in accordance with Section 24 of the Act to record the settlement of the parties with respect to all claims, including but not limited to costs, under the Act in the determination of the compensation to which OFT is entitled under the Act if the City Council, as approving authority, approves the expropriation of the Property and the City proceeds to register a plan of expropriation in respect of the Property (the "Expropriation Plan").</p> <p>These road safety improvements form part of the Council-approved Queensway Complete Street project. The City's acquisition of the Property would enable the approved design elements on the south side of the intersection including a 2.1 metre sidewalk, truck aprons (mountable curbs) at the southeast and southwest corners to accommodate trucks while narrowing the turning radius for smaller motor vehicles, and a 1.5 metre cycle track set back 1.1 metre from the roadway.</p>
<b>Terms</b>	The Agreement is considered fair, reasonable, and reflective of market value, and it is recommended for acceptance

<b>Property Details</b>	<b>Ward:</b>	03 – Etobicoke Lakeshore
	<b>Assessment Roll No.:</b>	
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	40 m <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/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 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><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 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:	A. Morley	Councillor:	
Contact Name:	A. Morley	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 Objection	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Transportation Services	Division:	<b>Financial Planning</b>
Contact Name:	Stephen Gagne	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

**Legal Services Division Contact**

Contact Name:

DAF Tracking No.: 2024-005	Date	Signature
Concurred with by: <b>Manager, Real Estate Services Jennifer Kowalski</b>	January 5, 2024	Signed by Jennifer Kowalski
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services Niall Robertson</b>	January 5, 2024	Signed by Niall Robertson
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: <b>Director, Real Estate Services</b>		

APPENDIX "B"- Reference Plan (PLAN 66R-33117)

PLAN 66R-33117  
Received and deposited  
January 29<sup>th</sup>, 2023  
Ced Talbot  
Representative for the  
Ontario Land Titles Division of  
Toronto (16.87)

PART	LOT	PLAN	PN	AREA (m <sup>2</sup> )
1	10	PART 1 OF PLAN 1176	07623--003(LT)	36.5

**THE QUEENSWAY**  
(CALCULATED FOR PARTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)  
(FORMERLY CALLED QUEENSWAY)

**REGISTERED PLAN 1176**  
PART 1, PLAN 66R - 11822  
PART 2, PLAN 66R - 11822  
PART 3, PLAN 66R - 11822

**REGISTERED PLAN 1176**  
PART 1, PLAN 66R - 11822  
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**REGISTERED PLAN 1176**  
PART 1, PLAN 66R - 11822  
PART 2, PLAN 66R - 11822  
PART 3, PLAN 66R - 11822

**COORDINATE TABLE**

POINT	NORTHING	EASTING
1	4 432 106.24	305 700.05
2	4 432 106.24	305 700.05
3	4 432 106.29	305 700.18
4	4 432 106.36	305 700.73

**PLAN OF SURVEY PART OF LOT 10 REGISTERED PLAN 1176 CITY OF TORONTO FORMERLY CITY OF ETOBICOKE**

**REGISTERED PLAN 1176**  
PART 1, PLAN 66R - 11822  
PART 2, PLAN 66R - 11822  
PART 3, PLAN 66R - 11822

**REGISTERED PLAN 1177**  
PART 1, PLAN 66R - 11822  
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PART 3, PLAN 66R - 11822

**REGISTERED PLAN 1178**  
PART 1, PLAN 66R - 11822  
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**REGISTERED PLAN 1179**  
PART 1, PLAN 66R - 11822  
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**REGISTERED PLAN 1180**  
PART 1, PLAN 66R - 11822  
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**REGISTERED PLAN 1181**  
PART 1, PLAN 66R - 11822  
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**REGISTERED PLAN 1182**  
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**REGISTERED PLAN 1183**  
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**REGISTERED PLAN 1184**  
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**REGISTERED PLAN 1185**  
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**REGISTERED PLAN 1190**  
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**REGISTERED PLAN 1199**  
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**REGISTERED PLAN 1200**  
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PART 3, PLAN 66R - 11822

APPENDIX "C"- Location Map of Property

