



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

TRACKING NO.: 2025-001

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

Prepared By:	Irina Fofanova	Division:	Corporate Real Estate Management
Date Prepared:	January 13, 2025	Phone No.:	416-397-0806
Purpose	To authorize the City to enter into a land exchange agreement with Metrolinx (the "Agreement"), exchanging the closed portion of Agincourt Drive, also referred to as 4118 Sheppard Avenue East (the "City Lands") for a portion of the Metrolinx-owned land municipally known as 4090 Sheppard Avenue East, Toronto ("Metrolinx Lands") and a cash payment.		
Property	<p>City Lands: Part of PIN 06098-0074, legally described as Part of First Avenue, PI 1909 Scarborough aka Agincourt Drive; btn Sheppard Av & Lockie Av; Toronto, City of Toronto and designated as Parts 1 and 2 on Reference Plan 66R33288 attached hereto as Appendix "B".</p> <p>Metrolinx Lands: Part of PIN 06104-0302 (LT); being Part Lot 28 Concession 3 Scarborough; Part 1 64R14612, S/T Interest in TB967204; Toronto, City of Toronto and designated as Part 1 on Reference Plan 66R33287 attached hereto as Appendix "B-1".</p> <p>The locations of the City Lands and the Metrolinx Lands are shown on the Location Map attached as Appendix "A".</p>		
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the Agreement with Metrolinx for the sale of the City Lands to Metrolinx, in exchange for the Metrolinx Lands, a nominal sum sewer easement to be granted back to the City over the City Lands and a cash payment in the amount of \$70,486.00, exclusive of HST, from Metrolinx, substantially on the major terms and conditions outlined herein and on such further and other terms as may be deemed appropriate by the approving authority herein and in a form satisfactory to the City Solicitor A portion of the proceeds of the sale be directed to fund any outstanding expenses related to the completion of the exchange transaction. 		
Financial Impact	<p>The City will receive revenue in the form of Metrolinx Lands in fee simple, valued at \$186,054.00 (exclusive of HST) plus a cash payment from Metrolinx in the amount of \$70,486.00 (exclusive of HST and other applicable taxes), less closing costs and usual adjustments. The proceeds will be contributed to the Land Acquisition Reserve Fund (XR1012) upon the closing of the exchange transaction.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>As part of the construction of the grade separation that was completed in 2013, the southerly part of Agincourt Drive was relocated to the east. The former southerly part of Agincourt Drive is surplus to City needs.</p> <p>This transaction is governed by the GO Expansion Master Agreement between the City and Metrolinx dated March 16, 2022 (the "GEMA") and is a "Transit Project" that is exempt from Article 1 (declaration of surplus requirement) of Toronto Municipal Code, Chapter 213. Pursuant to Schedule "B" (Real Estate Protocol) of the GEMA, Metrolinx is responsible for all costs of the land exchange.</p> <p>On June 26th, 2024, City Council adopted staff report EX15.2 titled "Priorities in Transit Expansion and Transit-Oriented Communities Projects". The report contained a recommendation that required Metrolinx to provide the City with certain information prior to completing any further real estate transactions involving City lands. The Transit Expansion (TE) Division has confirmed that the Ward Councillor is comfortable proceeding with this land transaction based on the information provided by Metrolinx about its mitigation efforts related to construction impact to residential tenants and businesses. Therefore, TE confirms that Metrolinx has satisfied the conditions set out in EX15.2 relating to the Property.</p> <p>Corporate Real Estate Services staff consider the major terms and conditions of the Agreement to be fair, reasonable and reflective of market value, and recommend that the City enter into the Agreement substantially on the major terms and conditions set out below.</p>		
Terms	<p>City Lands Purchase Price: Appraised value of Metrolinx Lands (\$186,054.00) plus cash payment of \$70,486.00, totalling \$256,540.00 (exclusive of HST)</p> <p>Due Diligence Condition Period: 60 days after execution of the Agreement</p> <p>Closing Date: 30 days following the waiver or notice of satisfaction of the last of the conditions.</p> <p>Metrolinx shall grant a permanent easement to the City over the City Lands on closing, for the construction, operation, and maintenance of the City's sewer.</p>		
Property Details	Ward:	22 – Scarborough-Agincourt	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	361.12 m ² ± (3887.1 ft ² ±) - City owned land 261.9 m ² ± (2819.1 ft ² ±) - Metrolinx owned Land	
	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 checked="" 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 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:	Nick Manatas	Councillor:	
Contact Name:	Joanne Fusillo Ademaj	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:	Advised	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Mark Siu	Contact Name:	Ciro Tarantino
Comments:	No Objections	Comments:	No Issues

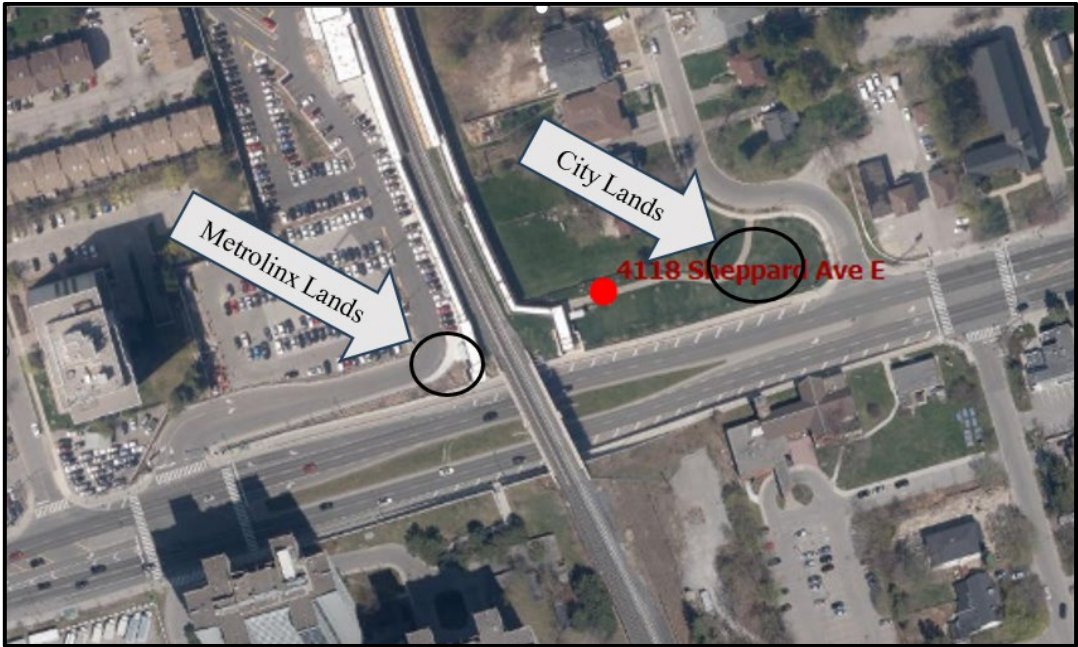
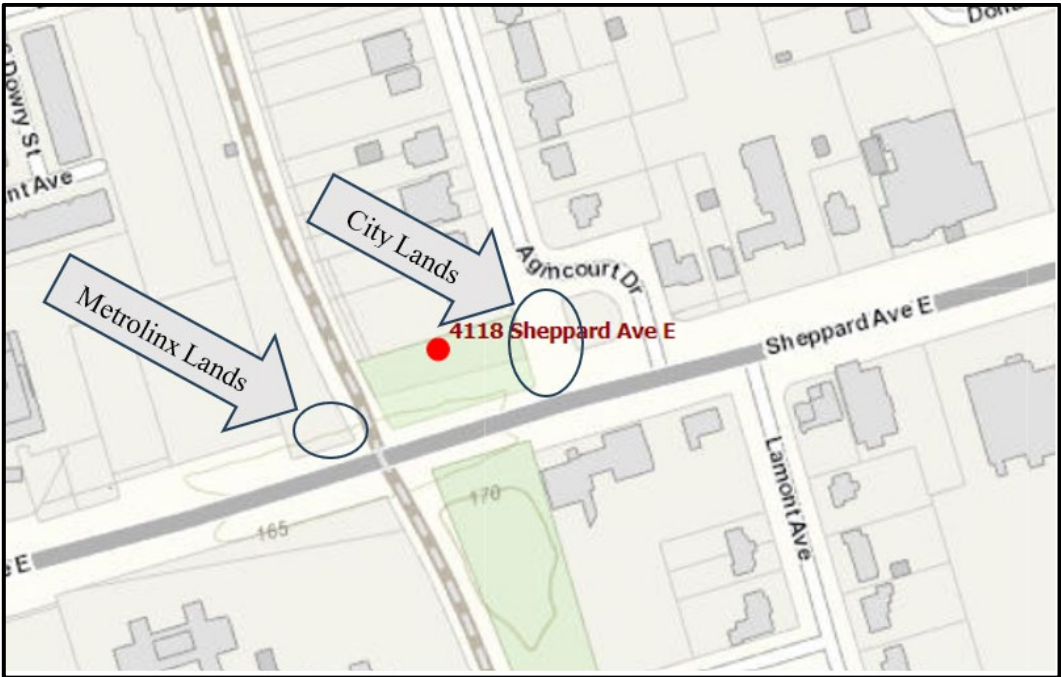
Legal Services Division Contact

Contact Name: Michelle Xu

DAF Tracking No.: 2025-001	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott - Brown	Jan. 14, 2025	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Jan. 16, 2025	Signed by Alison Folosea

Appendix "A"

Location Map and Aerial View



Appendix "B"

Reference Plan 66R33288

