



DELEGATED APPROVAL FORM

CITY MANAGER

TRACKING NO.: 2025-009

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:	Winnie Lam	Division:	Corporate Real Estate Management										
Date Prepared:	March 4, 2025	Phone No.:	437-991-8040										
Purpose	To obtain authority to enter into Full and Final Minutes of Settlement (the "Agreement") with i) the expropriated owner of 23 Barberry Place, and ii) with owners of the adjacent property at 25 Barberry Place (collectively the "Expropriated Owners"), to resolve all claims arising from the registration of Expropriation Plan AT4797618 (the "Expropriation"), and to enter into an Agreement of Purchase and Sale with the owners of 25 Barberry Place to transfer part of the expropriated property for nominal consideration as contemplated by the Agreement. The Expropriation was required to complete the Thomas Clark Way Extension Project (the "Project").												
Property	The property municipally known as 23 Barberry Place, Toronto, legally described as being Part of Lot 15, Concession 2 East of Yonge Street designated as Part 1 on Expropriation Plan AT4797618 (the "Property"). A surplus portion of the Property is designated as Parts 1 on Reference Plan 66R-34305 (the "Remnant Parcel"), and shown on Appendix "A".												
Actions	<ol style="list-style-type: none"> 1. Authority be granted for the City to enter into the Agreement with the Expropriated Owners, substantially on the terms and conditions set out in the Confidential Attachment, and on such other terms and conditions deemed appropriate by the approving authority herein, and in a form acceptable to the City Solicitor. 2. Authority be granted to enter into an Agreement of Purchase and Sale with the owners of 25 Barberry Place to transfer the Remnant Parcel for nominal consideration as contemplated by the Agreement. 3. 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 2025-2026 Council Approved Capital Budget and Plan for the Transportation Services under capital account CTP817-71-01.</p> <p>The Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>												
Comments	<p>On December 8, 2017, by the Enactment of By-Law No. 1378-2017, City Council authorized the expropriation of 23 Barberry Place for the Project. Expropriation Plan AT4797618 was registered on February 6, 2018, and the City took possession of the Property on July 31, 2018.</p> <p>In accordance with Section 25 of the Expropriations Act (the "Act"), the City served an Offer of Compensation on all registered owners, authorized by DAF 2018-166. The expropriated owner of 23 Barberry Place accepted the compensation without prejudice to its right to claim additional compensation in the future, and payment was made on February 21, 2020.</p> <p>The Expropriated Owners served notices on the City with the Ontario Land Tribunal (the "OLT") seeking additional compensation. Following settlement discussions, the Expropriated Owners have agreed on a full and final settlement for their claims under the Act as outlined in the Confidential Attachment, including conveying the Remnant Parcel for nominal consideration of \$2.00 to the owners of 25 Barberry Place.</p> <p>The Remnant Parcel was declared surplus on December 3, 2024, as authorized by DAF No. 2024-227. The expropriated owner of 23 Barberry Place has waived its first right to repurchase the Remnant Parcel. All steps necessary to comply with the City's real estate disposal process as set out in Article 1 of Chapter 213 of the City of Toronto Municipal Code have been complied with and the Remnant Parcel can be transferred in accordance with the Agreement.</p> <p>The terms of the Agreement are considered 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"> <tr> <td>Ward:</td><td>17—Don Valley North</td></tr> <tr> <td>Assessment Roll No.:</td><td></td></tr> <tr> <td>Approximate Size:</td><td>127 m² ± (1367 ft² ±)</td></tr> <tr> <td>Approximate Area:</td><td></td></tr> <tr> <td>Other Information:</td><td></td></tr> </table>			Ward:	17—Don Valley North	Assessment Roll No.:		Approximate Size:	127 m ² ± (1367 ft ² ±)	Approximate Area:		Other Information:	
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A.	City Manager has approval authority for:
1. Acquisitions:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
2A. Expropriations Where City is Expropriating Authority:	<input checked="" type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$10 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 \$10 Million.
3. Issuance of RFPs/REOs:	Request/waive hearings of necessity delegated to less senior positions.
4. Permanent Highway Closures:	Delegated to less senior positions.
5. Transfer of Operational Management to Divisions, Agencies and Corporations:	Delegated to less senior positions.
6. Limiting Distance Agreements:	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
7. Disposals (including Leases of 21 years or more):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:	Delegated to less senior positions.
9. Leases/Licences (City as Landlord/Licensor):	<input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$10 Million.
	Leases/licences for periods up to 12 months at less than market value delegated to less senior positions.
	Leases pursuant to the Community Space Tenancy Policy delegated to a less senior position.
10. Leases/Licences (City as Tenant/Licensee):	<input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$10 Million.
11. Easements (City as Grantor):	<input type="checkbox"/> Where total compensation does not exceed \$10 Million.
	Nominal sum easements to pre-existing utilities when closing roads delegated to less senior positions.
12. Easements (City as Grantee):	<input type="checkbox"/> Where total compensation does not exceed \$10 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)).
14. Miscellaneous:	Delegated to less senior positions.

B. City Manager has signing authority on behalf of the City for:

- Documents required to implement matters for which this position also has delegated approval authority.

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:	Ward 17—Don Valley North	Councillor:	
Contact Name:	Councillor Shelley Carroll	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:	No Issues.	Comments:	

Consultation with Divisions and/or Agencies

Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Sonali Praharaj	Contact Name:	Ciro Tarantino
Comments:	No issues	Comments:	No issues

Legal Services Division Contact

Contact Name: Vanessa Bacher / Nathan Muscat

DAF Tracking No.: 2025- 009	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	March 5, 2025	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	March 10, 2025	Signed by Alison Folosea
<input checked="" type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management Patrick Matozzo	March 10, 2025	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Recommended by: Deputy City Manager, Corporate Services David Jollimore	March 19, 2025	Signed by David Jollimore
<input checked="" type="checkbox"/> Approved by: City Manager Paul Johnson	March 20, 2025	Signed by Paul Johnson

