

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, CORPORATE SERVICES
EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT

TRACKING NO.: 2024-184

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:	July 18, 2024	Phone No.:	437-991-8040										
Purpose	To obtain authority to sell a part of the property municipally known as the public lane between 1747 and 1753 St. Clair Avenue West, Toronto to 1749 St. Clair Inc. (the "Purchaser").												
Property	The property municipally known as part of the City-owned public lane west of Hounslow Heath Road, extending southerly from St. Clair Avenue West, which is located between 1747 and 1753 St. Clair Avenue West, Toronto, legally described as Part of Lane on Plan 141, Closed by CA503862; Part of Lots 41-43 on Plan 141, as in WH34884; Being Lane West & South of Hounslow Heath Road; City of Toronto, designated as Parts 1 and 2 on Reference Plan 66R-33759, (the "Property"), as attached in Appendix "B".												
Actions	<ol style="list-style-type: none"> 1. Authority be granted to accept an offer from the Purchaser to purchase the Property (the "Offer"), 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. 5. Authorize easements to be granted by the City to Bell Canada and Toronto Hydro-Electric System Limited following the closure of the Property as a public highway, for nominal consideration of \$2.00, to protect the existing services and utilities in the Property, or, with the consent of the said utility companies, the services and utilities be relocated, adjusted or abandoned, if necessary, at the sole cost of the Purchaser, with such costs to be determined by the appropriate utility companies. 												
Financial Impact	<p>The City will receive revenue in the amount of \$1,014,000.00 (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 February 24, 2020 (DAF No. 2020-031) with the intended manner of disposal to be by offer to purchase from the owner of the abutting lands, the Purchaser. 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 below/in Appendix "A".</p>												
Terms	See Appendix "A".												
Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>9 – Davenport</td> </tr> <tr> <td>Assessment Roll No.:</td> <td></td> </tr> <tr> <td>Approximate Size:</td> <td>6 mx 30m ± (20 ft x 98 ft ±)</td> </tr> <tr> <td>Approximate Area:</td> <td>181.6 m² ± (1955 ft²±)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	9 – Davenport	Assessment Roll No.:		Approximate Size:	6 mx 30m ± (20 ft x 98 ft ±)	Approximate Area:	181.6 m ² ± (1955 ft ² ±)	Other Information:	
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A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input checked="" type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input checked="" type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p>Delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</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><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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; 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B. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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 9- Davenport	Councillor:	
Contact Name:	Councillor Alejandra Bravo	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 issues.	Comments:	

Consultation with Divisions and/or Agencies

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

Legal Services Division Contact

Contact Name:	Karen Pfuetzner
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DAF Tracking No.: 2024-184	Date	Signature
Recommended by: Manager, Real Estate Services Niall Robertson	July 24, 2024	Signed by Niall Robertson
Recommended by: Director, Real Estate Services Alison Folosea	August 1, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management <input type="checkbox"/> Approved by: Patrick Matozzo		X
<input checked="" type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore	August 6, 2024	Signed by David Jollimore

Appendix "A"

Major Terms and Conditions

Irrevocable Date: 30th day after the date referred to in item [A] on the Execution Page

Purchase Price: One Million Fourteen Thousand Dollars (\$1,014,000.00)

Deposit: Fifty Thousand and Seven Hundred Dollars (\$50,700.00)

Balance: Cash, certified cheque, or wire/ EFT payment on closing.

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 and issuance of a below grade building permit or upon written notice given by the Purchaser.

Sale 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.

Other: The Purchaser acknowledges that the Property contains a catchbasin, lateral line and leader pipe (asset ID CL1460568) and agrees that it shall, have a Professional Engineer complete a Subsurface Underground Engineering (SUE) investigation and report findings consistent with the Design Criteria for Sewers and Watermains and standard ASCE 38-02 including a CCTV inspection to the satisfaction of the City's General Manager of Toronto Water.

The Purchaser acknowledges that the Property contains utilities and/or services belonging to Bell Canada and Toronto Hydro-Electric System Limited and agrees to accept title to the Property subject to easements, substantially in the form of the Utility Companies.

Appendix "B"

Location Map

