

DELEGATED APPROVAL FORM
DEPUTY CITY MANAGER, CORPORATE SERVICES
EXECUTIVE DIRECTOR, CORPORATE REAL ESTATE MANAGEMENT

TRACKING NO.: 2023-201
 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:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	July 18, 2023	Phone No.:	(416) 338-3586

Purpose To obtain authority to enter into a license extension agreement, (the "Agreement") with the Licensor named in the attached Confidential Attachment for the continued use of the antenna system located on the roof of the building described in the Confidential Attachment (the Property").

Property Set out in the attached "Confidential Attachment."

Actions

- Authority be granted to enter into the Agreement with the Licensor, substantially on the major terms and conditions set out in Appendix "A" and Confidential Attachment, and on such other terms as deemed appropriate by the approving authority herein, and in a form satisfactory to the City Solicitor.
- The confidential information in the Confidential Attachment herein remain confidential indefinitely as it relates to information relating to law enforcement pursuant to Section 8(a), (e), (g) and (i) of the Municipal Freedom Information and Protection Act, R.S.O. 1990, C.M56.

Financial Impact The total costs to the City for the 5 year term, inclusive of basic rent and operating cost, will be \$1,361,408.50 before HST. Funding is available in the 2023 Council Approved Operating Budget for Toronto Police Services under cost center PLR&EFZ cost element 4456.

Fiscal Year	Term / Period	Total Expenditures (net of HST)	Total Expenditures (net of HST recoveries)
2023	April 2023 - Dec 2023	194,252.77	197,671.62
2024	Jan 2024 - Dec 2024	263,860.01	268,503.95
2025	Jan 2025 - Dec 2025	270,456.51	275,216.55
2026	Jan 2026 - Dec 2026	277,217.93	282,096.96
2027	Jan 2027 - Dec 2027	284,148.37	289,149.39
2028	Jan 2028 - March 2028	71,472.90	72,730.83
Total	April 1, 2023 to March 31, 2028	\$ 1,361,408.50	\$ 1,385,369.29

Comments

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

By adoption of Clause No. 33 of Report No. 26 of the Strategic Policies & Priorities Committee, City Council, at its meeting on December 17, 1998 authorized a \$34.5 Million integrated Fire/Police radio communications system for emergency services, including the Toronto Ambulance Services. By way of supporting this radio communications initiative, the Toronto Polices Services Board (the "TPSB"), at its meeting on November 15, 2001, authorized leases or licences with licensors, as may be required, for the placement of the radio antenna.

The City has licenced the Property for its equipment since 1993 and extended the license several times, with the latest extension expiring on March 31, 2023. Toronto Police Services continues to need the Property for its essential services.

The terms and conditions of the Agreement are fair, reasonable and reflective of market value.

Terms Please see "Appendix A" for Major Terms and Conditions.

Property Details	Ward:	10 - Spadina-Fort York
	Assessment Roll No.:	190406302002000
	Approximate Size:	
	Approximate Area:	1. Equipment Room (33 m ² ± [359 ft ² ±]) 2. 28 Antenna on rooftop on building mounts 3. An HFC pad (8 m ² ± [91 ft ² ±])
	Other Information:	PIN: 214050011 (LT)

A.	Executive Director, Corporate Real Estate Management has approval authority for:	Deputy City Manager, Corporate 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/REOs:</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 \$3 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$3 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$3 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 \$3 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p>Delegated to a more senior position.</p> <p><input checked="" type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$3 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$3 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 \$3 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>	<p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$5 Million.</p> <p>Request/waive hearings of necessity delegated to less senior positions.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><input type="checkbox"/> Transfer of Operational Management to Divisions, Agencies and Corporations.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$5 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 \$5 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding twelve (12) months, including licences for environmental assessments and/or testing, etc.</p> <p><input type="checkbox"/> (c) Where compensation is less than market value, provided tenant and lease satisfy Community Space Tenancy Policy criteria set out in Item EX28.8, as adopted by Council on November 7, 8 and 9, 2017, as amended from time to time.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$5 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$5 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 \$5 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. Deputy City Manager, Corporate Services and Executive Director, Corporate Real Estate Management each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Expropriation Applications and Notices following Council approval of expropriation.
- 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:	Ausma Malik	Councillor:	
Contact Name:	Nora Cole	Contact Name:	
Contacted by:	<input type="checkbox"/> Phone <input checked="" 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 objections	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	John-Paul Iannone	Contact Name:	Ciro Tarantino
Comments:	Comments Incorporated	Comments:	Comments Incorporated

Legal Services Division Contact

Contact Name:	Frank Weng
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DAF Tracking No.: 2023-201	Date	Signature
Recommended by: Manager, Real Estate Services Vinette Prescott-Brown	July 25, 2023	Signed by Vinette Prescott-Brown
Recommended by: Director, Real Estate Services Alison Folosea	July 25, 2023	Signed by Alison Folosea
<input type="checkbox"/> Recommended by: Executive Director, Corporate Real Estate Management	July 27, 2023	Signed by Patrick Matozzo
<input checked="" type="checkbox"/> Approved by: Patrick Matozzo		

Appendix A - Major Terms and Conditions

Licensor:	See attached Confidential Attachment
Licensee:	City of Toronto
Property:	See attached Confidential Attachment
Extension Term:	Five (5) years, commencing on April 1, 2023 and expiring on March 31, 2028.
Options:	The Licensee shall have the option to extend the Term for one (1) further period of five (5) years, commencing on April 1, 2028 and expiring on March 31, 2033.

License Fees:

Period		Tower Space Fees	Equipment Room Fees	HFC - Backup Pad Fees	Sum
Annual Amount		Annual Amount	Annual Amount	Annual Amount	\$1,361,408.50
04/01/2023	03/31/2024	\$220,341.75	\$35,182.85	\$3,479.10	\$259,003.69
04/01/2024	03/31/2025	\$225,850.29	\$36,062.42	\$3,566.07	\$265,478.79
04/01/2025	03/31/2026	\$231,496.55	\$36,963.98	\$3,655.23	\$272,115.76
04/01/2026	03/31/2027	\$237,283.96	\$37,888.08	\$3,746.61	\$278,918.65
04/01/2027	03/31/2028	\$243,216.06	\$38,835.28	\$3,840.27	\$285,891.62