



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

TRACKING NO.: 2025-067

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

Prepared By:	Rocchina Zambri	Division:	Corporate Real Estate Management
Date Prepared:	June 16, 2025	Phone No.:	416-338-2995
Purpose	To obtain authority to grant a permanent subsurface easement over a portion of the property described below to International Estonian Centre Inc. (the "Transferee"), for the purpose of the installation of four (4) structural beams to support the Transferee's development.		
Property	A permanent easement interest in a subsurface portion of the property municipally known as part of 9 Madison Avenue, Toronto, legally described as Part of PIN 21212-0163 (LT), being Part of Lots 33 and 34, Plan M2, Part 4, Plan 66R-30451; together with an easement over Part Lots 33 and 34, Plan M2, Parts 2 and 3 Plan 66R-30451 as in Instrument No. AT5039766, Being Parts 1, 2 3 and 4 on 66R33656; City of Toronto (the "Easement Lands"), as shown on the Location Map in Appendix "B".		
Actions	1. Authority be granted to enter into an agreement with the Transferee (the "Agreement"), for the grant of the easement to the Transferee, for the sum of \$46,000.00, plus HST, substantially on the major terms and conditions set out in Appendix "A", and including such other terms and conditions as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor		
Financial Impact	<p>Total revenue to be remitted to the City is \$46,000.00, plus HST and reasonable legal fees. The funds will be directed to the Land Acquisition Reserve Fund (XR1012).</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>The lands municipally known as 9 Madison Avenue, Toronto were acquired by The Municipality of Metropolitan Toronto in 1964 and 1965, and were formerly used as a Toronto Parking Authority parking lot. Pursuant to Item GM26.17 of the Government Management Committee, adopted by Council at its meeting on April 24, 25, 26 and 27, 2018, a stratified interest in the lands was transferred to Build Toronto, and Build Toronto subsequently sold a stratified interest in the lands to the Transferee in 2018. The City retained the substrata lands in which the Toronto Transit Commission's ("TTC") facilities, structures and related infrastructure are located, and which form the Yonge-University-Spadina line and the Bloor-Danforth line, including the subway tunnels (the "Subway Facilities"). The Transferee has submitted plans for a multi-storey commercial building proposed to be constructed on the Transferee's lands and has requested for a permanent easement for the installation of support beams within the Easement lands. TTC has undertaken a technical review of the plans and specifications for the proposed development to ensure there is no adverse impact on TTC's current and future subway infrastructure and operations associated with the development and is agreeable to the Easement request.</p> <p>The Easement Lands were declared surplus on November 22, 2022 (DAF No. 2022-003) with the intended manner of disposal to be by way of a grant of a permanent easement to Internation Estonian Centre Inc. for the installation, maintenance and repair of four structural beams for the support of the Transferee's development of a multi-storey commercial building. 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.</p> <p>The terms and conditions of the Easement are considered fair, reasonable and reflective of market value.</p>		
Terms	See Appendix "A"		
Property Details	Ward:	11 – University-Rosedale	
	Assessment Roll No.:	1904-05-2-130-00040	
	Approximate Size:	n/a	
	Approximate Area:	107.2 m ²	
	Other Information:	n/a	

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 checked="" 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 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:	Dianne Saxe	Councillor:	
Contact Name:	Dianne Saxe	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:	Toronto Transit Commission	Division:	Financial Planning
Contact Name:	Arno van Dijk	Contact Name:	Ciro Tarantino
Comments:	Concur	Comments:	Concur

Legal Services Division Contact

Contact Name: Shirley Chow

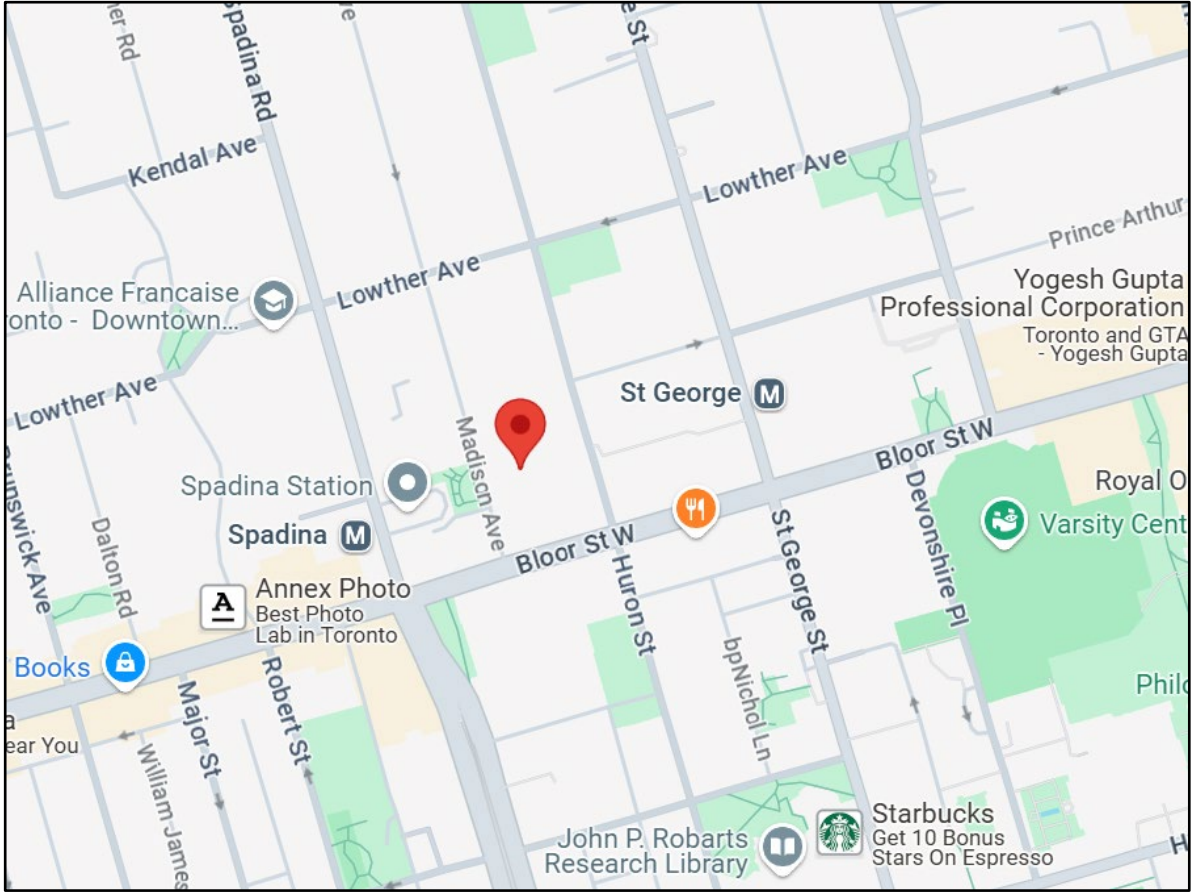
DAF Tracking No.: 2025-067	Date	Signature
Concurred with by: Manager, Real Estate Services Devi Mohan	June 19, 2025	Signed by Devi Mohan
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	June 19, 2025	Signed by Vinette Prescott-Brown
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea		X

Appendix "A"

Major Terms and Conditions

Grantee/Transferee:	International Estonian Centre Inc.
Easement Lands:	Part of PIN 21212-0163 (LT), being Part of Lots 33 and 34, Plan M2, Part 4, Plan 66R-30451; together with an easement over Part Lots 33 and 34, Plan M2, Parts 2 and 3 Plan 66R-30451 as in Instrument No. AT5039766, being Parts 1, 2 3 and 4 on 66R33656, City of Toronto.
Easement Fee:	\$46,000.00 plus HST
Use/Purpose:	Subsurface easement for the purpose of constructing, installing, inspecting, maintaining, repairing, waterproofing and restoring four (4) structural beams, including reconstruction and replacement thereof, together with the right of ingress and egress over the Easement Lands; such easement is required for the support of the Transferee's development on its lands at 9 Madison Avenue.
City's Covenants:	The City will not interfere with, obstruct, damage or destroy the structural elements located in and through the Easement Lands.
Transferee's Covenants:	<p>The Transferee shall not commence the construction or any other work on the Easement Lands until the Transferee enters into a construction agreement with TTC. The Transferee will comply with all TTC requirements, including the terms and conditions of the construction agreement.</p> <p>The Transferee shall provide notice to the City at least fourteen (14) days in advance of conducting any work in or through the Easement Lands.</p> <p>The Transferee shall construct, maintain and repair two (2) access hatches as part of the Transferee's development at 9 Madison Avenue, which shall provide access for the City and TTC to the Subway Facilities, and shall grant the City and TTC access rights over the Transferee's lands to allow the City and TTC to exercise its right under the Easement.</p>
Insurance:	The Transferee shall maintain commercial general liability insurance of not less than Ten Million Dollars (\$10,000,000.00) per occurrence, with cross-liability and/or severability of interest clause, and shall name the City and TTC as additional insured.
Indemnity:	The Transferee will fully indemnify and save harmless the City and TTC from and against all manners of actions, causes of death, suits, claims, demands damages, liability, interest, expenses, losses, costs, debts, liens, charges, prosecutions and any other proceedings whatsoever which may be brought against or made upon the City and TTC and any loss, costs, charges or expenses which may be incurred or sustained or paid by the City and TTC in respect of or arising out of the existence of the four (4) structural beams, the Easement or the exercise of any rights granted or reserved under the Easement.
Assumption Agreement:	The Transferee will not transfer, grant, assign, charge or mortgage the Transferee's land without requiring the proposed purchaser, transferee, grantee, mortgagee, chargee or assignee to execute and deliver to the City an assumption agreement, in a form satisfactory to the City, agreeing to assume the covenants and obligations of the Easement.

Appendix "B"
Location Map & Reference Plan



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