

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

TRACKING NO.: 2024-316

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:	December 11, 2024	Phone No.:	(416) 392-8151										
Purpose	To authorize the acceptance of the payments of compensation offered by Metrolinx, the expropriating authority, pursuant to Section 25 of the Expropriations Act for the expropriated interests in portions of three (3) City properties (defined hereafter) as required for the Scarborough Subway Extension Project.												
Property	<p>Portions of the following City properties (the "Properties"):</p> <ol style="list-style-type: none"> The Toronto Transit Commission stairwell area adjacent to the Kennedy GO Rail tracks legally described as Part of Lot 4, Plan 1697, Part 1, 64R6495, together with TB358620; Scarborough, City of Toronto, being part of PIN 06493-0203 (LT) Municipally known as 2457 Eglinton Avenue East & 155 Transway Crescent and legally described as Part of Lots 1 & 2, Plan 3973, as in Part 1, Expropriation Plan 10377, except Part 3, 64R9021; Part Lot 2, Plan 3973, as Part in SC586340, lying, south-east of Plan 64R9021; Scarborough, City of Toronto, being part of PIN 06437-0252 (LT) The triangular shaped parking lot area fronting Transway Crescent legally described as Part of Lot 28, Concession C, Parts 4 and 5, 64R4925, except Part 3, 64R9021; subject to SC277067 Scarborough, City of Toronto, being part of PIN 06437-0004 (LT) <p>The Properties are displayed in the Location Map attached hereto as Appendix "A". The expropriated interests are summarized in Appendix "B" and displayed in the Expropriation Plans attached hereto in Appendix "C" (the "Expropriated Interests").</p>												
Actions	<ol style="list-style-type: none"> Authorize the acceptance of Offer (B) (Advance Payment) of the Offers of Compensation served by Metrolinx in accordance with the requirements of the Expropriations Act, in the total amount of \$2,298,500.00 as set out in Appendix "B". 												
Financial Impact	<p>The total compensation offered to the City for the Expropriated Interests, subject to payment of any outstanding realty taxes, is estimated to be \$2,298,500.00. Of this total amount, \$2,290,500.00 will be directed to the 2024 Operating Budget submission for Corporate Real Estate Management, under cost center FA1495 and functional area code 3220200000, for Council consideration. The remaining amount (\$8,000.00) will be contributed to the Land Acquisition Reserve Fund (XR1012), for Council consideration.</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>In September 2023, Metrolinx notified the City and all parties with a registered interest in the Properties that it was commencing expropriation proceedings to acquire various property interests on the Properties to facilitate the Scarborough Subway Extension Project. With the registration of Expropriation Plans AT6550341, AT6550429 and AT6550567, Metrolinx expropriated permanent and temporary interests over the Properties identified in Appendix "B".</p> <p>In accordance with Section 25 of the Expropriations Act (the "Act"), Metrolinx has served Offers of Compensation, together with the related appraisal, on the City, with the following options for acceptance:</p> <p>Offer (A) - offer of an amount in full and final settlement of all claims pertaining to the expropriation of the property interests, subject to payment of any outstanding realty taxes; or</p> <p>Offer (B) - offer of immediate payment of an amount that represents 100% of the market value of the lands expropriated as estimated by the expropriating authority, subject to payment of any outstanding realty taxes, without prejudice to the expropriated owners' rights conferred by the Act, in respect of the determination of compensation, and subject to adjustment in accordance with any compensation that may be subsequently determined under the Act or any other Act, or agreed upon.</p> <p>In addition, Metrolinx is required to pay the City's reasonable legal, appraisal and other costs actually incurred for the purposes of determining the compensation payable in accordance with Section 32 of the Expropriations Act; and interest at 6 per cent per annum in accordance with Section 33 of the Expropriations Act.</p> <p>Corporate Real Estate Management Appraisal Unit staff reviewed the submitted appraisal and recommends acceptance of the Offer B amount at this time, without prejudice to its rights to claim additional compensation in the future. Relevant approval authority will be further sought once settlements are reached with Metrolinx with respect to final determination of all claims and compensation payable to the City in accordance with the Act.</p>												
Terms	Not applicable.												
Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Ward:</td> <td>20 – 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>43.16 m² (AT6550341), 2,980.9 m² (AT6550429) and 1,029.1 m² (AT6550567)</td> </tr> <tr> <td>Other Information:</td> <td></td> </tr> </table>			Ward:	20 – Scarborough Southwest	Assessment Roll No.:		Approximate Size:		Approximate Area:	43.16 m ² (AT6550341), 2,980.9 m ² (AT6550429) and 1,029.1 m ² (AT6550567)	Other Information:	
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Other Information:													

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate Services has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
2A. Expropriations Where City is Expropriating Authority:	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.	<input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.
2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:	<input checked="" type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million. Request/waive hearings of necessity delegated to less senior positions.	<input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million. Request/waive hearings of necessity delegated to less senior positions.
3. Issuance of RFPs/REOIs:	<input type="checkbox"/> Issuance of RFPs/REOIs.	<input type="checkbox"/> Issuance of RFPs/REOIs.
4. Permanent Highway Closures:	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.	<input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	<input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.	<input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.	<input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$3 Million. <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. Delegated to a more senior position.	<input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$5 Million. <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. <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.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> (a) Where total compensation does not exceed \$3 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.	<input type="checkbox"/> (a) Where total compensation does not exceed \$5 Million. <input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$3 Million.	<input type="checkbox"/> Where total compensation does not exceed \$5 Million.
13. Revisions to Council Decisions in Real Estate Matters:	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).	<input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).
14. Miscellaneous:	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds	<input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences <input type="checkbox"/> (b) Releases/Discharges <input type="checkbox"/> (c) Surrenders/Abandonments <input type="checkbox"/> (d) Enforcements/Terminations <input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates <input type="checkbox"/> (f) Objections/Waivers/Cautions <input type="checkbox"/> (g) Notices of Lease and Sublease <input type="checkbox"/> (h) Consent to regulatory applications by City, as owner <input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title <input type="checkbox"/> (j) Documentation relating to Land Titles applications <input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds

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:	Parthi Kandavel	Councillor:	
Contact Name:	Alexandra Kyriakos – Chief of Staff	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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Transit Commission	Division:	Financial Planning
Contact Name:	David Cooper / Rafael Gutierrez	Contact Name:	Ciro Tarantino
Comments:	Advised	Comments:	No issues

Legal Services Division Contact

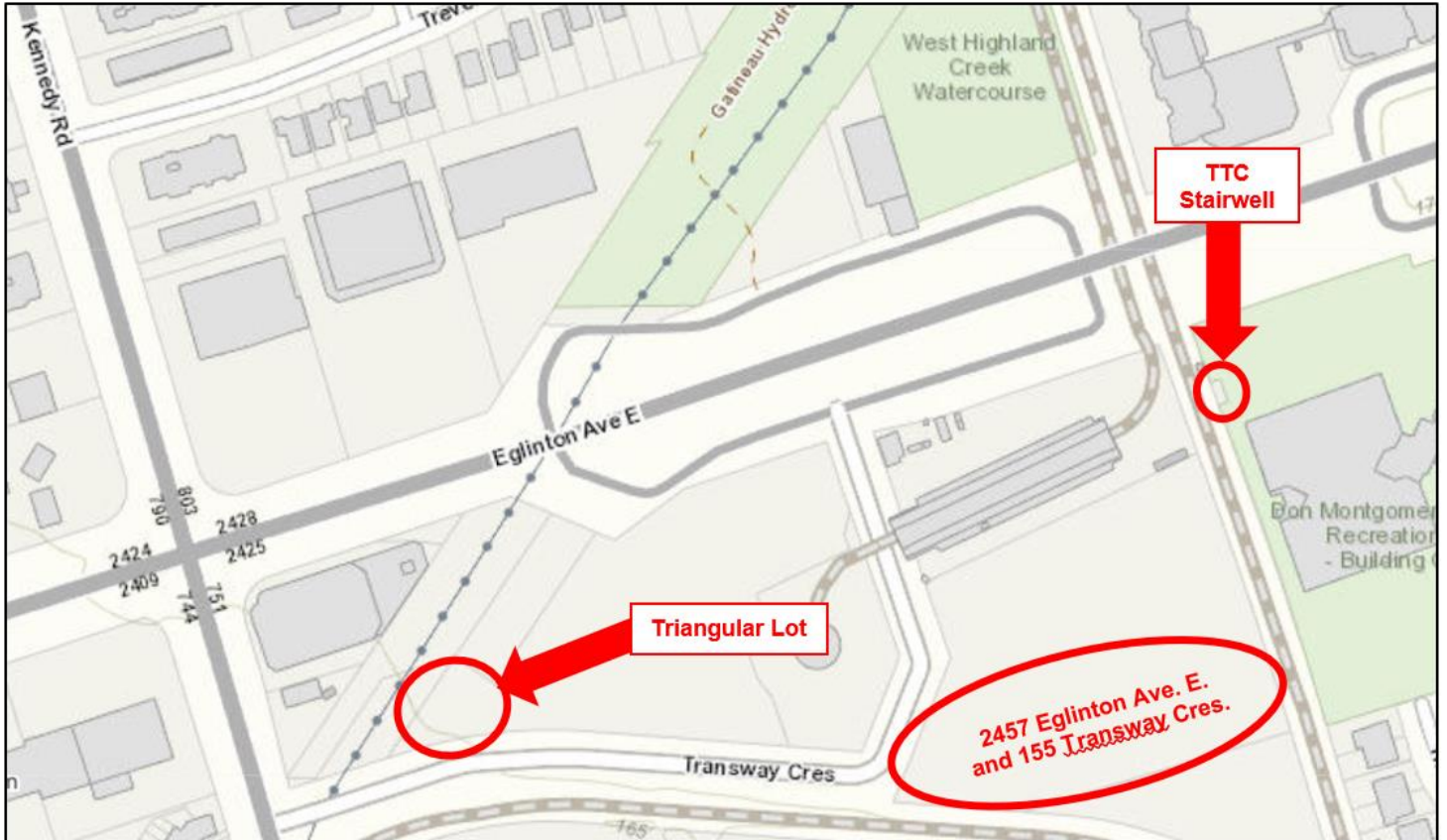
Contact Name:	Luxmen Aloysius
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DAF Tracking No.: 2024-316	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	Dec. 16, 2024	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	Dec. 17, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management	Dec. 18, 2024	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Patrick Matozzo		
<input type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore		

APPENDIX "A"

Location Map

TTC Stairwell
2457 Eglinton Avenue East and 155 Transway Crescent
Triangular Shaped Parking Lot



APPENDIX "B"
Expropriated Property Interests

Property Address / PIN	Expropriation Plan	Parts	Total Area (m ²)	Property Interest
TTC Stairwell PIN 06493-0203 (LT)	AT6550341	1, 2, 3, 4 and 5	43.16	Permanent (Parts 1 and 2) and Temporary (Parts 1-5) Easements
2457 Eglinton Ave. E. 155 Transway Cres. PIN 06437-0252 (LT)	AT6550429	1, 2, 3, 4, 5, 6 and 7	2,980.9	Permanent (Parts 1 and 2) and Temporary (Parts 1-7) Easements
Triangular Shaped Lot PIN 06437-0004 (LT)	AT6550567	1 and 2	1,029.1	Temporary Easement

Offers of Compensation

Property Address / PIN	Compensation
TTC Stairwell PIN 06493-0203 (LT)	\$16,000.00
2457 Eglinton Ave. E. 155 Transway Cres. PIN 06437-0252 (LT)	\$1,697,600.00
Triangular Shaped Lot PIN 06437-0004 (LT)	\$584,900.00
Total	\$2,298,500.00



AT6550567 – Triangular Shaped Parking Lot

