

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

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

Prepared By:	Patricia Palmieri	Division:	Corporate Real Estate Management
Date Prepared:	April 19, 2024	Phone No.:	416 392-4829
Purpose	To obtain authority to enter into Section 30 Agreement (the "Agreement") with 201101 Ontario Limited, the owner of 90 Bloor Street East (the "Owner"). The Agreement will facilitate the transfer of a permanent easement in favour of the City that is required for the construction of the Toronto Transit Commission ("TTC") Bloor Yonge Capacity Improvement Project (the "Project").		
Property	Part of the property known municipally as 90 Bloor Street East, Toronto, shown on the location maps in Appendix "A" and legally described as: Pt Lt 20 Con 2 FTB Township of York designated as Part 1 on Reference Plan 66R-34011 shown in Appendix "B", being part of PIN: 211110-0071 (LT) in the Land Registry Office of Toronto (No. 66) in the Land Titles Division, (the "Easement Lands")		
Actions	<ol style="list-style-type: none"> Authority be granted for the City to enter into the Agreement with the Owner, substantially on the terms and conditions outlined below and in the Confidential Attachment, and on such other or amended terms and conditions as may be acceptable to the Director of Transaction Services and in a form satisfactory to the City Solicitor. The Confidential Attachment to remain confidential until there has been a final determination of all property transactions and claims for compensation relative to the Project and only released publicly thereafter in consultation with the City Solicitor. 		
Financial Impact	Funding for the compensation, as set out in the Confidential Attachment, has been referred to the City's annual budget process and has been included in the 2024-2033 Capital Budget and Plan Submission for the TTC under capital account CTT155-01.		
Comments	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> <p>On February 6 & 7, 2024, City Council adopted GG9.11 thereby approving the expropriation of a fee simple interest of 90 Bloor Street East, for the purposes of expanding the Bloor Yonge interchange station as part of the TTC Project.</p> <p>In order to avoid the necessity of a formal expropriation proceedings, an agreement in accordance with Section 30 of the Expropriations Act, has been negotiated with the Owner to transfer a permanent easement instead of the fee simple interest.</p> <p>TTC staff have reviewed the terms and conditions of the Agreements and concur with proceeding.</p> <p>The Agreement is considered fair, reasonable and reflective of market value, and it is recommended for acceptance.</p>		
Terms	<p>Terms and Conditions:</p> <ul style="list-style-type: none"> In consideration for the transfer of the Easement Lands, the City agrees to pay the Owner an advance payment outlined in the Confidential Attachment. The advance payment shall be without prejudice to the Owners right to claim further compensation, in accordance with the Act, except for additional amounts for market value. The City will provide an appraisal report complying with Section 25 of the Act to the Owner to support the advance payment. The City shall have the right to register a plan of expropriation for the Easement Lands if the City has any valid objections to the Owner's ownership or if there are any encumbrances which the Owner cannot remove from title. The City will pay the Owner's reasonable legal and other costs incurred in relation to the negotiation and settling of the terms of these Agreements. The City will be responsible for the payment of Land Transfer Tax and registration fees and any other taxes and fees payable in connection with the registration of any documents/instruments that may be required to complete the transactions as described. 		
Property Details	Ward:	Ward – 11 – University Rosedale	
	Assessment Roll No.:	n/a	
	Approximate Size:	Irregular	
	Approximate Area:	226.32 square meters	
	Other Information:	n/a	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.	<input checked="" type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million. <input type="checkbox"/> (b) Request Hearings of Necessity. <input type="checkbox"/> (c) Waive Hearings of Necessity.
3. Issuance of RFPs/REOs:	Delegated to more senior positions.	<input type="checkbox"/> Issuance of RFPs/REOs.
4. Permanent Highway Closures:	Delegated to more senior positions.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to more senior positions.	Delegated to more senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input type="checkbox"/> Where total compensation does not exceed \$1 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to more senior positions.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$50,000. <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.	<input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$1 Million. <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.
10. Leases/Licences (City as Tenant/Licensee):	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.	Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$50,000. <input type="checkbox"/> Where total compensation does not exceed \$50,000. Delegated to more senior positions.	<input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$1 Million. <input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$50,000.	<input checked="" type="checkbox"/> Where total compensation does not exceed \$1 Million.
13. Revisions to Council Decisions in Real Estate Matters:	Delegated to more senior positions.	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	Delegated to more senior positions.	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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 Dianne Saxe	Councillor:	
Contact Name:	Andrew Greene	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" 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

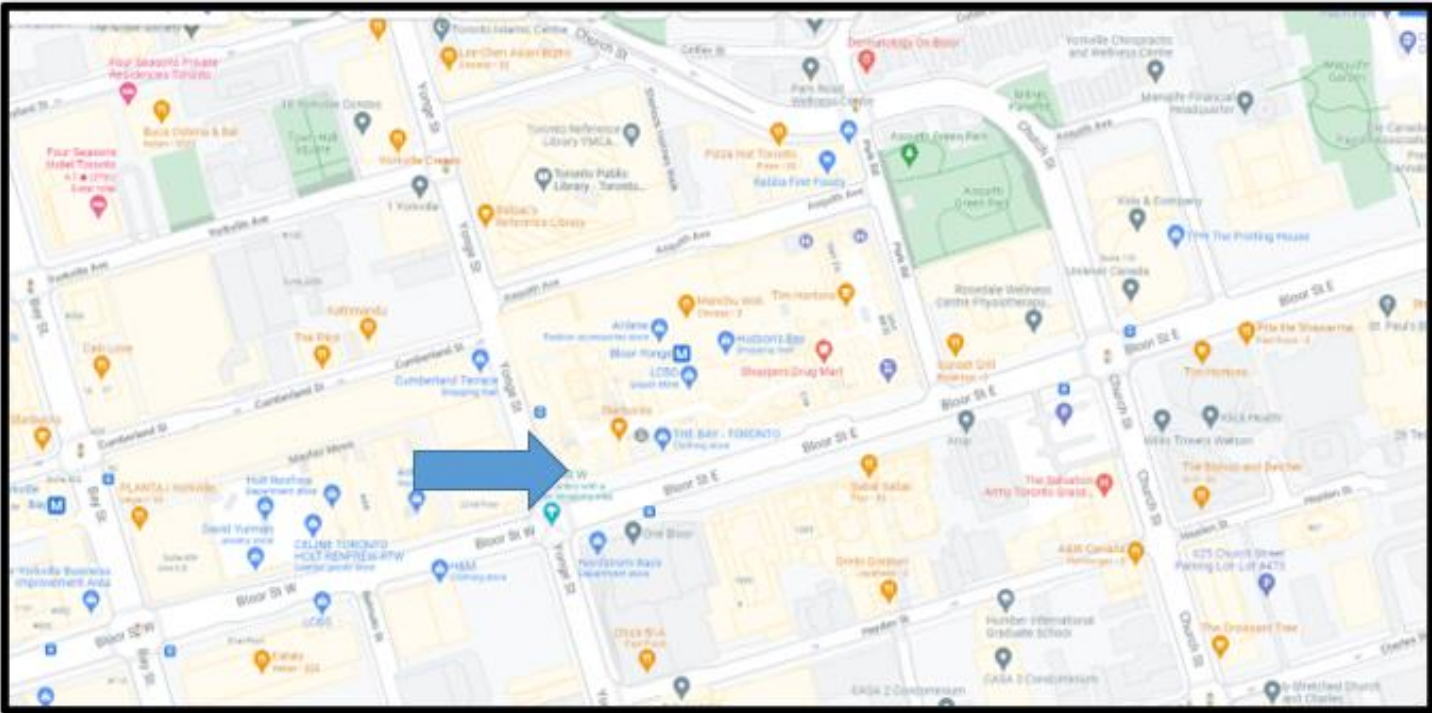
Division:	TTC	Division:	Financial Planning
Contact Name:	Duane Lovelace	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name: Dale Mellor

DAF Tracking No.: 2024-096	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 19, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	April 23, 2024	Signed by Alison Folosea

APPENDIX "A"- Location Map



APPENDIX "B"- Draft Reference Plan

