



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**Licence Renewal & Amendment for Telecommunication  
Antenna Use by Toronto Police Services Board**

<b>Date:</b>	October 31, 2013
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	37 Scarborough Center
<b>Reason for Confidential Information:</b>	This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions.
<b>Reference Number:</b>	P:\2013\Internal Services\RE\Gm13027re - (AFS #18473)

**SUMMARY**

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The purpose of this report is to request Council authority to enter into a licence renewal and amending agreement for an existing site.

**RECOMMENDATIONS**

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**The Chief Corporate Officer recommends that:**

1. City Council authorize the City of Toronto (the "City") or (the "Licensee") to enter into a licence renewal and amending agreement (the "Agreement") for use of lands as described in Attachment 1 - Confidential Information, (the "Lands") substantially on the terms and conditions set out in Appendix "A" and in Attachment 1 - Confidential Information and on such other terms and conditions as may be acceptable to the Chief Corporate Officer or her designate (the "CCO") and in a form acceptable to the City solicitor.

2. City Council authorize the CCO to administer and manage the Agreement including the provision of any consents, approvals, waivers, notices of termination, provided that the CCO may, at any time refer considerations of such matter to City Council for its determination and direction.
3. The CCO and Director of Real estate be severally authorized to execute the Agreement on behalf of the City.
4. The appropriate City officials be authorized and directed to take whatever action necessary to give effect thereto.

### **Financial Impact**

The annual funding is included in the Council Approved Operating Base Budget for Toronto Police Service. The detail of the financial impact is set out in Attachment 1 - Confidential Attachment.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

In July 1993, the Municipality of Metropolitan Toronto Police Services Board entered into a 5 year licence agreement for the Lands with two (2) options to extend the term for a further five (5) years.

On July 1, 1998, the name of the Licensee had been changed to Toronto Police Services Board ("TPSB"). TPSB entered into a licence amending agreement exercising its first renewal option by extending a further five (5) years to June 30, 2003. This was amended on March 29, 2001 to permit additional space and equipment, and again on July 1, 2003 to extend the term to June 30, 2008.

On June 12, 2008 by way of a licence extension agreement the term was extended for an additional period of five (5) years to June 30, 2013.

As the City of Toronto acquires and provides facilities required by municipal departments and, under the *Police Services Act* and TPSB By-Law No.147, also acquires and provides facilities required by the TPSB, the most recent renewal agreement was entered into by the City of Toronto, as Licensee, in place of and in substitution for the TPSB. It expired on June 30, 2013, and has been in over hold since. The Licensee still requires the Lands.

## **ISSUE BACKGROUND**

TPSB has confirmed the Lands will continue to be required to maintain emergency telecommunications coverage in the area. Real Estate Services staff have a negotiated five (5) year renewal for the telecommunications antennas. Since the length of this ongoing licence (together with previous terms) exceeds the maximum length of term under the Real Estate delegated authorities, Council authority is being sought.

## **CONTACT**

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## **SIGNATURES**

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Josie Scioli,  
Chief Corporate Officer

## **ATTACHMENTS**

Appendix "A" –Terms & Conditions  
Attachment 1 – Confidential Information

## Appendix "A" – Major Terms & Conditions

<u>Licensor:</u>	As set out in Attachment 1 – Confidential Information
<u>Licensee:</u>	City of Toronto
<u>Lands:</u>	As set out in Attachment 1 – Confidential Information
<u>Site:</u>	332 square feet
<u>Term:</u>	5 years, commencing on July 1, 2013
<u>Renewal Option:</u>	1 option to extend for a further five (5) years
<u>Licence Fee:</u>	See Attachment 1 - Confidential Attachment
<u>Amended Terms:</u>	<u>(i) Site Area</u> Site to be increased to 332 square feet & as set out in Attachment 1- Confidential Attachment

The Licensee accepts the use of the area on an "as-is, where is" basis.