

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-117

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

Prepared By:	Bruno Iozzo	Division:	Corporate Real Estate Management										
Date Prepared:	May 13, 2024	Phone No.:	(416) 392-8151										
Purpose	To obtain authority to enter into an earlier possession date agreement (the "Agreement") with Metrolinx, which would allow Metrolinx to secure early possession of expropriated lands identified in Appendix "A".												
Property	Portion(s) of the PINs described in Appendix "A" (the "Properties").												
Actions	1. Authority be granted to enter into the Agreement with Metrolinx to modify the date of possession for the expropriated Properties from July 24, 2024, to May 16, 2024, 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 acceptable to the City Solicitor.												
Financial Impact	<p>There are no financial implications to the City.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>												
Comments	<p>On April 11, 2024, Metrolinx registered Expropriation Plans on title to the Properties, thereby expropriating various property interests on portions of the Properties. Through a letter dated April 22, 2024, Metrolinx provided the City with Notices of Expropriation, Notices of Election and Notices of Possessions. The date of possession for all of the Properties listed under Appendix "A" is July 24, 2024 ("Possession Date"), which is at least three months after the date of the notices of possession, as prescribed in the Expropriations Act (the "Act").</p> <p>The Properties are required by Metrolinx for various works as part of the Scarborough Subway Extension (SSE). Due to urgent timing concerns related to project delivery of the SSE, Metrolinx has requested an early possession date of the Properties on May 16, 2024. The City is agreeable to entering into the Agreement to provide Metrolinx with early possession of the Properties. The modified possession date will allow Metrolinx to meet critical construction timelines for SSE, an important project that will contribute significantly to public transit expansion in the city.</p>												
Terms	<p>Possession Date: May 16, 2024</p> <p>Other: The City waives the requirements under the Act that an application be made to a judge for an adjustment of the date of possession. The acceleration of the Possession Date to May 16, 2024, is without prejudice to other rights of the City under the Act.</p> <p>Corporate Real Estate Management staff consider the major terms and conditions of the Agreement, including those noted above, to be fair and reasonable.</p>												
Property Details	<table border="1"> <tr> <td>Ward:</td><td>Scarborough Southwest</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td></td></tr> <tr> <td>Approximate Area:</td><td></td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>	Ward:	Scarborough Southwest	Assessment Roll No.:		Approximate Size:		Approximate Area:		Other Information:			
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Approximate Size:													
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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/REOs:</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/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 checked="" 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/REOs.</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:	Parthi Kandavel	Councillor:	
Contact Name:	Alexandra Kyriakos – Chief of Staff	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> 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 concerns	Comments:	

Consultation with Divisions and/or Agencies

Division:		Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	No financial impact

Legal Services Division Contact

Contact Name: Michelle Xu

DAF Tracking No.: 2024-117	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	May 14, 2024	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	May 13, 2024	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		

APPENDIX "A"**Properties**

Those lands in the City of Toronto described as follows:

1. All of PIN 06437-0004 (LT) being Part Lot 28, Concession C, Scarborough, City of Toronto, designated as Parts 1 and 2 on Expropriation Plan No. AT6550567;
2. Part of PIN 06437-0252 (LT) being Part Lots 1 and 2, Plan 3973, Scarborough, City of Toronto, designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Expropriation Plan No. AT6550429;
3. Part of PIN 06493-0203 (LT) being Part Lot 4, Plan 1697, Scarborough, City of Toronto, designated as Parts 1, 2, 3, 4 and 5 on Expropriation Plan No. AT6550341;
4. Part of PIN 06493-0248 (LT) being Part Lot 4, Plan 1697, Scarborough, City of Toronto, designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Expropriation Plan No. AT6550543;