

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

**TRACKING NO.: 2024-060**

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

Prepared By:	Brian Majcenic	Division:	Corporate Real Estate Management
Date Prepared:	February 23, 2024	Phone No.:	416-392-1485

<b>Purpose</b>	To obtain authority to: <ul style="list-style-type: none"> <li>a) enter into an agreement (the "Easement Release Agreement") with the Owners of 159 Dalemount Avenue for the release of a portion of an easement over part of its property identified as Part 1 on Plan 66R-33672 (the "Release Lands"); and</li> <li>b) enter into an agreement with the Owners for the release of an existing easement over the lands identified as Parts 2, 3 and 4 on Plan 66R-33672 and the transfer of a new easement over the same lands (the "Easement Agreement").</li> </ul>
<b>Property</b>	A portion of the lands municipally known as 159 Dalemount Avenue, Toronto, being part of PIN 10221-0179 (LT), described as part of Lot 19, Plan 4746; Part of Block B, Plan 4746 as in NY475257, North York, City of Toronto and shown as Parts 1, 2, 3, and 4 on Plan 66R-33672, attached as Appendix "B".
<b>Actions</b>	1. Authority is granted to enter into the Easement Agreement and the Easement Release Agreement with the Owners, substantially on the terms and conditions outlined below, and on such other or amended terms and conditions as may be satisfactory to the Director, Transaction Services, and in a form acceptable to the City Solicitor.
<b>Financial Impact</b>	<p>The City will receive revenue in the amount of \$108,000.00 (plus HST) from the Easement Release Agreement. These funds will be directed to the Land Acquisition Reserve Fund (XR1012).</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 Owners are redeveloping its property at 159 Dalemount Avenue. A permanent easement for construction and maintenance of storm and sanitary sewers in favour of the City is registered on title against the Release Lands. The Owners have requested the City release the easement as there are currently no sewers or watermains installed within these lands. Toronto Water has consented to the release of the easement. The Owners will pay the appraised value and all other costs associated with the release of the easement.</p> <p>The City also has an existing easement over the Easement lands. The Owners have agreed to release the existing easement and transfer a new permanent easement to the City for the maintenance of the City's existing infrastructure.</p> <p>The fee and all other major terms and conditions of the agreements are considered fair, reasonable and reflective of market value.</p>
<b>Terms</b>	<p><b>Interest Released:</b> A partial release and abandonment of Instrument No. NY186750 to release the land described as Part 1 on Plan 66R-33672</p> <p>A release of the current easement over Parts 2, 3 and 4 on Plan 66R-33672 and registered as Instrument No. NY475257</p> <p><b>Interest Acquired:</b> A permanent easement for the purposes of accessing, surveying, laying, constructing, installing, erecting, operating, using, inspecting, maintaining, removing, renewing, repairing, replacing, altering, enlarging, expanding, and reconstructing the municipal sewer presently existing or existing at any time in the future within Parts 2, 3 and 4 on Plan 66R-33672, and any new or additional municipal services that may be constructed within these lands</p> <p><b>Payment for Release:</b> \$108,000.00 plus applicable HST</p> <p><b>City Cost:</b> City is responsible for payment of land transfer taxes, if applicable</p>

<b>Property Details</b>	<b>Ward:</b>	Eglinton-Lawrence
	<b>Assessment Roll No.:</b>	1908 041 190 00600
	<b>Approximate Size:</b>	
	<b>Approximate Area:</b>	838 m <sup>2</sup> or 9,020 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/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 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 checked="" 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:	Mike Colle	Councillor:	
Contact Name:	Andy Stein	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input 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:	Advised	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	Toronto Water	Division:	<b>Financial Planning</b>
Contact Name:	Lisa MacCumber	Contact Name:	Ciro Tarantino
Comments:	No objections	Comments:	Incorporated

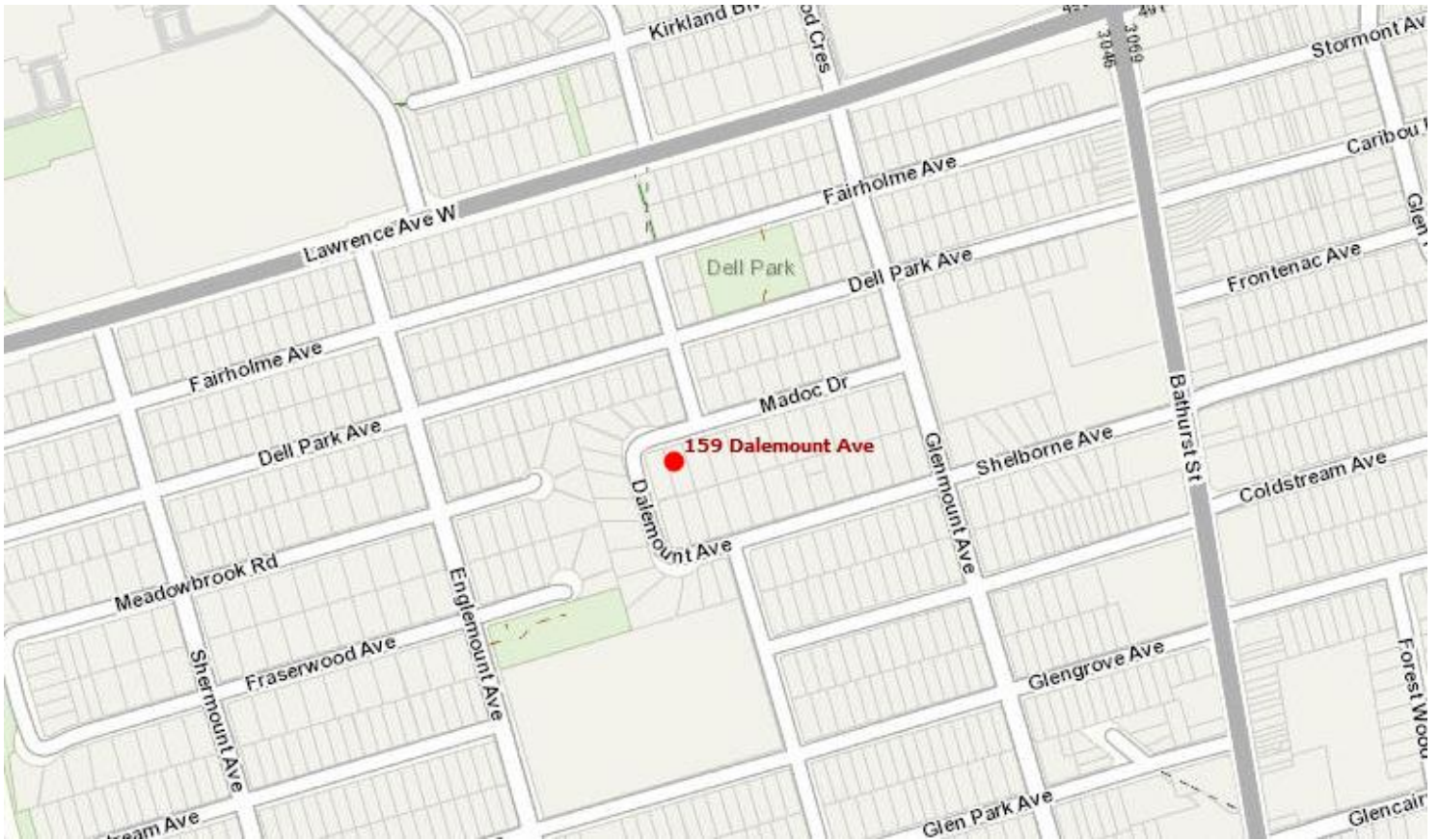
**Legal Services Division Contact**

Contact Name:	Karen Pfuetzner
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DAF Tracking No.: 2024-060	Date	Signature
<input type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <b>Vinette Prescott-Brown</b>	February 25, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:  <input type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> <b>Alison Folosea</b>	February 29, 2024	Signed by Alison Folosea

APPENDIX "A"

Location Map



## APPENDIX "B"

### Reference Plan (66R-33672)

