

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

TRACKING NO.: 2021-198

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

Prepared By:	Owen Bartley	Division:	Corporate Real Estate Management
Date Prepared:	July 16, 2021	Phone No.:	(416) 338-1297

<b>Purpose</b>	To obtain authority to enter into a license extension agreement (the "License Extension Agreement") with Congress Centres Inc. operating as Toronto Congress Centre ( the "Licensor") with respect to part of the property municipally known as 650 Dixon Road, Toronto for the purpose of operating a Toronto Public Health ("TPH") immunization clinic.
<b>Property</b>	650 Dixon Road, Toronto, Ontario, Hall "F" in the South Building, comprising approximately 54,760 square feet of space. (the "Property")
<b>Actions</b>	1. Authority be granted to enter into the License Extension 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.
<b>Financial Impact</b>	The total cost to the City for the gross license fee and additional costs are approximately \$136,710.00 (plus HST) or \$139,116.10 (net of HST recoveries) to be charged under cost centre PH4128, Functional Area Code 7170000000.  Funding for Toronto Public Health to support the operational requirements of the Mass Immunization Clinics (MICs) is expected to be received through continued COVID-19 support funding from the other levels of government as needed. Toronto Public Health is seeking reimbursement for costs incurred to operate its Mass Immunization Clinics from the Ministry of Health (Ministry) as part of the Ministry's MIC Extra-Ordinary Cost Recovery Program.
<b>Comments</b>	The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.  Pursuant to a directive from the Medical Officer of Health for the City of Toronto, TPH is holding public immunization clinics to administer vaccinations against the COVID-19 virus. TPH identified 4 principal locations to serve different geographic areas of the City, which are supplemented by smaller locations in areas of need.  The City is currently licensing the Property pursuant to a license agreement dated December 31, 2020 (the "License"), which was authorized under the authority of DAF Tracking No. 2020-342, for a term of six (6) months, commencing February 1, 2021 and expiring on July 31, 2021. This location at the Toronto Congress Centre serves the west area of the City.  This program is essential to stopping the spread of COVID-19 and protecting the population from its harmful effects. Immunization is going to play a key role in stopping the pandemic globally, and widespread immunization will reduce cases of infection and decrease the burden on the health care system.  The Licensor is a tenant pursuant to a lease dated March 30, 2000 (the "Lease") with Sofinco Properties Inc., as landlord, with respect to the property municipally known as 650 Dixon Road, Toronto. The Licensor will provide the landlord's consent to the License Extension Agreement and confirmation that the City is not required to comply with the terms of the Lease.  The need to extend this clinic by one (1) month has been determined by TPH and the City's Immunization Task Force.  The proposed licence fee and other major terms and conditions of the Licence Extension Agreement are considered to be fair, reasonable and reflective of market rates.
<b>Terms</b>	See Appendix "A".

<b>Property Details</b>	<b>Ward:</b>	1 – Etobicoke North
	<b>Assessment Roll No.:</b>	19 19 038 200 028 00
	<b>Approximate Size:</b>	87.17 m x 58.52 m ± (286 ft x 192 ft ±)
	<b>Approximate Area:</b>	5,087 m <sup>2</sup> ± (54,760 ft <sup>2</sup> ±)
	<b>Other Information:</b>	

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 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 checked="" 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>B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Documents required to implement matters for which each position also has delegated approval authority.</li> <li>• Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).</li> </ul>
<b>Director, Real Estate Services also has signing authority on behalf of the City for:</b>
<ul style="list-style-type: none"> <li>• Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.</li> <li>• Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.</li> </ul>

<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:	Michael Ford	Councillor:	
Contact Name:	Jonathan Kent	Contact Name:	
Contacted by:	Phone <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:	No concerns (07/08/2021)	Comments:	
<b>Consultation with Divisions and/or Agencies</b>			
Division:	Toronto Immunization Task Fore	Division:	<b>Financial Planning</b>
Contact Name:	Michael Wionzek	Contact Name:	Patricia Libardo
Comments:	No Concerns 07/15/2021)	Comments:	Revisions Incorporated (07/15/2021)
<b>Legal Services Division Contact</b>			
Contact Name:	Shirley Chow		

DAF Tracking No.: 2021-198	Date	Signature
<input checked="" type="checkbox"/> Recommended by: <b>Manager, Real Estate Services</b> <input type="checkbox"/> Approved by: <b>Daran Somas</b>	July 16, 2021	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by: <b>Director, Real Estate Services</b> <b>Alison Folosea</b>	July 16, 2021	Signed by Alison Folosea

## Appendix "A" – Major Terms and Conditions of the Licence Agreement

Licensor: Congress Centres Inc. operating as Toronto Congress Centre

Licensee: City of Toronto

Licensed Area: Hall "F" of the Toronto Congress Centre South Building located at 650 Dixon Road, Toronto, Ontario, comprising approximately 54,760 sq. ft.

Licence Fee: Forty-Five Thousand Dollars (\$45,000.00) per month (plus HST), payable as follows:

August 1, 2021                      \$45,000.00 plus HST

Other Costs: Estimated monthly costs for additional items are as follows:

2 cleaners, 13 hours per day, at a rate of \$58.00/hour/cleaner - \$45,240 per month (plus HST)  
 2 security staff, 13 hours per day, at a rate of \$38.00/hour/guard - \$29,640 per month (plus HST)  
 Table Rental \$0.00 per month (plus HST)  
 Chair Rental \$480.00 per month (plus HST)  
 Stanchion Rental \$870.00 per month (plus HST)  
 Electrical Outlet Provision \$10,230.00 per month (plus HST)  
 Internet Service Line \$1,250.00 per month (plus HST)  
 Wifi User Access \$4,000.00 per month (plus HST)  
 Total \$91,710.00 per month (plus HST)

Costs for equipment rental, miscellaneous charges and any other charges shall be estimated by the Licensor and invoiced to the City at least 30 days prior to the commencement date, with invoices due 60 days after receipt.

Non-Refundable Payments: All payments for the Licence Fee and other costs are non-refundable, except in the event that the License is terminated as a result of a breach or default by the Licensor.

Term: One (1) month commencing August 1, 2021 and expiring August 31, 2021.

Options to Extend: None.

All other existing terms and conditions of the License remains the same.

