

DELEGATED APPROVAL FORM

CITY MANAGER

TRACKING NO.: 2024-075

With Confidential Attachment

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

Prepared By:	Shernaz Writer	Division:	Corporate Real Estate Management
Date Prepared:	March 3, 2024	Phone No.:	(437) 229-3111

Purpose	To obtain authority to enter into Minutes of Settlement Agreement (the "Agreement") with Lixo Investments Ltd, the former owner of 14 John Street (the "Owner"). The Agreement is a full settlement of all claims by the Owner under the <i>Expropriations Act</i> for the full taking of 14 John Street required for the construction of a community/cultural hub, and for transit purposes.
Property	14 John Street, Part of Lots 11 and 12, Plan 38 Weston, designated as Part 1 on Plan 64R-4297 and Parts 1 and 2 on Plan 64R-5840; Toronto (York), City of Toronto, Province of Ontario (PIN 10323-0083 LT). shown on Appendix "A".
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the Agreement with the Owner, substantially on the terms and conditions outlined in the Confidential Attachment, including the payment of interest, legal, appraisal and other costs, in accordance with the <i>Expropriations Act</i>. The Confidential Attachment to remain confidential until there has been a final determination of all compensation payable to the Owner and only released publicly thereafter in consultation with the City Solicitor.
Financial Impact	<p>Funding for the compensation, as set out in the Confidential Attachment, is available in the Council Approved Corporate Real Estate Management 2024-2033 Capital Budget, within the approved Strategic Property Acquisitions project under Cost Center CCA226 for the sub- project "14 John Street Expropriation" .</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>On May 5,6 and 7, 2015, by its adoption of item GM3.22, City Council authorized the expropriation of 14 John Street. The Plan of Expropriation was registered on July 23, 2015, as instrument No. AT3955485. Notices of Expropriation, Possession and Election were served on the owner on August 20, 2015.</p> <p>In accordance with Section 25 of the Act, the City served an Offer of Compensation upon the owner, authorized by DAF 2016-040. The Owner accepted the Advance Payment compensation without prejudice to its right to claim additional compensation in the future and payment was made on October 3, 2016.</p> <p>The Owner served notices on the City with the Ontario Land Tribunal seeking additional compensation for the expropriated interest. Following mediation, the Owner and the City have agreed on a full and final settlement, as set out in the Confidential Attachment .</p>
Terms	As set out in the Confidential Attachment

Property Details	Ward:	11 – York South Western
	Assessment Roll No.:	
	Approximate Size:	Irregular
	Approximate Area:	1684 m ² (18,126 ft ²)
	Other Information:	

A.	City Manager 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/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 \$10 Million.</p> <p><input checked="" type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p>Delegated to less senior positions.</p> <p>Delegated to less senior positions.</p> <p>Delegated to less senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$10 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$10 Million.</p> <p>Delegated to less senior positions.</p> <p><input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$10 Million.</p> <p>Leases/licences for periods up to 12 months at less than market value delegated to less senior positions.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a less senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$10 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$10 Million.</p> <p>Nominal sum easements to pre-existing utilities when closing roads delegated to less senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$10 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p>Delegated to less senior positions.</p>

B. City Manager has signing authority on behalf of the City for:

- Documents required to implement matters for which this position also has delegated approval authority.

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 Nunziata	Councillor:	
Contact Name:	Geno Orsi	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input 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:	Informed	Comments:	

Consultation with Divisions and/or Agencies

Division:	N/A	Division:	Financial Planning
Contact Name:		Contact Name:	Ciro Tarantino
Comments:		Comments:	Concurred

Legal Services Division Contact

Contact Name:	Michael Mahoney
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DAF Tracking No.: 2024- 075	Date	Signature
Recommended by: Manager, Real Estate Services Jennifer Kowalski	March 20, 2024	Signed by Jennifer Kowalski
Recommended by: Director, Real Estate Services Alison Folosea	March 22, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management Patrick Matozzo	April 2, 2024	Signed by Patrick Matozzo
<input type="checkbox"/> Recommended by: Deputy City Manager, Corporate Services David Jollimore	April 2, 2024	Signed by David Jollimore
<input checked="" type="checkbox"/> Approved by: City Manager Paul Johnson	April 4, 2024	Signed by Paul Johnson

Appendix "A"

14 John Street – Site Plan

