

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

TRACKING NO.: 2022-063

With Confidential Attachemnet

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 |
| Date Prepared: | March 18 th 2022 | Phone No.: | 416-392-1167 |

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|-------------------------|---|
| Purpose | To obtain authority to enter into a licence extension agreement (the " Agreement ") between the City of Toronto as licensee (the " City ") and the licensor named in Confidential Attachment " A " attached hereto (the " Licensor ") to extend the term of a licence agreement entered into between the City and the Licensor on November 17, 2011, as extended and amended by licence extension agreements dated May 27, 2016, (collectively, the " Licence Agreement ") for a further 5 (five) year term, on the terms and conditions set out in Appendix " A " attached hereto, and for the purpose of continued operation and maintenance of a roof-top antenna and associated cables on a portion of the building more particularly described in Confidential Attachment " A " for the use and operation of communications equipment necessary and incidental to the communication requirements of the Licensee, the Toronto Police Services, Fire Services, Toronto Paramedic Services and related services. |
| Property | See Confidential Attachment " A ". |
| Actions | <ol style="list-style-type: none"> Authority is granted for the City to enter into the Agreement with the Licensor substantially on the terms and conditions set out in Appendix "A" together with such other terms, conditions, and amendments as may be satisfactory to the Director, Real Estate Services and in a form acceptable to the City Solicitor. Confidential information in the Confidential Attachment herein shall remain confidential indefinitely as it is information that relates to the security of the property of the City and the Toronto Police Services Board. |
| Financial Impact | <p>The licence fee to be paid by the City for the full duration of the five (5) year term (the "Term"), will be at a cost of \$10,000.00 plus HST per annum. This funding is available in the 2022 Council Approved Operating Budget for Toronto Police Services under cost center PLR&EFZ 4530. The City will also be responsible for associated Utilities that are estimated to be \$12,000 (plus HST per annum). Future year expenditures will be referred to the City's annual budget process and will be included as part of the 2022 and future year budget submissions for Toronto Police services for Council consideration</p> <p>The total expenditure for the Agreement (Including utilities plus HST) for the five (5) year term is estimated to be Approximately \$124,300.00 as shown on Appendix "A".</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>By the adoption of the Clause No. 33 of Report No. 26 of the Strategic Policies & Priorities Committee, City Council, at its meeting of December 17, 1998, authorized a \$34.5 million integrated Fire/Police radio communications system for emergency services, including the Toronto Ambulance Service. By way of supporting this radio communications initiative, the Toronto Police Services Board (the "TPSB") at its meeting of November 15, 2001 authorized leases or licenses with property owners, as may be required, for the placement of the said radio antenna.</p> <p>A related report to the Board indicated that there were approximately 17 potential antenna locations in the City. These decisions were the continuation of the decision of the TPSB which authorized the original license at this location. Under the authority of DAF 2011-213, the original Licence Agreement dated November 17th, 2011 commenced on July 1, 2011 and expired after a 5 year term on June 30th, 2016. Under the authority of DAF 2016-107 the Licence Agreement was extended for a term of five (5) years commencing July 1st, 2016 and expiring June 30th, 2021 TPSB now wishes to extend the Licence Agreement for another 5 years.</p> |
| Terms | See Appendix " A " – Major Terms and Conditions on Page 4. |

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|-------------------------|-----------------------------|----------------------------|
| Property Details | Ward: | 22 – Scarborough-Agincourt |
| | Assessment Roll No.: | |
| | Approximate Size: | |
| | Approximate Area: | |
| | 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 (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers 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: | Nick Mantas | Councillor: | |
| Contact Name: | Nick Mantas | 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: | March 18 th 2022 | Comments: | |

Consultation with Divisions and/or Agencies

| | | | |
|---------------|-------------------------|---------------|---------------------------|
| Division: | Toronto Police Services | Division: | Financial Planning |
| Contact Name: | Clay Beers | Contact Name: | Ciro Tarantino |
| Comments: | Concurs (09/27/21) | Comments: | Concurs (March/10th/22) |

Legal Services Division Contact

Contact Name: Amna Shakil (March 11th 2022)

| DAF Tracking No.: 2022-063 | Date | Signature |
|---|---------------|--------------------------|
| Concurred with by: Manager, Real Estate Services | | |
| <input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Scott Delahunt | Mar. 25, 2022 | Signed by Scott Delahunt |
| <input type="checkbox"/> Approved by: | | |
| <input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea | Apr. 4, 2022 | Signed by Alison Folosea |

DAF: 2022-063

Appendix "A"
Major Terms and Conditions

Licensor: See Confidential Attachment

Licensee: City of Toronto

Property: See Confidential Attachment

Licensed Area: Approximately 155 square feet of space on the upper level of the Property.

Extending Term: Five (5) years, commencing on July 1, 2021 and expiring on June 30, 2026.

License Fee: \$10,000.00 per annum plus HST in effect throughout the five (5) year term.

Utilities: Utilities will be a separately metered, estimated fees are \$12,000 per annum.

| Year | Base Rent | Utilities | Subtotal | HST | Total |
|---|-------------|-------------|--------------|-------------|--------------|
| 1 | \$10,000.00 | \$12,000.00 | \$22,000.00 | \$2,860.00 | \$24,860.00 |
| 2 | \$10,000.00 | \$12,000.00 | \$22,000.00 | \$2,860.00 | \$24,860.00 |
| 3 | \$10,000.00 | \$12,000.00 | \$22,000.00 | \$2,860.00 | \$24,860.00 |
| 4 | \$10,000.00 | \$12,000.00 | \$22,000.00 | \$2,860.00 | \$24,860.00 |
| 5 | \$10,000.00 | \$12,000.00 | \$22,000.00 | \$2,860.00 | \$24,860.00 |
| Final amounts July 1 st 2021- June 30 th 2026 | \$50,000.00 | \$60,000.00 | \$110,000.00 | \$14,300.00 | \$124,300.00 |

Financial Summary: Total cost of the licence will be approximately \$124,300.00.