

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

TRACKING NO.: 2020-308

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

Prepared By:	Jeff Shewchuk	Division:	Corporate Real Estate Management
Date Prepared:	November 12, 2020	Phone No.:	416-338-3968

Purpose	To obtain authority for the City to provide a License Agreement (the "License") for nominal value to Vibrant Healthcare Alliance (the "Licensee"), for the temporary occupation of certain vacant portions of the main floor of 140 Merton Street (the "Licensed Area") for a term of three (3) months commencing November 15, 2020, for the purposes of a public temporary pop-up flu clinic.
Property	140 Merton Street, Toronto
Actions	1. The City be authorized to execute the License with conditions as deemed appropriate by the approving authority, and in a form satisfactory to the City Solicitor.
Financial Impact	There is no financial impact resulting from this approval. The license agreement is for nominal consideration. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	In April of 2020 SPRINT Senior Care was provided a temporary license for certain vacant portions of the main floor and parking lot at 140 Merton Street in an effort to expand its food service program for seniors in response to the COVID-19 pandemic. With the winter flu season fast approaching SPRINT approached the City with its health team partner Vibrant Healthcare Alliance and proposed a pop-up flu clinic be established within available space at 140 Merton Street. SPRINT and Vibrant Healthcare Alliance are both partners within the North Toronto Ontario Health Team which also includes the Toronto Central Health Integration Network. The purpose of this DAF is to provide Vibrant Healthcare Alliance with the requisite license to occupy the space as depicted in blue in Appendix "B" for the establishment of a flu clinic for a term of three months. Vibrant Healthcare Alliance will be responsible for providing the requisite flu vaccine which it procures through its weekly pick up of allotted vaccines directly from the Ontario Government Pharmacy in accordance with Ministry guidelines. All vaccines will be stored at Vibrant's primary site at 2398 Yonge Street which is currently set up in accordance with Ministry vaccine storage and handling guidelines. Administration of the flu vaccine will be provided by Vibrant Healthcare Alliance physicians, nurse practitioners, and registered nurses working under Vibrant's medical directive of influenza immunization.
Terms	<p>Licensor: City of Toronto Licensee: Vibrant Healthcare Alliance License Term: Three (3) months. Commencement Date: November 15, 2020. Expiry Date: February 14, 2021. Licensed Area: Main floor of 140 Merton Street as depicted in blue in Appendix "B". Gross License Fee Including Utilities: \$1.00 for term. Licensed Use: The area shall be used exclusively for the administering of flu vaccines to the general public. Insurance: Vibrant Healthcare Alliance shall provide to the City on or before the commencement date an insurance certificate specifically referencing the fact it will be managing the flu clinic and that it fully and completely indemnifies the City from any liability thereof in connection with the flu clinic. Early Termination: The City as Licensor has the right to terminate the License for any reason whatsoever by giving 48 hours' written notice to the Licensee. Upon Termination: Vibrant Healthcare shall leave the Licensed Area in a broom swept condition and shall be responsible for any damages exclusive of normal wear and tear that are the result of its occupation thereof. The City as Licensor shall be the sole determinant of said damages.</p>

Property Details	Ward:	12 – Toronto- St. Pauls
	Assessment Roll No.:	1904-10-3-060-05300
	Approximate Size:	20 ft. x 55 ft.
	Approximate Area:	1,100 sqft.
	Other Information:	

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 & Parks & 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>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/REOIs.</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 checked="" 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 (Manager, Transaction Services is only Manager 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:	Josh Matlow	Councillor:	
Contact Name:	Carolina Vecchiarelli	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X 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:	No objections Nov. 9/2020	Comments:	

Consultation with Divisions and/or Agencies

Division:	CreateTO	Division:	Financial Planning
Contact Name:	Peter Harron	Contact Name:	Patricia Libardo
Comments:	No concerns - Nov. 12/2020	Comments:	No Concerns Nov. 9/2020

Consultation with Divisions and/or Agencies

Division:	Office of Emergency Management	Division:	
Contact Name:	Caitriona O'Sullivan	Contact Name:	
Comments:	No Concerns – Oct. 30/2020	Comments:	

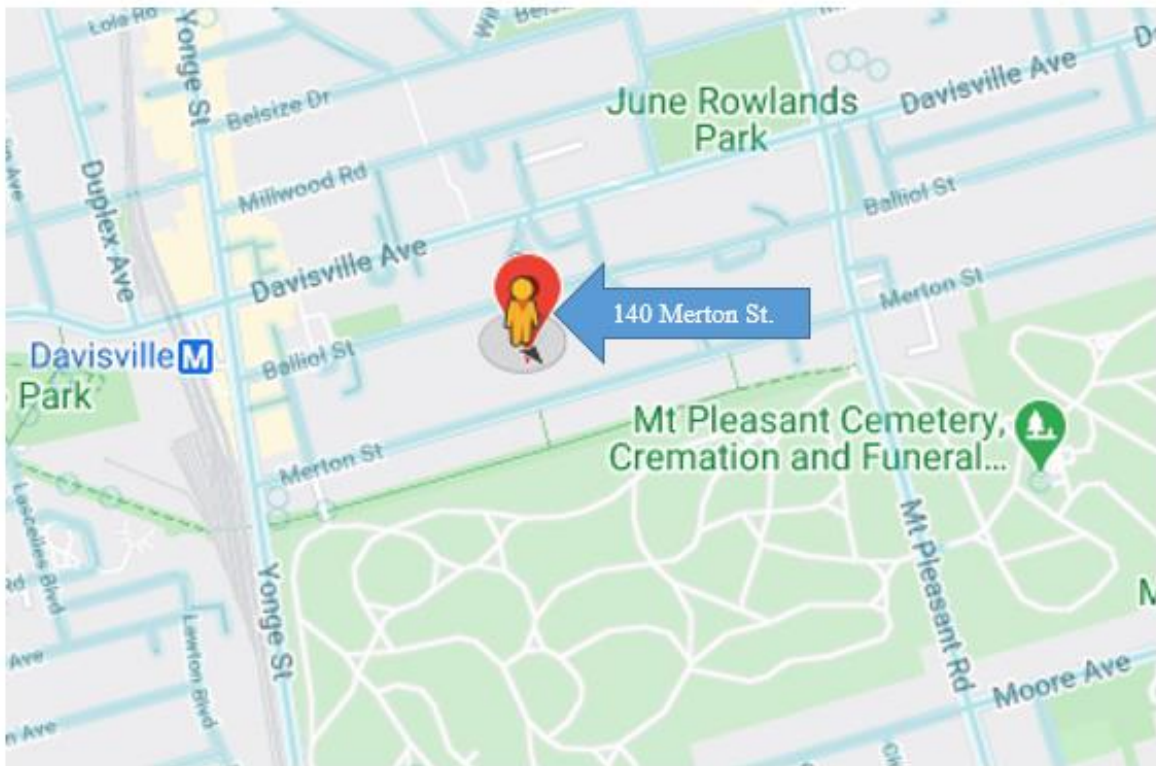
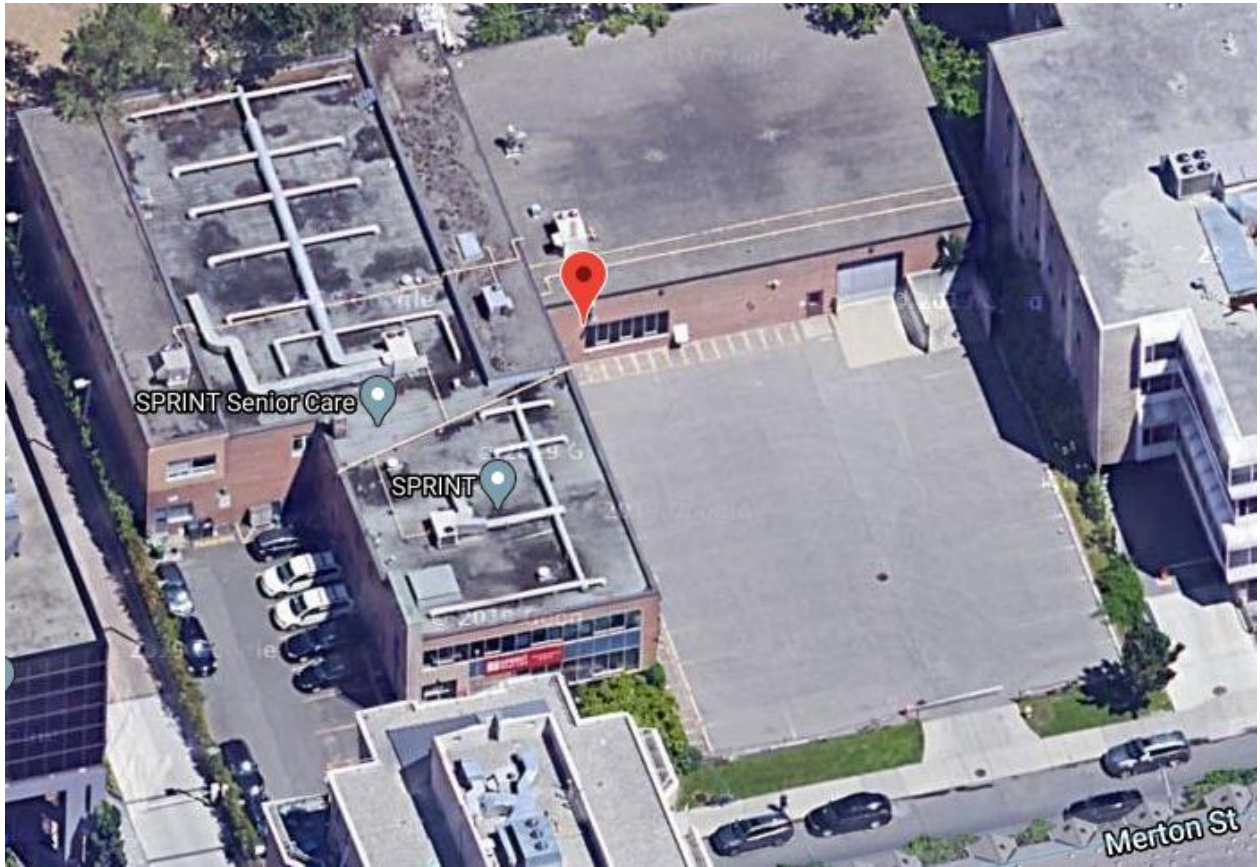
Legal Services Division Contact

Contact Name:	Bronwyn Atkinson – Nov. 9/2020 comments incorporated
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DAF Tracking No.: 2020-308	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Melanie Hale-Carter	Nov. 13, 2020	Signed by Melanie Hale-Carter
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 16, 2020	Signed by Alison Folosea

Appendix "A"

140 Merton Street Aerial View



Appendix "B"

140 Merton Street

Temporary Licensed Area for Vibrant Healthcare Alliance Flu Clinic (in Blue) (Areas currently under license to SPRINT Seniors Care in Yellow)

