

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

TRACKING NO.: 2023-049
with Confidential Attachment

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

Prepared By:	Winnie Lam	Division:	Corporate Real Estate Management
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Date Prepared:	February 17, 2023	Phone No.:	437-991-8040
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Purpose To obtain authority for the City of Toronto to enter into a Licence Extension and Amending Agreement (the "Licence Extension and Amending Agreement") with the licensor (the "Licensor") named in the confidential attachment (the "Confidential Attachment") for a portion of the building located on the lands set out in the confidential attachment (the "Property") for continued use of an antenna located on the roof of the Property (the "Site") as placement for Toronto Police Services Board communications equipment.

Property See Confidential Attachment

- Actions**
1. Authority be granted to enter into the Licence Extension and Amending Agreement with the Licensor named in the Confidential Attachment subject to the terms and conditions outlined below and on such other terms as deemed appropriate by the approving authority herein and in a form acceptable to the City Solicitor;
 2. The confidential information in the Confidential Attachment herein remain confidential indefinitely as it is information relating to interests in land by the City.

Financial Impact The total cost to the City over the five (5) year extension term is \$30,000.00 (plus HST) or \$30,528 (net of HST recovery). If the option to extend for the next term of Council is exercised, the cost to the City over the five (5) year extension will be approximately \$30,000 (plus HST) or \$30,528 (net of HST recovery).

The cost to be incurred by the City for each fiscal year is as follows:
 2023: \$6,105.60
 2024: \$6,105.60
 2025: \$6,105.60
 2026: \$6,105.60
 2027: \$6,105.60
Total: \$30,528 (net of HST recovery)

Funding is included in the 2023 Council Approved Operating Budget for the Toronto Police Services, under cost center PLR&EFZ and account 4530, and will be accommodated for in future operating budget submissions for Council consideration.

The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial Impact section.

Comments 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 Services Board 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.

The original licence agreement dated December 29, 2011 (the "Agreement") carried a five (5) year term and expired on December 31, 2016. Under the authority of DAF 2017-009 the Agreement was extended for a term of five (5) years commencing January 1, 2017 and expiring December 31, 2022. TPS acknowledges that this antenna facility is still required and wished to extend the Agreement for another 5 years by way of this Licence Extension and Amending Agreement.

Terms See Appendix A.

Property Details	Ward:	42 – Scarborough – Rouge - River
	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/Licensor):</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 checked="" 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 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:	Scarborough-Rouge Park	Councillor:	
Contact Name:	Jennifer McKelvie	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 issues- Feb 15, 2023	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	John-Paul Iannone	Contact Name:	Filisha Jenkins
Comments:	No comments.	Comments:	No issues- Feb 17, 2023

Legal Services Division Contact

Contact Name:	Shahab Siddiqui
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DAF Tracking No.: 2023-049	Date	Signature
Concurred with by: Acting Manager, Real Estate Services Leila Valenzuela	February 23, 2023	Signed by Leila Valenzuela
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	February 23, 2023	Signed by Ronald Ro
<input type="checkbox"/> Approved by:		

APPENDIX A**Major Terms and Conditions of Licence Extension and Amending Agreement**

Licensor: See Confidential Attachment

Licensee: City of Toronto

Property: See Confidential Attachment

Site: approximately 140 square feet of space within the mechanical penthouse of the structure

Term: Five (5) years, commencing on January 1, 2023 and expiring December 31, 2027.

Renewal Term: There is one (1) further option to renew for five (5) years.

Licence Fee:

Year 1 – 5 - \$6,000.00 per annum.

Use: Radio Communications Antenna shared by Toronto Police Services, Fire Services, and Toronto Ambulance Services.

General Liability Insurance: The Licensee is to hold an insurance policy including (i) All Risks Property Insurance and (ii) Commercial general liability insurance coverage in an amount not less than Five Million (\$5,000,000.00) per occurrence is required for bodily injury and property damage.