

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

TRACKING NO.: 2024-193

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

Prepared By:	Winnie Lam	Division:	Corporate Real Estate Management
Date Prepared:	August 2, 2024	Phone No.:	437-991-8040

Purpose	To obtain authority to sell the public lane between 10 and 16 Eastern Avenue to the abutting property owner, being Eastern Trinity GP Inc., in its capacity as general partner for Eastern Trinity Limited Partnership (the "Purchaser") conditional upon the closure of the lane as a public highway.
Property	The City-owned public lane located between 10 and 16 Eastern Avenue, Toronto, legally described as Pt Lane PI 242E Toronto south of the lands described in ES67802 & west of the lands described in CT680499 (tently described); Pt Lt 5, 7 PL242E as in ES1750, City of Toronto, being all of PIN 21079-0106, (the "Property") and shown as Part 5 on 66R-32512 appended hereto as Appendix "B".
Actions	<ol style="list-style-type: none"> 1. Authority be granted to accept an offer from the Purchaser dated July 26, 2024(the "Offer") and enter into an agreement of purchase and sale (the "Agreement") to sell the Property, substantially on the major terms and conditions set out in Appendix "A" and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor. 2. A portion of the proceeds of the sale be directed to fund any outstanding expenses related to the completion of the sale transaction. 3. Authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Property as a public highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law. 4. Authorize Transportation Services staff to advise the public of the proposed closure of the Property as a public highway prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Property as a public highway will be considered.
Financial Impact	<p>The City will receive revenue from the sale of the Property in the amount of \$690,000.00 (exclusive of HST and other applicable taxes), less closing costs and usual adjustments. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon closing of the transaction.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>
Comments	<p>The Property was declared surplus on April 23, 2024 (see DAF No. 2024-062) with the intended manner of disposal to be by invitation of an offer to purchase from the owner of the adjacent properties municipally known as 101 Trinity Avenue and 10 Eastern Avenue. All steps necessary to comply with the City's real estate disposal process as set out in Article 1 of Chapter 213 of the City of Toronto Municipal Code have been complied with.</p> <p>The Offer is considered fair, reasonable and reflective of market value, and it is recommended for acceptance substantially on the major terms and conditions set out in Appendix "A".</p>
Terms	See Appendix "A"

Property Details	Ward:	13 – Toronto Centre
	Assessment Roll No.:	
	Approximate Size:	Irregular shaped
	Approximate Area:	89.0 m ² (998.0 ft ²)
	Other Information:	Public Lane

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 & 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 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/REOIs.</p> <p><input checked="" 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 checked="" 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:	Ward 13- Toronto Centre	Councillor:	
Contact Name:	Councillor Chris Moise	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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 issues	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Troy Caron	Contact Name:	Ciro Tarantino
Comments:	No issues	Comments:	No Issues

Legal Services Division Contact

Contact Name:	Catherine Thomas
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DAF Tracking No.: 2024-193	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott- Brown	August 2, 2024	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	August 7, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions

Irrevocable Date: The City has until August 26, 2024 to accept the Offer, being 30 days from receipt thereof.

Purchase Price: Six Hundred and Ninety Thousand Dollars (\$690,000.00) plus HST

Deposit: Sixty Nine Thousand Dollars (\$69,000.00) plus HST

Due Diligence: The Purchaser has until the 45th day following the Acceptance Date to examine title to the Property

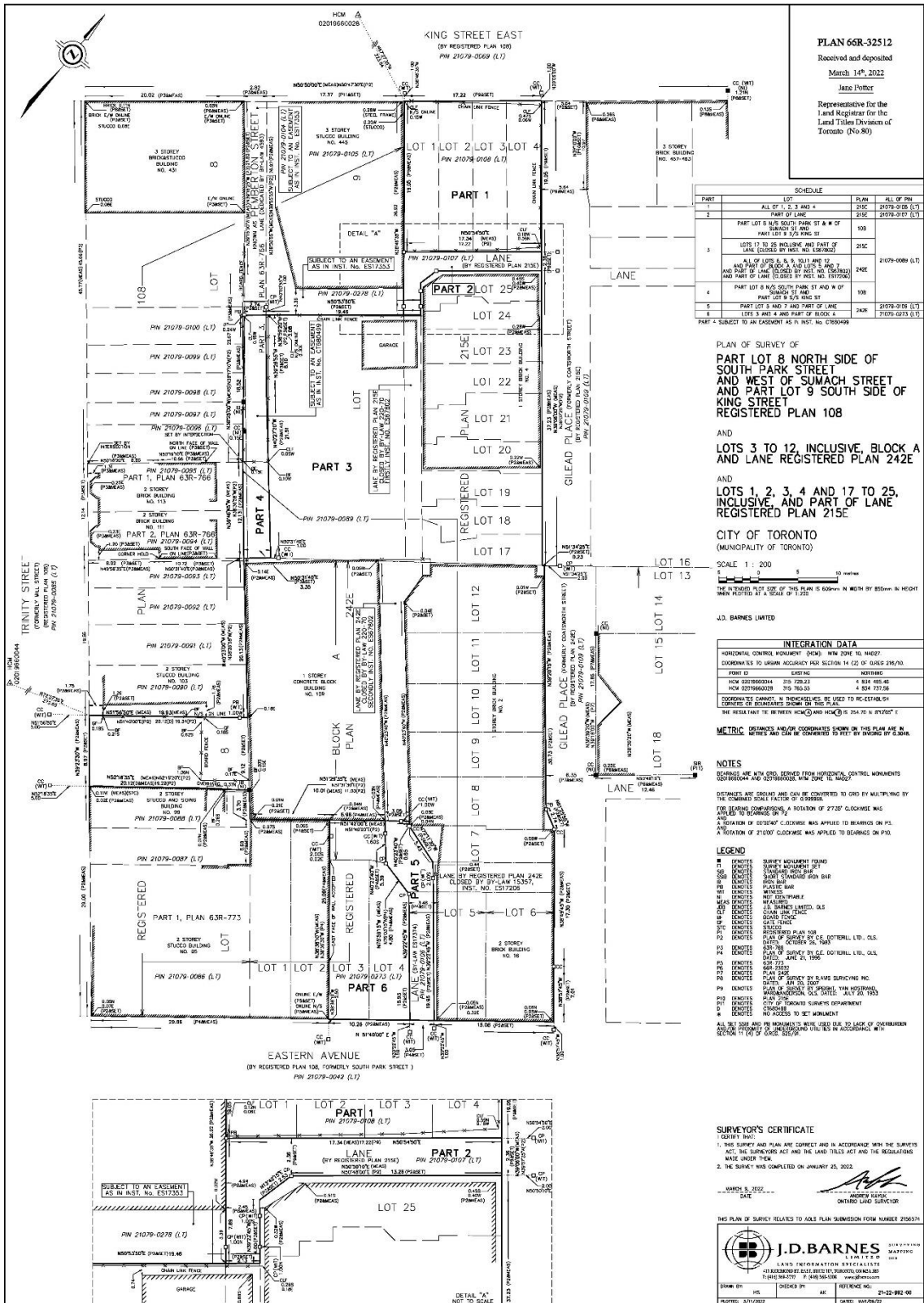
Closing Date: 45th day following the date a Closing By-law is enacted

Road Closure Conditions: The City's obligation to sell the Property is conditional upon City Council enacting a by-law closing the Property as a public highway. Purchaser shall indemnify and release the City in respect of all claims arising from the City's efforts to close the Property as a public highway.

Environmental Conditions: The Purchaser shall accept the Property "as is", including its environmental condition, and shall provide a Release in favour of the City with respect to any hazardous substances located thereon.

Appendix "B"

Location Map



Location Map

