

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-181

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

| | | | |
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| Prepared By: | Leila Valenzuela | Division: | Corporate Real Estate Management |
| Date Prepared: | July 12, 2024 | Phone No.: | (416) 392-7174 |

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| Purpose | To obtain authority to enter into an agreement of purchase and sale (the "Agreement") with Her Majesty the King in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the "Owner") for the acquisition of the one-foot reserve strip along the east side of McCowan Road abutting 5 Corporate Drive for the purpose of retaining the property as a one-foot reserve in the City's ownership. | | |
| Property | One-foot reserve strip located on the east side of McCowan Road abutting 5 Corporate Drive, Toronto, legally described as Block 4 (1-foot reserve) on Plan 66M-2175, City of Toronto, being all of PIN 06000-0121 (the "Property"), as shown on the Location Map in Appendix "A". | | |
| Actions | 1. Authority be granted to enter into the Agreement with the Owner to acquire the Property for the sum of \$2.00, plus HST, substantially on the major terms and conditions set out below and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor. | | |
| Financial Impact | <p>The Property is being conveyed to the City for nominal consideration. There is no anticipated cost to maintain the Property.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p> | | |
| Comments | <p>A reserve strip is usually one foot in width abutting a street line separating the street from the next abutting lot for the purpose of preventing legal access from the said street to the said lot. Reserve strips are typically owned by the municipality. City staff has expressed interest in the acquisition of the Property, and the Owner has agreed to transfer the title to the City for nominal consideration.</p> <p>Given the size and width of the Property, this acquisition is exempt from Condition (H) of the Municipal Code Chapter 213.</p> <p>The terms of the Agreement are recommended for acceptance substantially on the major terms and conditions set out below.</p> | | |
| Terms | <p>Purchase Price: \$2.00 (nominal) plus applicable HST</p> <p>Closing Date: 30 days from the date the City's conditions have been satisfied or waived or such other date as the parties or their respective solicitors may in writing mutually agree to</p> <p>Vacant Possession: Owner shall deliver vacant possession of the Property upon Closing</p> <p>Title: The City accepts title subject to agreements and restrictions on title</p> <p>Other: The City agrees to purchase the Property in its current condition on the date of closing on an "as-is, where is" basis</p> | | |

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| Property Details | Ward: | 24 – Scarborough Guildwood |
| | Assessment Roll No.: | Not Assessed |
| | Approximate Size: | 0.3048 m x 84.26 m ± (1 ft x 276.43 ft ±) |
| | Approximate Area: | 51.5 m ² ± (554.5 ft ² ±) |
| | Other Information: | Property is a 1-foot reserve strip |

| 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 checked="" 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>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)

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|---------------|--|---------------|---|
| Councillor: | Paul Ainslie | Councillor: | |
| Contact Name: | Helen Han | 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: | No concerns | Comments: | |

Consultation with Divisions and/or Agencies

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| Division: | CREM | Division: | Financial Planning |
| Contact Name: | Nike Coker | Contact Name: | Ciro Tarantino |
| Comments: | Have been consulted | Comments: | No comments |

Legal Services Division Contact

Contact Name: Jay Gronc

| DAF Tracking No.: 2024-181 | Signature |
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| Concurred with by: Manager, Real Estate Services Niall Robertson | Signed by Niall Robertson on July 15, 2024 |
| <input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown | Signed by Vinette Prescott-Brown on July 15, 2024 |
| <input checked="" type="checkbox"/> Approved by: | |
| <input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea | |

Appendix "A" Location Map

