

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

TRACKING NO.: 2021-202

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 27, 2021	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a license extension agreement with Global Spectrum Facility Management Limited, as General Partner of Global Spectrum Facility Management LP, operating as "The Hangar" (the " Licensor ") with respect to part of the property municipally known as 75 Carl Hall Road, for the purpose of operating COVID-19 immunization clinics by Toronto Public Health (TPH) (the " Extension Agreement ").
Property	A portion of 75 Carl Hall Road, North York, Ontario, comprising approximately 45,012 sq ft.
Actions	Authority be granted to enter into: (i) the Extension Agreement with the Licensor; and (ii) the Landlord Consent Agreement with the Licensor (as tenant) and Parc Downsview Park Inc., a federal Crown Corporation or Agency (as landlord of the Property), 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.
Financial Impact	<p>The total cost to the City for the gross license fee is approximately \$80,000.00 (plus HST) or \$81,408.00 (net of HST recoveries), plus Additional Costs for an extra cleaner (if required and requested by TPH) to a maximum of \$15,600.00 (plus HST) or \$15,874.56 (net of HST recoveries). The maximum total cost to the City is approximately \$95,600.00 (plus HST) or \$97,282.56 (net of HST recoveries).</p> <p>Costs will be charged to cost centre PH4128, Functional Area Code 7170000000.</p> <p>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.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.</p>
Comments	<p>Pursuant to a directive from the Medical Officer of Health for the City of Toronto, TPH plans to hold public immunization clinics to administer vaccination against the COVID-19 virus.</p> <p>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.</p> <p>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. 2021-027, for a term of seven (7) months, commencing January 1, 2021 and expiring on July 31, 2021.</p>
Terms	<p>The Licensor is the tenant of the Property, by a lease with Parc Downsview Park Inc., a federal Crown Corporation or Agency (as landlord) dated June 1, 2015, as extended and amended by agreements dated August 27, 2018 and April 3, 2020. Consent of the landlord is required, in order for the Licensor to execute the Extension Agreement.</p> <p>See Appendix "A" for the Major Terms and Conditions of the Extension Agreement and the Landlord Consent Agreement. A sketch of the Licensed Areas is attached as Appendix "B".</p>

Property Details	Ward:	6 – York Centre
	Assessment Roll No.:	19 08 031 580 001 64
	Approximate Size:	yy m x yy m ± (yy ft x yy ft ±)
	Approximate Area:	4,181.75 m ² ± (45,012 ft ² ±)
	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 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 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. 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:	James Pasternak	Councillor:	
Contact Name:	Aytakin Mohammadi	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 (07/12/2021)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Public Health	Division:	Financial Planning
Contact Name:	Ameeta Mathur	Contact Name:	Patricia Libardo
Comments:	No concerns	Comments:	Revisions Incorporated (07/27/2021)

Legal Services Division Contact

Contact Name:	Soo Kim Lee
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DAF Tracking No.: 2021-202	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	July 29, 2021	Signed by Daran Somas
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 29, 2021	Signed by Alison Folosea

Appendix "A" – Major Terms and Conditions

1. Extension Agreement

Licensor:	Global Spectrum Facility Management Limited, as General Partner of Global Spectrum Facility Management LP, operating as "The Hangar"
Licensee:	City of Toronto
Licensed Areas:	Two (2) soccer/activity fields comprising approximately 45,012 sq. ft., at 75 Carl Hall Road, Toronto
Licence Fee:	\$40,000.00 per month (plus HST)
Estimated Other Costs:	If required, and if requested by TPH, the Licensor will provide one (1) additional cleaning staff at a cost of \$20.00 + HST per hour. The maximum amount required for this would be \$7,800 (plus HST) per month. The City shall be responsible for: (i) additional expenses incurred by Licensor at City's request, such as Security, administrative staff, traffic coordination, and electrical consumption other than the existing power in the building; and (ii) the cost of deep cleaning and disinfecting the Licensed Areas at the end of the Term.
Term:	One (1) month commencing August 1, 2021 and expiring August 31, 2021 (the "Extension").
Option To Extend:	Provided that the Licensee is not in default of its obligations under the Licence, the Licensee has the option to extend the First Extension Term for one (1) month commencing on September 1, 2021 and expiring on September 30, 2021 (the "Second Extension Term") by giving written notice to the Licensor not later than thirty (30) days prior to the expiry of the First Extension Term. The Second Extension Term shall be on the same terms and conditions as set forth in the Licence, except that there shall be no further right of extension after the expiry of the Second Extension Term.

Except as amended by the Extension Agreement, the terms and conditions of the Licence shall continue in full force and effect.

2. Landlord Consent Agreement

The Landlord consented to the Licence Agreement made as of December 31, 2020 (the "Consent").

The Landlord consents to the Extension upon and subject to the terms and conditions contained in the Consent.

Consent to the Extension by the Landlord is not a waiver of the requirement for the consent to any subsequent assignment of the Licence, extension of the Licence, subletting under the Lease or any sharing, in whole or in part, of the Premises and the provisions of the Lease concerning assignment, subletting and parting with possession of the Premises remain in full force and effect.

Except as amended, the terms and conditions of the Consent shall continue in full force and effect.

Appendix "B" – Sketch of Licensed Areas

