

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

TRACKING NO.: 2024-290

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:	Patricia Palmieri	Division:	Corporate Real Estate Management
Date Prepared:	November 28, 2024	Phone No.:	416-392-4829
<b>Purpose</b>	To obtain authority to enter into Minutes of Settlement Agreement (the "Agreement") with the former owners at 35-49 Bales Avenue (the "Owners") for the expropriated interests required to construct the Toronto Transit Commission (TTC) Sheppard Subway Project (the "Project").		
<b>Property</b>	The property municipally known as 35-49 Bales Avenue, City of Toronto, legally described as being part of Block A, Plan 2090 and Part 2 on Plan 66R-12991 (the "Property Interests"), as shown on the expropriation plan in Appendix "B".		
<b>Actions</b>	<ol style="list-style-type: none"> <li>Authority be granted to enter into the Agreement with the Owners, substantially on the terms and conditions outlined in the Confidential Attachment, and on such other or amended terms and conditions as may be acceptable to the approving authority herein, and in a form satisfactory to the City Solicitor.</li> <li>The Confidential Attachment to remain confidential until there has been a final determination of all property transactions and claims for compensation relative to the Project, and only released publicly thereafter in consultation with the City Solicitor</li> </ol>		
<b>Financial Impact</b>	<p>Funding for the compensation, as set out in the Confidential Attachment, is available in the 2024-2033 Council Approved Capital Budget and Plan for the TTC under CTT035.</p> <p>The Chief Financial Officer &amp; Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>		
<b>Comments</b>	<p>In July 1997, the former Metropolitan Toronto Council authorized the expropriation of the Property Interests for a term of 48 months for the construction and operation of the Project. The plan of expropriation was registered on July 11, 1997.</p> <p>In accordance with Section 25 of the <i>Expropriations Act</i> (the "Act"), an Offer of Compensation was served upon the Owners. The Owners accepted the immediate payment of compensation without prejudice to their rights to have compensation determined in accordance the Act, and payment was made.</p> <p>The Owners served and filed a claim with the Ontario Land Tribunal (OLT) seeking damages against the City and the TTC pursuant to section 26 of the Act. Following settlement discussions, the City, TTC and the Owners have agreed to settle the total compensation payable to the Owners in accordance with the Act in the amounts set out in the Confidential Attachment, in exchange for a full and final release of all the Owners' claims related to the Property Interests and damages claimed in respect of the construction of the Project. These amounts are reasonable, and settlement will avoid the City incurring additional expenses, that would arise with the continuation of the matter to a contested hearing before the OLT.</p>		
<b>Terms</b>	See Confidential Attachment		
<b>Property Details</b>	<b>Ward:</b>	Ward 18 - Willowdale	
	<b>Assessment Roll No.:</b>	n/a	
	<b>Approximate Size:</b>	n/a	
	<b>Approximate Area:</b>	n/a	
	<b>Other Information:</b>	n/a	



- 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:	Councillor Lily Cheng	Councillor:	
Contact Name:	Sara Hildebrand	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" 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:	Consulted	Comments:	

**Consultation with Divisions and/or Agencies**

Division:	TTC	Division:	<b>Financial Planning</b>
Contact Name:	Vincenza Guzzo	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

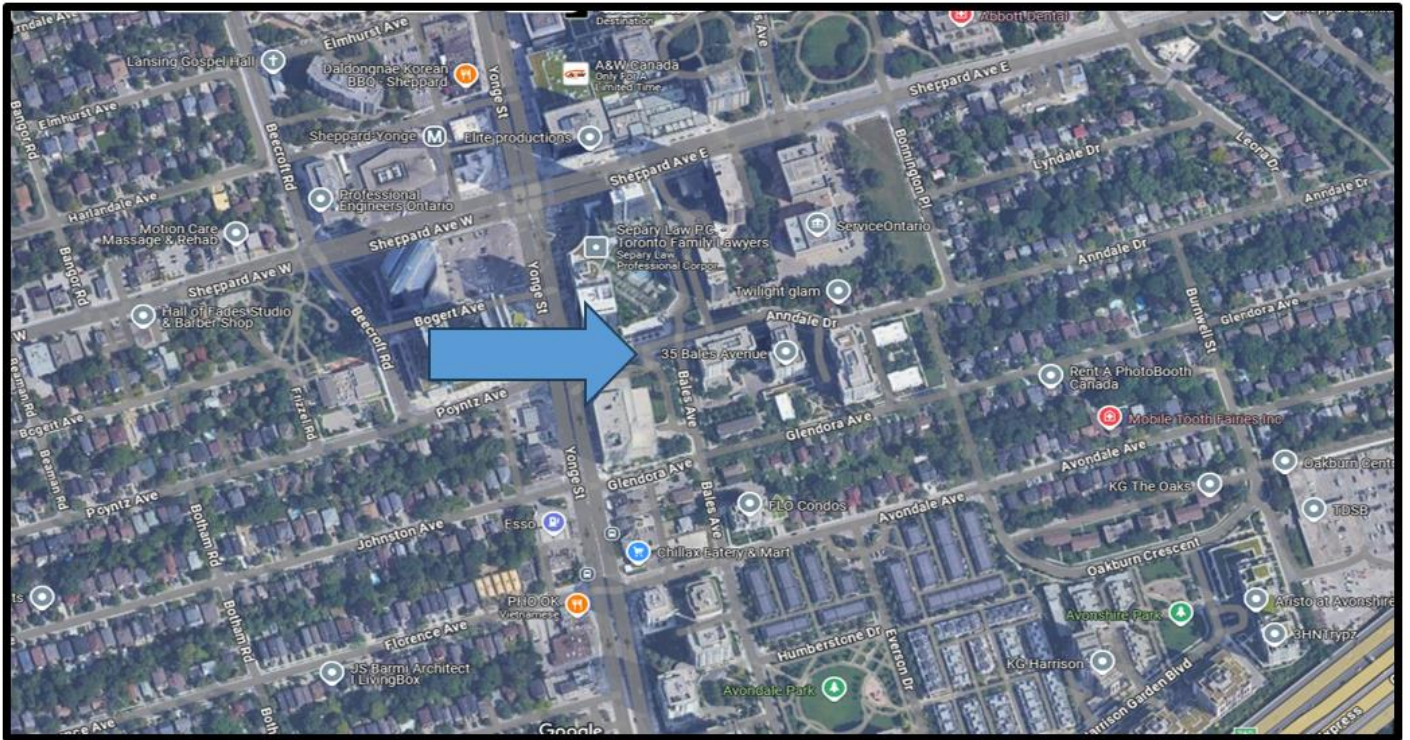
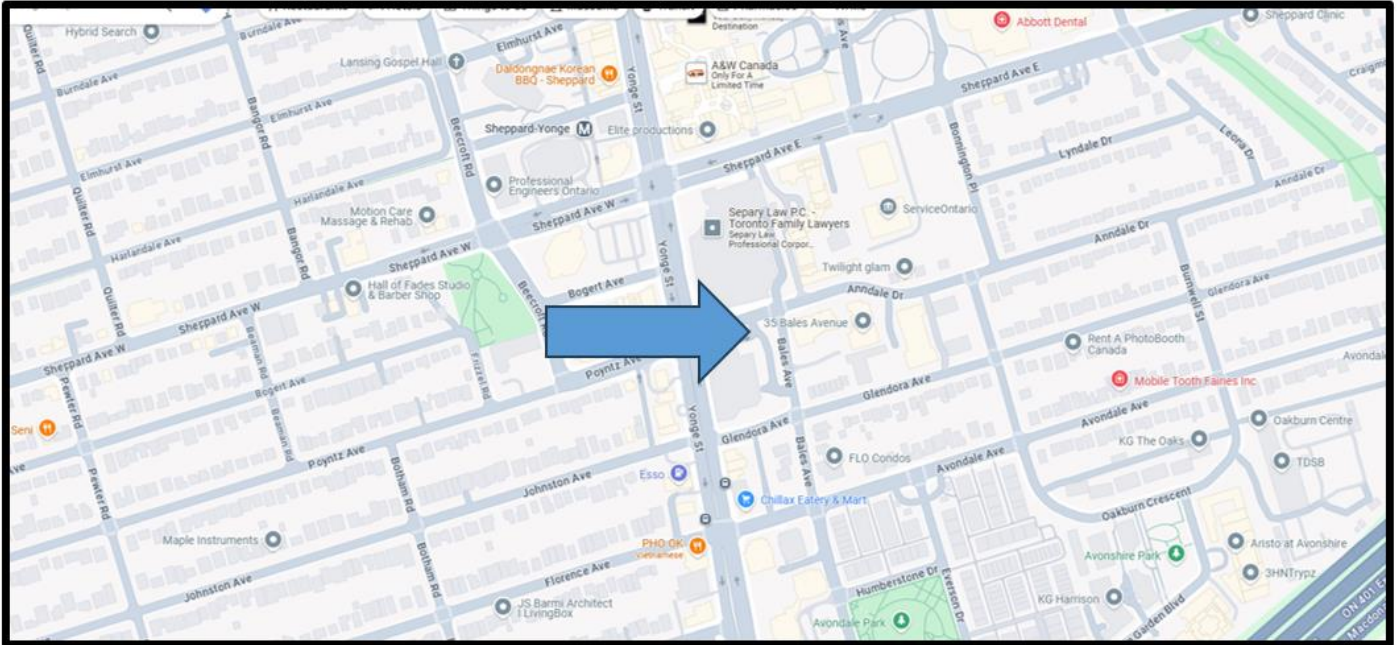
**Legal Services Division Contact**

Contact Name:	<b>Matthew Longo</b>
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**DAF Tracking No.: 2024-290**

<b>Date</b>	<b>Signature</b>
Recommended by: Manager, Real Estate Services Vnette Prescott-Brown	Nov. 29, 2024 Signed by Vnette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	Nov. 29, 2024 Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: <b>Executive Director, Corporate Real Estate Management Patrick Matozzo</b>	Nov. 29, 2024 Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: <b>Deputy City Manager, Corporate Services David Jollimore</b>	Dec. 3, 2024 Signed by David Jollimore

## Appendix "A" Location Map





## Appendix “B” Expropriation Plan

