

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-067
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
Date Prepared:	July 15, 2024	Phone No.:	437-991-8040
Purpose	To obtain authority to enter into a licence agreement ("the Licence Agreement") with the licensor identified in the Confidential Attachment "A" for a portion of the building (the "Site") located on the lands set out in Confidential Attachment "A" (the "Property") for use and operation of communications equipment required by the Toronto Police Services Board ("TPSB"), Toronto Fire Services and Toronto Ambulance Services.		
Property	See Confidential Attachment "A".		
Actions	<ol style="list-style-type: none"> Authority be granted to enter into the Licence Agreement with the Licensor, 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. The confidential information identified in Confidential Attachment "A" remain confidential indefinitely as it is information related to a proposed or pending acquisition of land and/or interests in land by the City. 		
Financial Impact	<p>The total cost to the City over the five (5) years is \$90,000.00 (plus HST) or \$91,584.00 (net of HST recovery).</p> <p>The total cost to be incurred by the City for each fiscal year is as follows:</p> <p>2020: \$ 15,264.00 2021: \$ 18,316.80 2022: \$ 18,316.80 2023: \$ 18,316.80 2024: \$ 18,316.80 2025: \$ 3,052.80 Total: \$ 91,584.00 (net of HST recovery)</p> <p>Funding for this license will come from 2024 Council Approved Operating Budget for the Toronto Police Services Board, under cost center PLR&EFZ and account 4530.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</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 Services Board at its meeting of November 15, 2001 authorized leases or licences with property owners, as may be required, for the placement of the said radio antenna.</p> <p>The proposed licence fee and other major terms and conditions of the Licence Agreement are considered to be fair, reasonable and reflective of market rates.</p>		
Terms	See Appendix "A".		
Property Details	Ward: Assessment Roll No.: Approximate Size: Approximate Area: Other Information:	Ward 12 Toronto—St. Paul's See Confidential Attachment "A". See Confidential Attachment "A". 	

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/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 \$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/REOs.</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:	Ward 12 Toronto—St. Paul's	Councillor:	
Contact Name:	Josh Matlow	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 issues.	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	John-Paul Iannone	Contact Name:	Ciro Tarantino
Comments:	No issues.	Comments:	No issues.

Legal Services Division Contact

Contact Name: Seija Pietrangelo

DAF Tracking No.: 2024-067

Date

Signature

☒ Recommended by: **Manager, Real Estate Services**
Niall Robertson

July 19, 2024

Signed by Niall Robertson

☐ Approved by:

☒ Approved by: **Director, Real Estate Services**
Alison Folosea

July 24, 2024

Signed by Alison Folosea

APPENDIX "A"
Major Terms and Conditions

Licensee: City of Toronto.

Site: See Confidential Attachment "A".

Term: Five (5) years, commencing on March 1, 2020 and expiring February 28, 2025,

Option to Extend: One option to extend for a further term of five (5) ("the Extended Term") exercisable by the City. The Licence shall extend on the same terms and conditions contains the Licence Agreement provided that the Licence Fee during the Extended Term shall be increased by a percentage equal to the rate of increase in the Consumer Price Index for Ontario (all items) between the Commencement Date and the Extended Term.

Licence Fee: Year 1 – 5 - \$18,000.00 +HST per annum for a total of \$90,000 +HST over the 5 year term.

Comprehensive General Liability Insurance: To be maintained by the City in the amount of five million dollars ((\$5,000,000.00)), and which policy shall provide for severability of interest and crossliability and name the Licensor as an additional insured. The policy of insurance shall specify that the Licensee may not cancel, reduce or restrict the policy without thirty (30) days' prior written notice to the Licensor.