



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

TRACKING NO.: 2021-046
 With Confidential Attachment

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

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
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Date Prepared:	April 12th, 2021	Phone No.:	416 392 1167
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Purpose
 To obtain authority to enter into a Second License Extension and Amending Agreement (the "**Agreement**") with the Licensor named in the confidential attachment attached hereto for continued operation and maintenance of a roof-top antenna and associated cables inside the building named in the confidential attachment to satisfy the Toronto Police Services Board ("**TPSB**") telecommunications requirements.

Property
 See confidential attachment

Actions

1. Authority is granted to enter into the Agreement with the Licensor substantially on the major terms and conditions set out in Appendix "A", and including such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.;
2. The Director of Property Management Services or designate shall administer and manage the Agreement including the provision of any consents, renewals, approvals, amendments, waivers, notices and notices of termination provided that the Director of Property Management Services or designate may, at any time, refer consideration of such matter to City Council for its determination and direction;
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and
4. Confidential information in the Confidential Attachment herein remain confidential indefinitely as it is information related to a proposed or pending acquisition of land and/or interests in land by the City

Financial Impact
 The funding for the annual license cost of \$1.00 plus HST has been referred to the City's annual budget process and has been included in the 2021 Operating Budget Submission for Toronto Police Services under cost center PLR&EFZ 4530 and will be included in future year's budget submissions for Council consideration.

 The Chief Financial Officer and Treasurer has been provided the financial impacts associated with this program for review as part of the 2021 budget process.

Comments
 Within the Property there are specific locations that provide inadequate TPSB telecommunication service. Pursuant to the delegated authority contained in Executive Committee Item EX43.7 entitled "Delegation of Authority in Certain Real Estate Matters" adopted by City Council on May 11 and 12, 2010, City Council confirmatory By-law No. 532-2010, enacted on May 12, 2010, the City of Toronto entered into a licence agreement with the Licensor to install, operate and maintain a roof-top antenna and associated cables to improve telecommunication service for a five (5) year term, which commenced on February 3, 2011 and ended on February 2, 2016.

 Pursuant to the delegated authority contained in item EX27.12, as adopted by City Council on October 2, 3 & 4, 2017, as amended by Item GM27.12, adopted by City Council on May 22, 23 & 24, 2018 or, where applicable, in item EX28.8, as adopted by City Council on November 7, 8 & 9, 2017, the term of the Agreement was extended from February 3, 2016 to February 2, 2021.

Terms
 The authority contained herein is to execute an option to extend the term of the Agreement for a final five (5) year term commencing on February 3, 2021 and expiring on February 2, 2026.

 See Appendix "A" – Major Terms and Conditions on Page 4.

Property Details	Ward:	17 – Don Valley North
	Assessment Roll No.:	N/A
	Approximate Size:	N/A
	Approximate Area:	N/A
	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/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 checked="" 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 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:	S. Carrol					Councillor:					
Contact Name:	S. Carrol					Contact Name:					
Contacted by:	<input type="checkbox"/> Phone	<input type="checkbox"/> E-Mail	<input type="checkbox"/> Memo	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Memo	<input type="checkbox"/> Other	
Comments:	Concurs					Comments:					

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	Clay Beers	Contact Name:	Patricia Libardo (February 16 th 2021)
Comments:	Concurs (February 25 th 2021)	Comments:	concurs

Legal Services Division Contact

Contact Name:	Aiden Alexio (April 9 th 2021)
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DAF Tracking No.: 2020-046	Date	Signature
Concurred with by: Manager, Real Estate Services Manager, CREM Alex Schuler	April 20, 2021	Signed by Alexander Schuler
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	April 20, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		

Appendix "A": Major Terms and Conditions for Second License Extension and Amending Agreement

Licensors: See confidential attachment

Licensee: City of Toronto

Term: The Term of the License Agreement is extended for a further period of five (5) years, to be computed from the 3rd day of February, 2021 and to be fully completed and ended on the 2nd day of February, 2026

Renewal Options: There are no further options to renew

Licence Fee: \$1.00 plus HST per annum

Confidential Information: Any information provided to the Licensor that is designated as confidential by the Licensee shall constitute confidential information, including but not limited to information that the Licensee is using a portion of the property for the purpose of operating the telecommunications equipment as well as the plans, specifications, and working drawings of the telecommunications equipment.

Property: See confidential attachment

Building: See confidential attachment