

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-272

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

Prepared By:	Carm Curcuruto	Division:	Legal File No. 2600-700-7451-2024
Date Prepared:	October 29, 2024	Phone No.:	416 397-5599
Purpose	To consent to the partial release of (i) Instrument Number CT699025 being an Encroachment Agreement, registered on January 9, 1985 and (ii) Instrument Numbers AT5273371, registered on October 28, 2019 and AT5699391, registered April 7, 2021 being the Limiting Distance Agreements, (the "LDA's") from lands described as part Lot 30, Section C Plan 135, designated as Parts 5 & 7, on Plan 66R-33710, being part of PIN 21239-0538 (LT) (the "Subsurface Lands"). The Limiting Distance Agreements, and the Encroachment Agreement are hereinafter referred to as the "Agreements."		
Property	530 Richmond Street West, Toronto		
Actions	To consent to the partial release of the Agreements from the Subsurface Lands.		
Financial Impact	There is no financial impact.		
Comments	<p>The previous owner entered into an Encroachment Agreement with the City regarding maintenance of certain encroachments on the property. The owner is now transferring the Subsurface Lands to Metrolinx, to facilitate the Ontario Line Subway Project.</p> <p>2418424 Ontario Limited, (the "Owner"), entered the LDA's with the City and the owner of the adjoining property at 520 Richmond Street West which agreements were registered on title to both the Property and 520 Richmond Street West (collectively the "Original Lands"). The Owner has now entered into an agreement with Metrolinx to transfer the Subsurface Lands, to facilitate the Ontario Line Subway Project .</p> <p>Toronto Building and Transportation Services consent to the release of the Agreements from the of the Subsurface Lands.</p> <p>The LDA's and Encroachment Agreement will remain registered against the remainder of the Original Lands.</p>		
Terms	<p>Ann Marie Hyman, Transportation Services, confirmed by memo October 29, 2024, that as the encroachments do not apply to Subsurface Lands, it is appropriate to partially release the Encroachment from these lands.</p> <p>Josh Heisterkamp, Toronto Building, Senior Manager, Plan Review in consultation Angus MacKay, Solicitor, Litigation Section, Legal Services, confirmed by e-mail dated October 16, 2024, that Toronto Building has no objection to the partial release of the LDA's from Subsurface Lands.</p>		
Property Details	Ward:	Ward 10 Spadina -Fort York	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:		
	Other Information:		

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate 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 \$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>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</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>Delegated to more senior positions.</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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input 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 & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</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>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</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 checked="" 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:	
Contact Name:		Contact Name:	
Contacted by:	Phone	Contacted by:	Phone
	E-Mail		E-mail
	Memo		Memo
	Other		Other
Comments:		Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Toronto Building
Contact Name:	Ann Marie Hyman	Contact Name:	Josh Heisterkamp, Senior Manager
Comments:	No Objections	Comments:	No Objections

Legal Services Division Contact

Contact Name: Carm Curcuruto, Legal Conveyancing Clerk

DAF Tracking No.: 2024-272

Date

Signature

☒ Recommended by: Deputy City Solicitor, Real Estate Law
Ray Mickevicius

Nov. 12, 2024

Signed by Ray Mickevicius

☐ Approved by:

☒ Approved by: Director, Real Estate Services
Alison Folosea

Nov. 12, 2024

Signed by Alison Folosea