

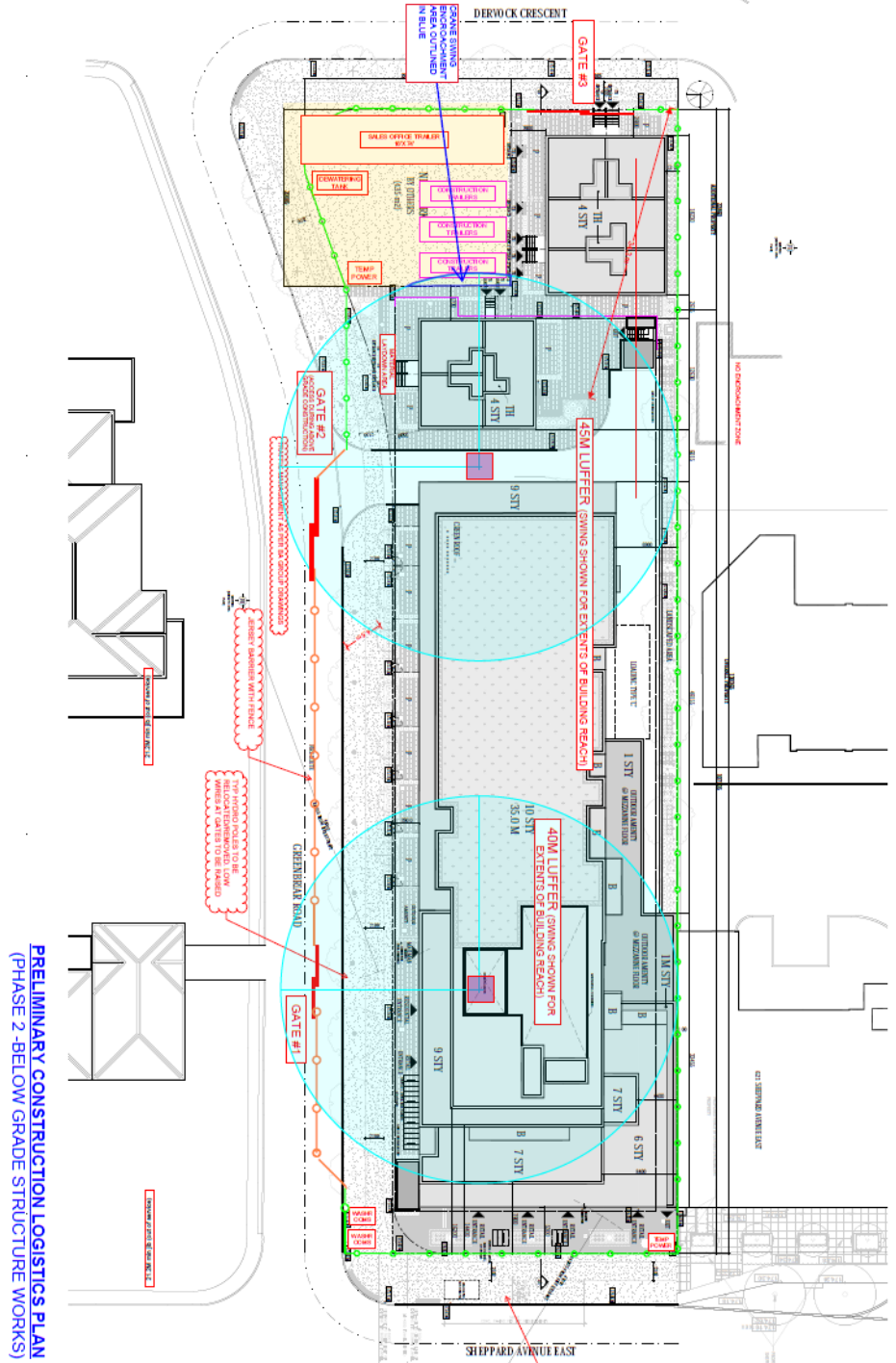
Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property																			
Prepared By:	Jatinder Rahul	Division:	Corporate Real Estate Management																
Date Prepared:	November 9, 2023	Phone No.:	(416) 392-7290																
<b>Purpose</b>	To obtain authority to enter into an agreement with 625 Sheppard Avenue East Properties Inc. (the "Licensee") for the purpose of permitting, upon conveyance to the City by the Licensee, encroachment through a crane swing of the air space above a portion of lands municipally known as 24 Dervock Crescent, Toronto, Ontario (the "Licensed Area" as shown in Appendix "A") in order to support the Licensee's development project, called 625 Sheppard Condos, on abutting lands municipally known as 625 Sheppard Ave East, Toronto, Ontario.																		
<b>Property</b>	The property municipally known as 24 Dervock Crescent, Toronto, legally described as LT 5 PL 4600 North York; subject to an easement as in AT6009316; subject to an easement as in AT6019876; City of Toronto on PIN 10090-0267 (LT)																		
<b>Actions</b>	1. Authority be granted to enter the Agreement with the Licensee, substantially on the major terms and conditions set out below and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.																		
<b>Financial Impact</b>	<p>The City will receive maximum potential total revenues of \$11,400 (plus HST and applicable taxes) over the Seventeen (17) month term, which includes the option to extend. Should the option to extend not be exercised, the total revenues to the City will be \$4,200 (plus HST and applicable taxes).</p> <p><i>Revenue to the City (plus HST and applicable taxes) is as follows:</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Fee</th> <th style="text-align: center;">Taxes</th> <th style="text-align: center;">Total</th> </tr> </thead> <tbody> <tr> <td>Revenue from Fee</td> <td style="text-align: center;">\$4,200</td> <td style="text-align: center;">\$546</td> <td style="text-align: center;">\$4,746</td> </tr> <tr> <td>Additional Revenue if Extended</td> <td style="text-align: center;">\$7,200</td> <td style="text-align: center;">\$936</td> <td style="text-align: center;">\$8,136</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: center;"><b>\$11,400</b></td> <td style="text-align: center;"><b>\$1,482</b></td> <td style="text-align: center;"><b>\$12,882</b></td> </tr> </tbody> </table>				Fee	Taxes	Total	Revenue from Fee	\$4,200	\$546	\$4,746	Additional Revenue if Extended	\$7,200	\$936	\$8,136	<b>Total</b>	<b>\$11,400</b>	<b>\$1,482</b>	<b>\$12,882</b>
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<b>Comments</b>	<p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information. The revenue generated from this licence agreement will be allocated to CC P12642, Functional Area Code 182010000 under Parks Operating budget</p> <p>625 Sheppard Avenue East Properties Inc. would like to use the dedicated parkland area for the purposes of swinging their crane swing arm over the Licensed Area. The Licensed Area will be over construction staging area and will be 10m x 1.5m = 15m<sup>2</sup> (161 ft<sup>2</sup>)</p> <p>The proposed licence fee and other major terms and conditions of the Licence are considered to be fair, reasonable and reflective of market rates.</p>																		
<b>Terms</b>	<p>Licensee: 625 Sheppard Avenue East Properties Inc.</p> <p>Term: Eight (8) months commencing on the later of the date the City and the Licensee execute the Agreement and the date that the City becomes the registered owner upon conveyance, with an option to extend for an additional nine (9) months</p> <p>License Fee: \$4,200 for the term, \$800 per month for a maximum total of \$7,200 during the extension period</p> <p>Termination: Licensee must provide 60 days' notice to terminate during the extension period</p> <p>Licensed Area: 15m<sup>2</sup> (161 ft<sup>2</sup>) as shown in Appendix "A"</p> <p>Insurance: Comprehensive general liability insurance against all claims for bodily injury (including death) and for property damage in an amount of not less than \$20,000,000.00 per occurrence</p>																		
<b>Property Details</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:35%;"><b>Ward:</b></td> <td>17 – Don Valley North</td> </tr> <tr> <td><b>Assessment Roll No.:</b></td> <td>1908113020071000000</td> </tr> <tr> <td><b>Approximate Size:</b></td> <td></td> </tr> <tr> <td><b>Approximate Area:</b></td> <td>15m<sup>2</sup> (161 ft<sup>2</sup>)</td> </tr> <tr> <td><b>Other Information:</b></td> <td></td> </tr> </table>			<b>Ward:</b>	17 – Don Valley North	<b>Assessment Roll No.:</b>	1908113020071000000	<b>Approximate Size:</b>		<b>Approximate Area:</b>	15m <sup>2</sup> (161 ft <sup>2</sup> )	<b>Other Information:</b>							
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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/REOIs:</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 &amp; Parks &amp; Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</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><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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><b>Delegated to more senior positions.</b></p> <p><input checked="" 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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></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/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></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><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></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>Pre-Condition to Approval</b>			
<input checked="" type="checkbox"/> Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property			
<b>Consultation with Councillor(s)</b>			
Councillor:	Councillor Shelley Carroll		Councillor:
Contact Name:	Joshua Bowman		Contact Name:
Contacted by:	Phone	<input checked="" type="checkbox"/> E-Mail	Memo
			Other
Comments:	conkurs		Comments:
<b>Consultation with Divisions and/or Agencies</b>			
Division:	Parks Forestry and Recreation		Division: <b>Financial Planning</b>
Contact Name:	Glenn Zeta		Contact Name: Ciro Tarantino
Comments:	Conkurs		Comments: Konkurs
<b>Legal Services Division Contact</b>			
Contact Name:	Frank Weng		

DAF Tracking No.: 2023- 267	Date	Signature
Concurred with by: Manager, Real Estate Services Niall Robertson	November 10, 2023	Signed by Niall Robertson
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Jennifer Kowalski	November 10, 2023	Signed by Jennifer Kowalski
<input checked="" type="checkbox"/> Approved by:		

### Appendix A Crane Swing Encroachment Area (outlined in dark blue)



**PRELIMINARY CONSTRUCTION LOGISTICS PLAN  
(PHASE 2 - BELOW GRADE STRUCTURE WORKS)**