

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2025-010

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

Prepared By:	Shernaz Writer	Division:	Corporate Real Estate Management																		
Date Prepared:	January 9, 2025	Phone No.:	416-392-7614																		
Purpose	To obtain authority to enter into two licence agreements with 11 Yorkville Partners Inc. (the "Licensee") with respect to the property municipally known as 25 Yorkville Avenue, Toronto; one for construction staging ("Licence 1") and the other for crane swing encroachment ("Licence 2") (collectively the "Licence Agreements").																				
Property	The property municipally known as 25 Yorkville Avenue, Toronto, legally described as Part of Lot 12 & Lot 13 on Plan 355, Yorkville, being Part 6, Plan 66R-32079; City of Toronto, being all of PIN 21197-0414 (LT), as shown on the Location Map in Appendix "A" and shaded in red on the sketch attached in Appendix "B" (the "Licensed Area").																				
Actions	1. Authority be granted to enter into the Licence Agreements with the Licensee, substantially on the major terms and conditions set out below, and including such other amended terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.																				
Financial Impact	<p>The City will receive a maximum of \$413,268.80 + HST for the Licence Agreements. The licence fee will be paid in 10 (ten) monthly installments of \$41,326.88 +HST.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information. The revenue generated from the Licence Agreements will be allocated to CC P12642, Functional Area Code 1820100000 under Parks Operating budget.</p>																				
Comments	<p>The Licensee has requested to use the Licensed Area for two purposes: (1) for construction staging for the development of 11 and 15 Yorkville Avenue and (2) for swinging their crane swing arm for the same development over the licensed area. It was determined that two licences will be entered into with the Licensee.</p> <p>The proposed licence fee and other major terms and conditions of the Licence Agreements are considered to be fair, reasonable and reflective of market rates.</p>																				
Terms	<table border="1"> <thead> <tr> <th></th><th>Licence 1 – Construction Staging</th><th>Licence 2 – Crane Swing Encroachment</th></tr> </thead> <tbody> <tr> <td>Licensed Area</td><td>455 m² (4,898 ft²) as shown in red in Appendix "B"</td><td>455 m² (4,898 ft²) of air space as shown in red in Appendix "B"</td></tr> <tr> <td>Licence Fee</td><td colspan="2">\$413,268.80 + HST to be paid in 10 monthly installments of \$41,326.88 + HST represents the fees for both Licence 1 & Licence 2</td></tr> <tr> <td>Term</td><td>10 months, commencing November 6, 2024, and expiring September 5, 2025</td><td>2 months from November 6, 2024 to January 5, 2025</td></tr> <tr> <td>Use</td><td>Non-exclusive basis to use, occupy and access the Licensed Area for construction staging purposes</td><td>Construction crane's boom to swing over the Licensed Area</td></tr> <tr> <td>Insurance</td><td colspan="2">Comprehensive general liability insurance in an amount of not less than \$20,000,000.00 per occurrence for bodily injury (including death) and property damage. Such insurance shall name the City as an additional insured. Such insurance shall provide for cross-liability.</td></tr> </tbody> </table>				Licence 1 – Construction Staging	Licence 2 – Crane Swing Encroachment	Licensed Area	455 m ² (4,898 ft ²) as shown in red in Appendix "B"	455 m ² (4,898 ft ²) of air space as shown in red in Appendix "B"	Licence Fee	\$413,268.80 + HST to be paid in 10 monthly installments of \$41,326.88 + HST represents the fees for both Licence 1 & Licence 2		Term	10 months, commencing November 6, 2024, and expiring September 5, 2025	2 months from November 6, 2024 to January 5, 2025	Use	Non-exclusive basis to use, occupy and access the Licensed Area for construction staging purposes	Construction crane's boom to swing over the Licensed Area	Insurance	Comprehensive general liability insurance in an amount of not less than \$20,000,000.00 per occurrence for bodily injury (including death) and property damage. Such insurance shall name the City as an additional insured. Such insurance shall provide for cross-liability.	
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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/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 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 checked="" 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:	Tasneem Tahrin	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	Parks & Recreation	Division:	Financial Planning
Contact Name:	Jatinder Rahul	Contact Name:	Ciro Tarantino
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name: Frank Weng

DAF Tracking No.: 2025-010	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Acting Manager, Real Estate Services Leila Valenzuela	Jan. 12, 2025	Signed by Leila Valenzuela
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Jan. 20, 2025	Signed by Alison Folosea

Appendix "A"

Location Map



Appendix "B"

Licensed Area highlighted in red

