

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

**TRACKING NO.: 2024-280**  
**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 16, 2024  | Phone No.: | 416-392-4829                     |              |                      |                             |     |                          |     |                          |     |                           |     |
| <b>Purpose</b>              | To obtain authority to enter into Minutes of Settlement Agreements (the "Agreements") with the owners of 77 St. Regis Crescent, 3675-3677 Keele Street and 3685 Keele Street (collectively the "Owners"), for the expropriated interests required to construct the Toronto York Spadina Subway Extension Project (the "Project").  |            |                                  |              |                      |                             |     |                          |     |                          |     |                           |     |
| <b>Property</b>             | As set out in the attached Appendix "A".   |            |                                  |              |                      |                             |     |                          |     |                          |     |                           |     |
| <b>Actions</b>              | <ol style="list-style-type: none"> <li>Authority be granted for the City to enter into the Agreements 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 Toronto Transit Commission ("TTC") under capital account CTT134-01.</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>On July 6, 7 &amp; 8, 2010, City Council adopted Item GL32.11 authorizing the expropriation of certain property interests for the purposes of the Project, (the "Expropriated Interests"). On September 22 &amp; 23, 2010, the expropriation plans were registered, and the City became the owner of these interests.</p> <p>On January 30, 2012, DAF tracking numbers 2012-047, 2012-049 and 2012-050, authorized the execution of Section 24 Agreements, pursuant to the Expropriations Act, with the Owners for additional interests required for the construction, operation, maintenance, and support of the Project, (the "Additional Interests"). The Expropriated Interests and the Additional Interests are collectively, "the Property Interests".</p> <p>On December 13, 2021, the Owners served and filed a Notice of Arbitration and Statement of Claim requesting that compensation arising from the expropriation of the Property Interests be determined by the Ontario Land Tribunal (OLT). 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 full and final release of all the Owners claims related to the Property Interests 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>     | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><b>Ward:</b></td> <td>Ward 6 - York Centre</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td>n/a</td> </tr> <tr> <td><b>Approximate Size:</b></td> <td>n/a</td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>n/a</td> </tr> <tr> <td><b>Other Information:</b></td> <td>n/a</td> </tr> </table>   |            |                                  | <b>Ward:</b> | Ward 6 - York Centre | <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 |
| <b>Ward:</b>                | Ward 6 - York Centre   |            |                                  |              |                      |                             |     |                          |     |                          |     |                           |     |
| <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  |            |                                  |              |                      |                             |     |                          |     |                          |     |                           |     |

| A.   | Manager, Real Estate Services<br>has approval authority for:  | Director, Real Estate Services<br>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 &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 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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> | <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input checked="" 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/REOs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input 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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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:   | Councillor James Pasternak  | Councillor:   |   |
| Contact Name: | Jenya Drazman   | Contact Name: |   |
| Contacted by: | Phone <input type="checkbox"/> X <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:     | TTC          | Division:     | <b>Financial Planning</b> |
| Contact Name: | David Cooper | Contact Name: | Ciro Tarantino            |
| Comments:     | Concurs      | Comments:     | Concurs                   |

**Legal Services Division Contact**

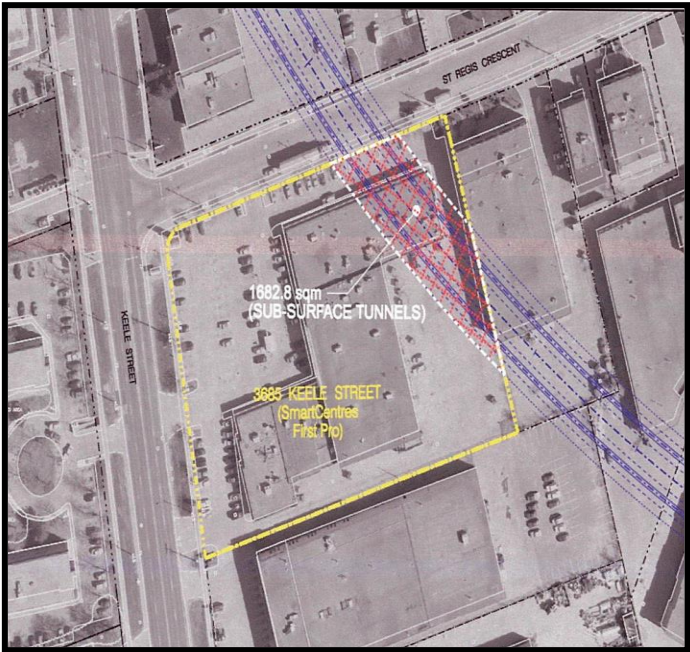
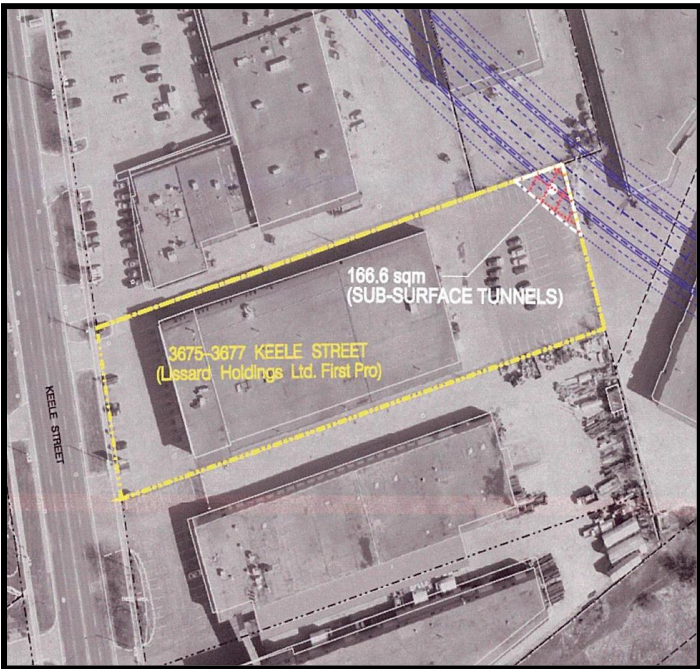
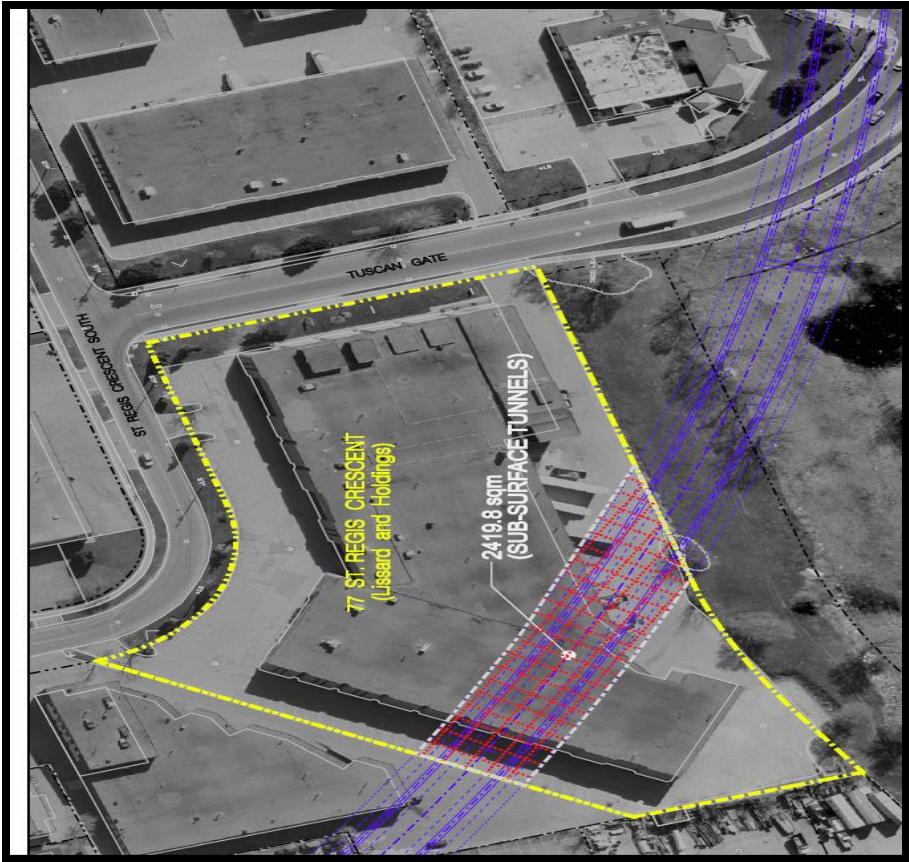
Contact Name: Mark Piel

| DAF Tracking No.: 2024-280  | Date          | Signature                        |
|---|---------------|----------------------------------|
| <input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b><br><b>Vinette Prescott-Brown</b> | Nov. 19, 2024 | Signed by Vinette Prescott-Brown |
| <input type="checkbox"/> Approved by:   |               |                                  |
| <input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b><br><b>Alison Folosea</b>           | Nov. 26, 2024 | Signed by Alison Folosea         |

**Appendix "A"**  
**(the "Property Interests")**

| <b><u>Property</u></b>             | <b><u>Owners</u></b>  | <b><u>Legal Description</u></b>   | <b><u>Property Interests</u></b>  |
|------------------------------------|---|---|---|
| Portions of 77 St Regis Crescent   | Lissard Holdings Limited and Yorkdale Contract Interior Limited | Lot 10, Plan 3672, North York as in NY678176; Part of Lot 11 on Plan 3672, North York as in NY678182; Part of Lot 17, Concession 3, West of Yonge Street, former Township of York, designated as Parts 3 and 4 on Plan 64R-1692; save and except Part 1 on Expropriation Plan AT2510100, and subject to an easement over Part 2 on Expropriation Plan AT2510100 | Sub-Surface Fee Simple: 2419.8 m <sup>2</sup><br><br>Permanent Easement above Fee (including additional easement): 2419.8 m <sup>2</sup>    |
| Portions of 3675-3677 Keele Street | Lissard Holdings Limited  | Part of Lot 7, Plan 3672, North York, as in NY588991, save and except Part 1 on Expropriation Plan AT2509991 and subject to an easement over Part 2 on Expropriation Plan AT2509991   | Sub-Surface Fee Simple: 166.6 m <sup>2</sup><br><br>Permanent Easement above Fee, including the additional easement: 166.6 m <sup>2</sup>   |
| Portions of 3685 Keele Street      | 3685 Keele Street Limited                                       | Part of Lots 5 & 6, Plan 3672, North York, designated as Part 1 on Plan 64R-10076, save and except Part 1 on Expropriation Plan AT2510849, and subject to an easement over Part 2 on Expropriation Plan AT2510849   | Sub-surface Fee Simple: 1682.8 m <sup>2</sup><br><br>Permanent Easement above Fee, including the additional easement: 1682.8 m <sup>2</sup> |

Appendix "B"  
Location Map





**Expropriation Plan AT2510100**

77 ST. REGIS CRESCENT

