

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

TRACKING NO.: 2022-244

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

Prepared By:	Allan Mak	Division:	Corporate Real Estate Management
Date Prepared	November 28, 2022	Phone No.:	416-392-8159

Purpose To obtain authority to enter into a lease amending agreement with Telus Communications Inc. (the "**Landlord**") and Telus International (CDA) Inc. (the "**Service Provider**") with respect to part of the property municipally known as 73 Laird Drive, Toronto for the purpose of extending the lease term for a further period of one (1) year, commencing on August 1, 2022 and expiring on July 31, 2023 (the "**Extended Term**") and increasing the size of the leased premises effective November 1, 2021 (the "**Lease Amending Agreement**").

Property The property municipally known as 73 Laird Drive, Toronto, as shown on the Location Map in Appendix "B".

Actions Authority be granted to enter into the Lease Amending Agreement with the Landlord and the Service Provider, 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 for the Extended Term together with the amendment to account for additional space used effective November 1, 2021 is approximately \$749,880 (plus HST) as outlined below and in Appendix "A". Funding is available in the 2022-2023 Council Approved Operating budget for Technology Services and is included in the 2023 Operating Budget submission for Technology Services for Council consideration.

Term	Size of Space	Monthly Rent	Total Rent for Period
November 1, 2021 to July 31, 2022	Additional 456 sq. ft. for a total square footage of 840 sq. ft.	Additional amount of \$21,720.00 is payable for the amended leased premises (for a total of \$42,840.00)	\$ 195,480.00
August 1, 2022 to July 31, 2023	840 sq. ft.	\$ 46,200.00	\$ 554,400.00
Total Cost (plus HST)			\$ 749,880.00

The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.

Comments The lease agreement between the Landlord (previously Telus Services Inc.) and the City was authorized by Government Management Committee, Item GM 10.7, adopted in Council on December 3, 2007. Under the lease agreement, the City was permitted to use the leased premises for data services operations. The lease agreement provides that the City may purchase additional services from the Landlord from time to time.

City staff consider the proposed terms to be fair and reasonable to both parties.

Terms Please see page 4: Appendix "A" for the major terms and conditions of the Lease Amending Agreement.

Property Details	Ward:	Ward 15 – Don Valley West
	Assessment Roll No.:	
	Approximate Size:	
	Approximate Area:	78.04 m ² ± (840.00 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 (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:	Councillor Jaye Robinson	Councillor:	
Contact Name:	Rachel Van Fraassen, Chief of Staff	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:	No Objection (October 26, 2022)	Comments:	

Consultation with Divisions and/or Agencies

Division:	Technology Services	Division:	Financial Planning
Contact Name:	Zulfiqar Khan, Project Manager	Contact Name:	Filisha Jenkins
Comments:	Comments Incorporated (October 27, 2022)	Comments:	Comments Incorporated (November 7, 2022)

Legal Services Division Contact

Contact Name: Gloria Lee (October 13, 2022)

DAF Tracking No.: 2022-244	Date	Signature
Concurred with by: Manager, Real Estate Services		X
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Van Hua	Nov. 29, 2022	Signed by Van Hua
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	Nov. 29, 2022	Signed by Alison Folosea

Appendix "A" – Term Sheet

Licensed Area: 840.00 square feet of space within the Property shown in in Appendix "B" effective November 1, 2021.

Extension Term: Commencing August 1st, 2022 to July 31, 2023.

Rent:

Year	Dedicated Hosting Solution Period	Premise Space – Cage (sq.ft.)	Total Monthly Rent
Year 10	November 1, 2021 to July 31, 2022	840.00 (actual space used)	\$ 42,840.00
Year 10		- 384.00 (previously authorized)	- \$ 21,120.00
Subtotal – Year 10 (Adjustment for Additional Space Used)			\$ 21,720.00
Year 11	August 1, 2022 to July 31, 2023	840.00	\$ 46,200.00

Other Terms:

- TELUS Communications shall have the right to terminate its Services upon providing the City with at least ninety (90) days' prior written notice.
- The City shall provide a one (1) month's prior written notice to TELUS Communications if the Premises changes and the parties shall enter into a further amending agreement to adjust the Rent accordingly.

Appendix "B" - Location Map

Municipal Address: 73 Laird Drive, Toronto, Ontario

