

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

TRACKING NO.: 2022-025

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:	January 18, 2022	Phone No.:	(416) 338-1297

Purpose	To obtain authority to enter into a license extension and amending agreement (the "License Extension Agreement") with Scarborough Town Centre Holdings Inc. (the "Licensor") with respect to part of the property municipally known as 300 Borough Drive, Toronto for the purpose of operating a Toronto Public Health ("TPH") immunization clinic.
Property	A portion of Unit 0001, 300 Borough Drive, Toronto, Ontario, comprising approximately 31,871 sq ft. of space (the "Licensed Area"), as shown on the location map in Appendix "B" and the floor plan in Appendix "C".
Actions	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.
Financial Impact	The total cost to the City is approximately \$10,000.00 (plus HST) or \$10,176.00 (net of HST recoveries). Costs will be charged to cost centre PH4128, Functional Area Code 7170000000. Funding for TPH 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. TPH is seeking reimbursement for costs incurred to operate its MICs from the Ministry of Health (the "Ministry") as part of the Ministry's MIC Extra-Ordinary Cost Recovery Program. The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.
Comments	Pursuant to a directive from the Medical Officer of Health for the City of Toronto, TPH continues to hold public immunization clinics to administer vaccinations against the COVID-19 virus. This clinic will also be used by TPH to administer immunizations under the School Immunization Program and for the influenza virus. 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 City is currently licensing the Licensed Area pursuant to a license agreement dated February 1, 2021 (the "Original License"), which was authorized under the authority of DAF Tracking No. 2021-042, for a term of five (5) months and seventeen (17) days, from February 15, 2021 to July 31, 2021. The Original License was subsequently extended by a license extension and amending agreement dated September 2, 2021 (the "First Extension Agreement"), authorized by DAF Tracking No. 2021-223, which extended the term from August 1, 2021 to November 30, 2021, and then further extended by a license extension and amending agreement dated November 15, 2021 (the "Second Extension Agreement"), authorized by DAF Tracking No. 2021-303, which extended the term from December 1, 2021 to January 31, 2022. The Original License, the First Extension Agreement and the Second Extension Agreement are collectively referred to as the "License". The proposed costs for the operating costs and other major terms and conditions of the License Extension Agreement are considered to be fair, reasonable and reflective of market rates.
Terms	See Appendix "A".

Property Details	Ward:	21 – Scarborough Centre
	Assessment Roll No.:	19 01 051 730 002 00
	Approximate Size:	
	Approximate Area:	2960.9128 m ² ± (31,871 ft ² ±)
	Other Information:	Approximately 1/3 of former Sears retail store

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 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:	Michael Thompson	Councillor:	
Contact Name:	Debbie Gedz	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other	Contacted by:	<input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other
Comments:	No concerns (01/18/2022)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Public Health	Division:	Financial Planning
Contact Name:	Ameeta Mathur	Contact Name:	Ciro Tarantino
Comments:	No concerns (01/17/2022)	Comments:	No changes (01/17/2022)

Legal Services Division Contact

Contact Name:	Shirley Chow
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DAF Tracking No.: 2022-025	Date	Signature
Concurred with by: Manager, Real Estate Services Scott Delahunt	Feb. 2, 2022	Signed by Scott Delahunt
<input type="checkbox"/> Recommended by: Manager, Real Estate Services Daran Somas	Feb. 2, 2022	Signed by Daran Somas
<input checked="" type="checkbox"/> Approved by:		
<input type="checkbox"/> Approved by: Director, Real Estate Services		X

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

Licensor: Scarborough Town Centre Holdings Inc.

Licensee: City of Toronto

Licensed Area: Approximately one-third of the unit described as Unit 0001 located at 300 Borough Drive, Toronto, Ontario, comprising approximately 31,871 sq. ft.

Operating Costs: The City shall pay all charges for utilities used by the City in the Licensed Area, based on the City's proportionate share. The estimated monthly costs for utilities are as follows:

Electricity charges \$7,700.00 per month (plus HST)
Water charges \$300.00 per month (plus HST)
Total \$8,000.00 per month (plus HST)

Extension Term: One (1) month and seven (7) days commencing on February 1, 2022, and expiring March 7, 2022.

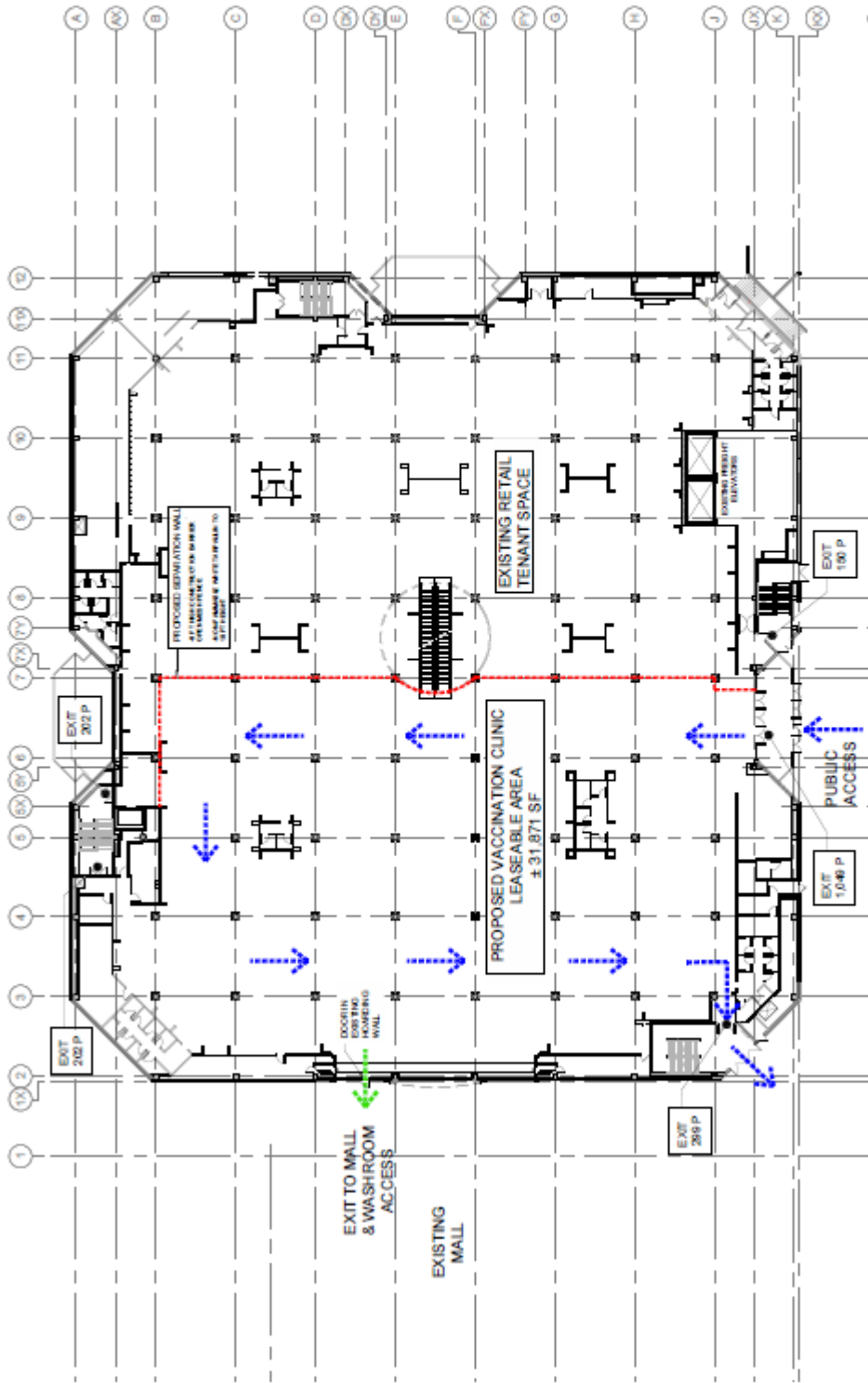
Option to Extend: There is no further option to extend after the expiry of the Extension Term.

As Is Condition: The City will accept the Licensed Area in an "as is" condition, and the Licensor will have no responsibility or liability to make any renovations, alterations or improvements in or to the Licensed Area. There shall be no fixturing period, rent free period, or requirement on the Licensor's part to do any Licensor's Work or pay to the City any construction allowance, inducement, loan or other amount in connection with the Extension Term.

All other terms and conditions of the License shall remain the same.



Appendix "C" – Approximate Floor Plan



		 <p>Engineering Design 3000 BAYVIEW AVE. SUITE 100 SCARBOROUGH, ON M1H 3K1</p>	PROJECT: OXFORD STC Sears & Phase 1B - Toronto, ON	
			SHEET TITLE: FLOOR PLAN - LEVEL 2	REVISION: R19
SCALE: NTS		DRAWN BY: LP	DATE: JAN 08, 2021	PROJECTNO: 3557