

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

TRACKING NO.: 2022-149
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
Date Prepared:	June 30, 2022	Phone No.:	416-392 -1167

Purpose	To obtain authority to enter into a licence extension agreement (the " Agreement ") with the licensor named in Confidential Attachment " A " attached hereto (the " Licensor ") for the purposes of continued operation and maintenance of a roof-top antenna and associated cables on a portion of the building described in Confidential Attachment " A " for the use and operation of communications equipment necessary and incidental to the communication requirements of the City's emergency 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 "A" 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 and addition extension is estimated to be \$80,000.00 (plus HST) or \$81,400.80 (net of HST recovery) as shown in the Appendix. The City will be responsible for associated utilities estimated at \$6,000 (plus HST) per annum, which is also included in this total. The cost to the City on a fiscal year basis, is listed in the "Major Terms and Conditions" section below.</p> <p>Funding is available in the 2022 Council Approved Operating Budget for Toronto Police Services under cost center PLR&EFZ 4530. Future year expenditures will be referred to the City's annual budget process and will be included as part of future year budget submissions for Toronto Police Services for Council consideration.</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 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 Service Board ("TPSB"), at its meeting of November 15, 2001, authorized leases or licenses with property owners, as may be required, for the placement of radio antennas.</p> <p>Under the authority of DAF 2011-175, the City entered into a licence agreement with the Licensor, dated March 12, 2012, which commenced on July 1, 2012 and expired on June 30, 2017. Under the authority of DAF 2016-107 the licence agreement was extended for a term of five (5) years, which expired on June 30, 2022. TPSB wishes to extend the licence agreement for another five years. The Licensor has agreed to the extension on terms and conditions shown in Appendix "A".</p> <p>Real Estate Services Staff have reviewed the Agreement and are satisfied that the terms and conditions are fair, reasonable and at market value.</p>
Terms	See page 4 – Appendix " A "

Property Details	Ward:	6 – York Centre
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	See confidential attachment
	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 checked="" 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 (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:	J. Pasternak	Councillor:	
Contact Name:	J. Pasternak	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:	Concurs	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	Clay Beers	Contact Name:	Filisha Jenkins
Comments:	Concurs	Comments:	Concurs

Legal Services Division Contact

Contact Name: Michelle Xu

DAF Tracking No.: 2022- 149	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Vinette Prescott Brown	June 30, 2022	Signed by Vinette Prescott-Brown
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	July 6, 2022	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions of Licence Extending AgreementLicensor: See Confidential AttachmentLicensee: City of TorontoProperty: See Confidential Attachment "A"Site: Approximately 120 square feet of space on the upper level of the structure.Term: Five (5) years, commencing on July 1, 2022 and expiring June 30, 2027.Renewal Term: Five (5) years, commencing on July 1, 2027 and expiring June 30, 2032.Licence Fee:

Year 1 – 5 - \$2,000.00 per annum plus HST

Year 6 -10 - \$2,000.00 per annum plus HST

Use: Radio Communications Antenna shared by Toronto Police Services, Fire Services, and Toronto Ambulance Services.Utility Fee: Approximately \$6,000.00 plus HST per annum.

Year	Base Rent	Utilities	Total (excl. HST)	HST	Total (incl. HST)	Net of HST Recovery (Total Cost to the City)
2022	\$1,000.00	\$3,000.00	\$4,000.00	\$520.00	\$4,520.00	\$4,070.04
2023	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2024	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2025	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2026	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2027	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2028	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2029	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2030	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2031	\$2,000.00	\$6,000.00	\$8,000.00	\$1,040.00	\$9,040.00	\$8,140.08
2032	\$1,000.00	\$3,000.00	\$4,000.00	\$520.00	\$4,520.00	\$4,070.04
			\$80,000.00	\$10,400.00	\$90,400.00	\$81,400.80