

## Appendix 5

### Major Terms and Conditions of the Reciprocal Agreement

Purpose	The Reciprocal Agreement sets out the reciprocal rights and obligations between Build Toronto and the City as owners of adjoining components of an integrated redevelopment of the 497 Richmond St W property, and provides for the ongoing operation, maintenance and repair of their respective buildings regarding rights of support, easements and/or licences for access for maintenance and repair, and shared use of the loading area.
Parties:	Build Toronto Inc. and City of Toronto
Ownership Components	City Component – Part 3 on 66R-26783; area of 1,500 m <sup>2</sup> ; 22.5 % portion at grade, together with the strata above 47.5 m above grade. Build Toronto Component – Parts 1 and 4 on 66R-26783; area of 5,155 m <sup>2</sup> ; 77.5% portion at grade, up to a strata limit of 47.5 m above grade
Term:	For the life of the project
Easements for Repair	The Parties shall grant easements for repair and maintenance of exterior walls along the westerly and southerly boundary of Part 3 provided that prior written notice is received of the intended commencement and completion of this work
Shared Loading Area	Part 4 on Plan 66R-26783 functions as both a loading area and as an access to a loading area for the buildings on Parts 1 and 3. The City shall retain an easement over Part 4 for access purposes and to restrict the future use of Part 4 to loading purposes, so that no buildings can be constructed thereon. Build Toronto shall be responsible to keep the loading area on Part 4 in good repair and to maintain this area. A schedule for delivery times to serve each Party (and their lessees) will be subject to the CCO's approval.
No common Services	The Build Toronto Component and the City Component shall have independent water, sanitary sewer, storm sewer, hydro, telecommunications services and connections.
Crane Overswings	Build Toronto and the City may in conjunction with the construction of improvements on their respective components install and operate cranes over the property of the other, subject to the burdened owner approving the crane-swing plan in writing and entering into a licence agreement that includes reasonable insurance and indemnity provisions
Parking	Build Toronto will provide and reserve 3 parking spaces and provide an easement for access or other similar arrangements to these parking spaces in the underground garage in its redevelopment project for the use of the City's 60 Brant Street occupants. Such parking spaces will be provided at no cost to the City, whether by long term lease at nominal rent or, if condominium units, by transfer of title to the City at its option for nominal consideration.
Insurance	Each party shall maintain separate insurance on their components including liability coverage of \$10,000,000 during construction
Tenant Compliance	Build Toronto and the City shall require compliance with the terms of this agreement by any tenant, licence holder, or occupant of its component

