



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

TRACKING NO.: 2024-271

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

Prepared By:	Joanna Mysak	Division:	Corporate Real Estate Management
Date Prepared:	November 13, 2024	Phone No.:	416-338-0405
<b>Purpose</b>	To obtain authority to acquire a portion of the property municipally known as 148 Franklin Avenue, Toronto, Ontario (the "Property") from Ronit Regina Barzilay (the "Owner") for the purpose of expanding Franklin Park.		
<b>Property</b>	The Property municipally known as 148 Franklin Avenue, and legally described as Part of PARCEL 168-1, SECTION M412; LOTS 168 TO 172, PLAN 66M-412; TOGETHER WITH R.O.W. OVER E'LY 10' OF LOT 1 ON PLAN 66M412; SUB TO EASE OVER PT LOTS 171 & 172 BEING PT 6, 66R-5729; S/T TEMPORARY EASE OVER PT 7, 66R-5729 AS IN B-311248 TWP OF YORK/NORTH YORK, City of Toronto, comprising a portion of the lands identified in part of PIN 10185-0138 (LT), being shown on the attached draft Reference Plan, Job Number 2021-04079, dated November 24, 2021, designated as Parts 2, 3 and 4 as shown on Appendix A - Location Map.		
<b>Actions</b>	<p>It is recommended that:</p> <ol style="list-style-type: none"> <li>Authority be granted to accept an offer from the Owner to sell the Property to the City (the "Offer") for the sum of \$1,300,000.00, substantially on the major terms and conditions outlined in Appendix B, and including such other terms and conditions as deemed appropriate by the approving authority herein and in a form acceptable to the City Solicitor.</li> </ol>		
<b>Financial Impact</b>	<p>The following costs will be incurred by the City in connection with the Agreement:</p> <ol style="list-style-type: none"> <li>Purchase Price - \$1,300,000</li> <li>HST (net of applicable rebates) – \$0</li> <li>Land Transfer Tax (Provincial) - \$22,475.00</li> <li>Registration Costs - \$250.00</li> <li>Due Diligence Costs - \$5,550</li> </ol> <p>Funding for the acquisition totaling approximately \$1,328,275 (net of HST recovery is available in the 2024 Council Approved Capital Budget for Parks, Forestry and Recreation under capital project account (CPR 115-50-01) ("Parkland Acquisition").</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>		
<b>Comments</b>	<p>The acquisition of the Property supports the implementation of the Council-approved Parkland Strategy. The surrounding area has a higher than average parkland provision but the neighbourhood to the east of the site is below average parkland provision and has been designated as an area of parkland need. The acquisition of this site would connect with parkland dedications at 163 and 165 Cameron Ave and to Franklin Park to the east. The acquisition will also protect the ravine and natural features found throughout the site and bring more of this ravine into public ownership and stewardship.</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 B.</p>		
<b>Terms</b>	Refer to Appendix B - "Terms"		
<b>Property Details</b>	<b>Ward:</b>	Ward 18 – Willowdale	
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>	4,048 sq ft	
	<b>Other Information:</b>		

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/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 &amp; Parks &amp; 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 \$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><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; 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 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><b>Delegated to a more senior position.</b></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><b>Request/waive hearings of necessity delegated to less senior positions.</b></p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; 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; 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. 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:	Councillor Lily Cheng	Councillor:	
Contact Name:		Contact Name:	
Contacted by:	Phone <input checked="" type="checkbox"/> 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:	Consulted	Comments:	

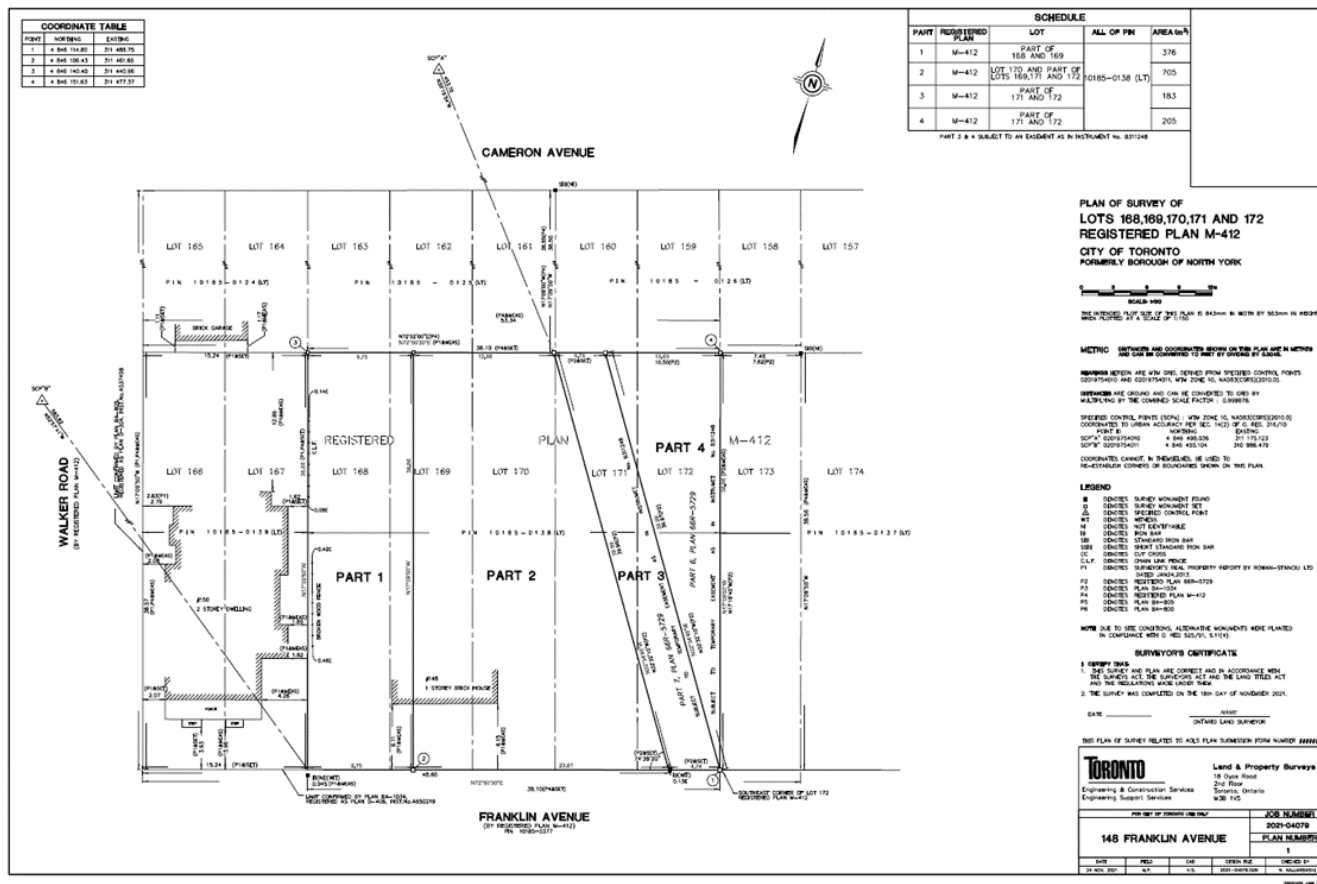
**Consultation with Divisions and/or Agencies**

Division:	Parks Forestry and Recreation	Division:	Financial Planning
Contact Name:	Olivia Fortenbacher/ Heather Oliver	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Approved

**Legal Services Division Contact**

Contact Name: **Karen Pfuetzner**

DAF Tracking No.: 2024-271	Date	Signature
Recommended by: Manager, Real Estate Services Jennifer Kowalski	Nov. 13, 2024	Signed by Jennifer Kowalski
Recommended by: Director, Real Estate Services Alison Folosea	Nov. 21, 2024	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management <input checked="" type="checkbox"/> Approved by: Patrick Matozzo	Nov. 21, 2024	Signed by Patrick Matozzo
<input type="checkbox"/> Deputy City Manager, Corporate Services David Jollimore		



## Appendix B Major Terms and Conditions

Purchase Price:	\$1,300,000.00
Deposit:	\$65,000.00
Irrevocable Period:	45 days following execution of Offer by Vendor.
Due Diligence Period:	90 days following acceptance by the City
Due Diligence Condition:	City to be satisfied, in its sole and absolute discretion, that the Property is suitable for the City's purposes. This condition can be waived by the City at its sole option.
Environmental Warranty:	Vendor has made complete disclosure to the best of the Vendor's knowledge of all material facts and circumstances, relating to the presence of any Hazardous Substance (and for purposes hereof the term "Hazardous Substance" means any contaminant, pollutant, dangerous substance, potentially dangerous substance, noxious substance, toxic substance, hazardous waste, flammable material, explosive material, radioactive material, ureaformaldehyde foam insulation, asbestos, PCBs, radiation, organism, mould and any other substance, materials, effect, or thing declared or defined to be hazardous, toxic, a contaminant, or a pollutant in or pursuant to any applicable federal, provincial or municipal laws, statutes, by-laws, rules, regulations, orders or directives) or other environmental condition, which to the knowledge of the Vendor exists now or in the past, did exist on the Property or on any adjoining or proximate lands, which in any manner may affect the Property or its proposed use
Closing Date:	January 31, 2025
Vacant Possession:	Vacant possession of the Property shall be given to the City on Closing
Structure Demolition:	The City shall demolish the existing home thereon and remove any debris therefrom, install a wood fence and restore the lands to sod, all at the City's sole cost and expense.