



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

TRACKING NO.: 2025-128

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:	April 10, 2025	Phone No.:	416-392-4829										
Purpose	To obtain authority to enter into Minutes of Settlement Agreement (the "Agreement") with the former tenant at 40 Hayden Street (the "Tenant") for the expropriated interests required to construct the Toronto Transit Commission (TTC) Bloor Yonge Capacity Improvement Project (the "Project").												
Property	The property municipally known as 40 Hayden Street, City of Toronto, legally described as Part of Lot 8 N/S Hayden Street Plan 163 Toronto, designated as Part 1 on Expropriation Plan AT6016255 in the City of Toronto (the "Property"), as shown on the expropriation plan in Appendix "B".												
Actions	<ol style="list-style-type: none"> 1. Authority be granted to enter into the Agreement with the Tenant, 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. 2. 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 												
Financial Impact	<p>Funding for the compensation, as set out in the Confidential Attachment, is available in the 2026-2035 Council Approved Capital Budget and Plan for the TTC CTT155-01.</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>On February 2 and 3, 2022, City Council adopted Item GL28.11 approving the expropriation of the fee simple interest in the Property for the Project. The Property became vested in the City on May 14, 2022, pursuant to the registration of Expropriation Plan AT6016255.</p> <p>The Tenant occupied the Property prior to the expropriation and vacated in July 2022. On December 4, 2024, DAF 2024-307 was executed by the Director of Real Estate Services authorizing a full and final settlement with the Tenant for its moving and storage costs, as set out in the Confidential Attachment.</p> <p>On January 19, 2024, the Tenant served and filed a Notice of Arbitration and Statement of Claim requesting that compensation arising from the expropriation of the Property be determined by the Ontario Land Tribunal (OLT). Following settlement discussions, the City and the Tenant have agreed to settle the total compensation payable to the Tenant in accordance with the Expropriations Act in the amounts set out in the Confidential Attachment, in exchange for the full and final release of all the Tenants' claims related to the expropriation. 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>												
Terms	See Confidential Attachment												
Property Details	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Ward:</td> <td>Ward – 11 – University-Rosedale</td> </tr> <tr> <td>Assessment Roll No.:</td> <td>1904-06-8-540-02801</td> </tr> <tr> <td>Approximate Size:</td> <td>n/a</td> </tr> <tr> <td>Approximate Area:</td> <td>n/a</td> </tr> <tr> <td>Other Information:</td> <td>n/a</td> </tr> </table>			Ward:	Ward – 11 – University-Rosedale	Assessment Roll No.:	1904-06-8-540-02801	Approximate Size:	n/a	Approximate Area:	n/a	Other Information:	n/a
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Other Information:	n/a												

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 checked="" 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 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/REOs:	<input type="checkbox"/> Issuance of RFPs/REOs.	<input type="checkbox"/> Issuance of RFPs/REOs.
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:	Councillor Dianne Saxe	Councillor:	
Contact Name:	Andrew Greene	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:	Consulted	Comments:	

Consultation with Divisions and/or Agencies

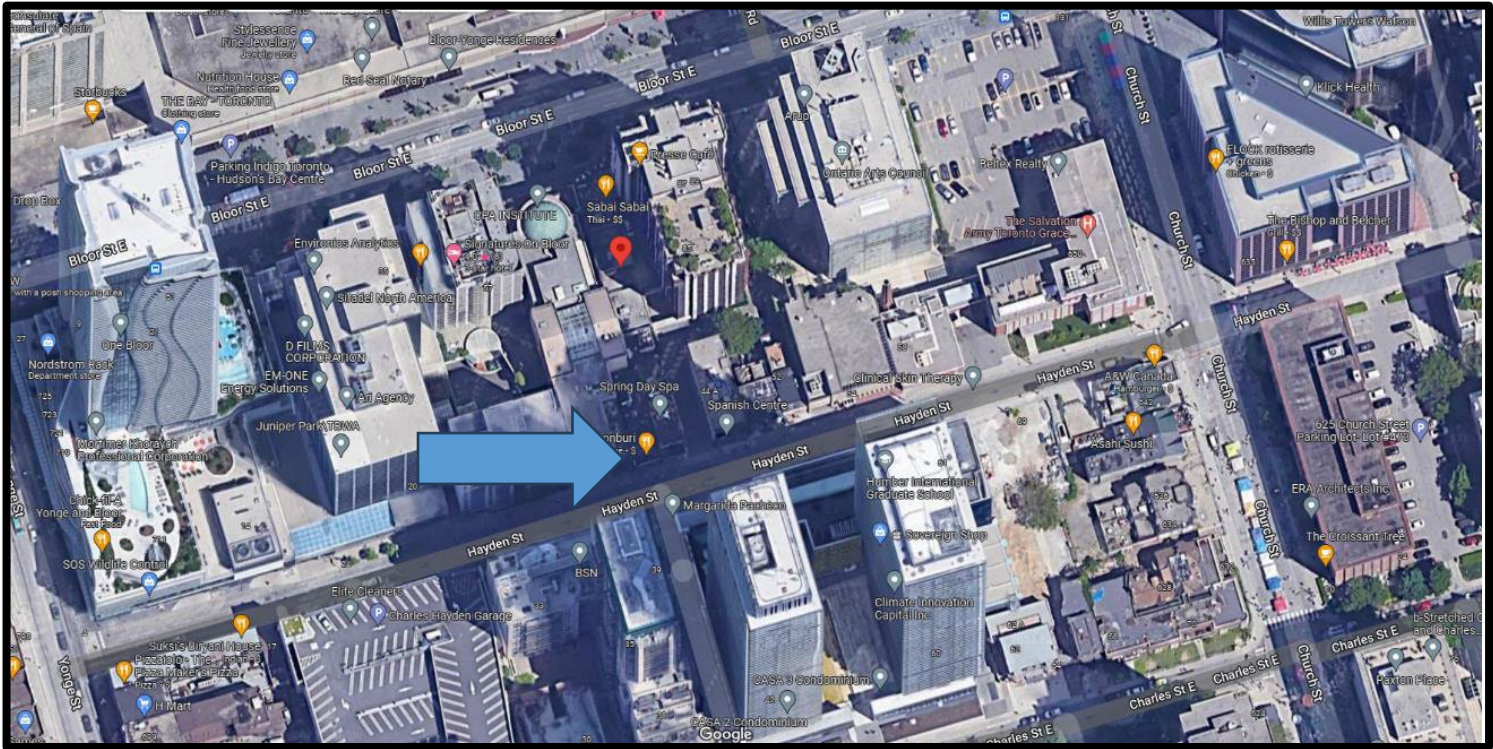
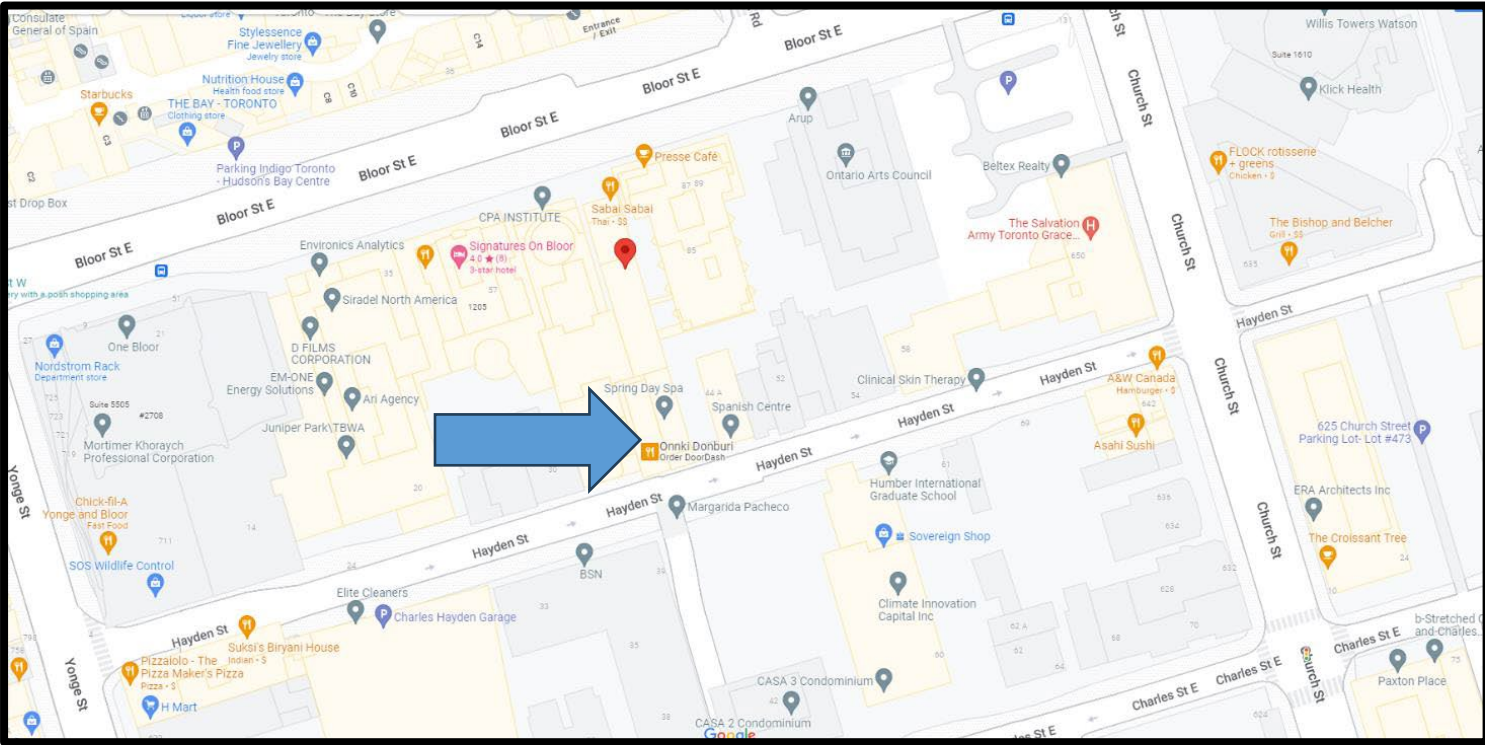
Division:	TTC	Division:	Financial Planning
Contact Name:	Raymond Siochi	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name:	Ebaadh Rizwani
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DAF Tracking No.: 2025-128	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	April 24, 2025	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	April 24, 2025	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management	April 24, 2025	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Patrick Matozzo		
<input type="checkbox"/> Approved by: Deputy City Manager, Corporate Services David Jollimore		X

Appendix "A"
Location Map



Appendix “B”
Expropriation Plan AT6016255

