

# Toronto Lands Corporation (TLC) Policy & Planning Committee Meeting

Committee Members: John Filion, Payman Berjis, Igor Dragovic, Dennis Hastings, Shelley Laskin, Leola Pon, Aleem Punja

10 January 2024

In-Person: TLC Office, Virtual: Microsoft Teams

60 St Clair Ave E

Suite 201

Toronto, ON, M4T 1N5



### Meeting Book - Toronto Lands Corporation (TLC) Policy & Planning Committee Meeting

### **PUBLIC AGENDA**

Call to Order & Confirmation of Quorum Chair of the Board

Election of Policy & Planning Committee Chair for 2024 Chair of the Board

### Land Acknowledgement

Chair

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe, the Haudenosaunee Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Métis and the Inuit peoples.

Declaration of Conflict of Interest under the Municipal Conflict of Interest Act and the Ontario Business Corporation Act Chair

Approval of the Agenda/Other Business For Approval

Approval of the Minutes of the Policy & Planning Committee For Approval

Proposed Property Disposal, Fee Simple For Information
Ryan Glenn

Tyun Sionii

2023-24 Q2 LEASES & LICENSES FOR TDSB For information & Approval

Process for Declaring Properties Surplus for the Purposes of Sale or For Information

Lease
Kevin Bolger

Termination of Meeting For Approval

Chair



**MEETING MINUTES** 

### TORONTO LANDS CORPORATION 60 ST. CLAIR AVENUE EAST TORONTO, ONTARIO

MINUTES OF THE POLICY AND PLANNING COMMITTEE MEETING
HELD IN-PERSON AT TORONTO LANDS CORPORATION OFFICE
AND VIRTUALLY VIA MICROSOFT TEAMS
TORONTO, ONTARIO

OCTOBER 17, 2023, 5:30 PM

### **COMMITTEE MEMBERS:**

Dennis Hastings Trustee Director

Manna Wong Trustee Director (Regrets)
Shelley Laskin Trustee Director (Regrets)
Leola Pon TDSB Staff Appointee Director

Payman Berjis Citizen Director Igor Dragovic Citizen Director John Filion Citizen Director

### TLC STAFF:

Ryan Glenn Interim Chief Executive Officer George Kralidis Head of People and Culture

Barbara Carou Manager, Strategic Partnerships and Development

Yvonne Choi Director of Planning (A)

Tyler Raponi Head of Corporate Accountability and Governance (A)

### 1. Call to Order & Confirmation of Quorum

There being a quorum present, and the Directors having been given adequate and proper notice of the meeting, the meeting was called to order at 5:34 PM.

### 2. Land Acknowledgement

Ryan Glenn read the following Land Acknowledgement:

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe, the Haudenosaunee Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Métis, and the Inuit peoples.



### Election of Committee Chair

Payman Berjis, seconded by Igor Dragovic, nominated John Filion as Chair of the TLC Policy and Planning Committee.

There being no further nominations, John Filion was acclaimed as Committee Chair and resumed Chair for the remainder of the meeting.

4. Declaration of Conflict of Interest under the Municipal Conflict of Interest Act and the Ontario Business Corporation Act

No conflicts of interest were declared.

5. Approval of the Agenda/Other Business

No corrections or amendments to the agenda.

On a motion duly made by Leola Pon and seconded by Payman Berjis, it was resolved to approve the agenda.

The motion was carried.

6. Orientation: TLC Role in Providing Real Estate and Land-Use Services to the TDSB

The Committee heard an update from staff on support TLC provides to TDSB on real estate and development matters, including community building, transactional support through leases and community use agreements, and reviewing development applications alongside TDSB staff.

### 7. Items for Approval

- Toronto Lands Corporation Modernization Opportunities: Capital Priority Sites (2023-10-052)
- b. Toronto Lands Corporation Modernization Opportunities: Community Partnership Sites (2023-10-053)
- c. Policy and Planning Committee Terms of Reference Review (2023-10-054)
- d. Case Study New Podium School at Lower Yonge Sugar Wharf (2023-10-055)

# POLICY & PLANNING COMMITTEE



**MEETING MINUTES** 

Ryan Glenn presented the report to the Committee for their consideration. The following items arose from the Board discussion:

A Director indicated there have been issues with regard to rooftop projects
particularly with the installation of solar panels, the damaged caused during the
installation and the organization responsible for covering the cost of repairs.
According to Mr. Glenn, the agreements allow TDSB to seek remedy for any damage
caused by these types of projects.

Moved by: Manna Wong Seconded by: Leola Pon

The motion was carried.

### 8. Termination of the Meeting

On a motion duly made by Manna Wong and seconded by Leola Pon, the meeting terminated at 7:00 PM.



### PROPOSED PROPERTY DISPOSALS - FEE SIMPLE

COMMITTEE: Policy & Planning Committee

DATE: January 11, 2024

ACTION: INFORMATION

### RECOMMENDATION

1. It is recommended that this report be received for information.

### STRATEGIC DIRECTION

TDSB Strategic Plan Goal:	Allocate Human and Financial Resources Strategically to Support Student Needs.
	Strategic disposal of non-instructional sites provides capital revenues for investment into operational TDSB facilities.
TLC Strategic Plan Goal:	Transform Student Learning Environment through the Modernization of Facilities.
	Allowing for building of new and exceptional learning environments for students, staff and communities.

### **EXECUTIVE SUMMARY**

The TLC, on behalf of the TDSB, acts as landlord for the TDSB for all 3rd party leases, licenses and other forms of real estate agreements. Included in this portfolio, the TLC manages 17 closed, non-operating schools which are leased by third parties for various uses.

The TDSB and the TLC have been working to determine which of these sites are not required for the purposes of the board, and do not represent sites of strategic importance. The 5 sites identified in this report for potential disposal have been identified by TDSB Planning staff as not being required for future pupil accommodation. Additionally, the 4 sites with existing tenants, are established in their communities and their continued operation on these sites will likely be seen as a positive outcome. In the case of Scarlett Heights, the Toronto Catholic School Board has needed a site in this neighborhood for some time; this proposed sale will ease a significant enrollment pressure for them here. These sites were presented to the Board of the Toronto Lands Corporation at an earlier meeting in 2023; staff felt that due to the significant changes in the composition of the Board, an information report outlining these sites should be provided as these sites form a significant amount of the TLC's work over the last year.



### RESOURCE IMPLICATIONS

Proceeds generated from these potential surplus sites will provide the TDSB significant revenue that the board can invest back into high priority facility needs.

All TLC site related real estate and land use planning expenses will be offset by proceeds of disposition therefore no impact on operational budgets.

Staff have undertaken external valuations on these sites which have formed the basis of the negotiations with the perspective purchasers.

### **DUE DILIGENCE**

Following the review of each property, TLC has determined that the risk level for the proposed properties is low, given that tenant is an established community member and TDSB Planning has confirmed adequate school coverage for students over the long term.

### POLICY AND PROCEDURE REFERENCE(S)

**Shareholders Direction** 

Toronto District School Board (TDSB) Multi-Year Strategic Plan

Toronto Lands Corporation (TLC) Annual Plan

Toronto District School Board (TDSB) Disposition of Property Policy

### **APPENDICES**

APPENDIX A Disposition of Select Non-Operating Schools: Background Report

APPENDIX B Site Information Sheets

### **FROM**

R. Glenn, Interim Chief Executive Officer, Toronto Lands Corporation, rglenn.tlc@tdsb.on.ca.





DISPOSITION OF SELECT NON-OPERATING SCHOOLS

APPENDIX A

**BACKGROUND REPORT** 

### 2245 LAWRENCE AVENUE WEST

The 5.5-acre former Humber Heights school property was purchased by the TDSB in 1946. It operated as a school until 2003 when the TDSB entered into a long-term land lease with the existing tenant, Schlegel Villages, who redeveloped the site as a retirement community with long-term care operations. The current land lease expires in 2053, with Schlegel Villages having the right-of-first refusal for any agreements beyond the current expiry.

The fact that the current site has been entirely redeveloped as supportive housing for retirement and long-term care residents, along with the length of the remaining term eliminates the ability for the TDSB to consider the site for any use other than its current use. The current tenant and the TLC have discussed the opportunity of acquiring the site from the TDSB at fair market value, with no discounting applied to that value considering the existing lease agreement.

### **301 LANOR AVENUE**

The 5.54-acre Douglas Park school property was acquired in 1952 and was leased out fully to the existing tenants by 2009. The closed school is currently tenanted by New Haven who occupy 13,200 square feet, and Sonechko Day Care Incorporated who lease 2,244 square feet and who operate under the day care umbrella agreement with the City of Toronto.

The TLC in conversations with New Haven, as a long-term tenant, have been in conversations with respect to moving forward with a purchase of the site to construct a purpose-built modernized facility. With TDSB's approval, one of the term sheet conditions would be that space for Sonechko Day Care be accommodated in any redevelopment plans for the site. Founded in 1998, New Haven Learning Centre was the first in Ontario to offer highly specialized programing for how to best understand and treat those affected by Autism Spectrum Disorder (ASD). The acquisition of this site by New Haven will allow the organization to build a purpose built, specialized facility to maximize the development of individuals with autism, and related disorders, along with providing state of the art supportive residential and community facilities for those affected by ASD. In addition to a new facility, there is also an opportunity to explore opportunities for the TDSB to partner with New Haven to offer programs to current students within the TDSB who are affected by ASD.

The current TDSB facility, at 301 Lanor Avenue, is at the end of its usable life, and has a facility condition index exceeding 80% which equates to a deferred maintenance backlog in excess of \$3 million. Investing in the current building is cost prohibitive. Redevelopment of the entire site provides an excellent opportunity for the TDSB to generate capital for operational schools, but also will advance the development of a much needed and vital resource for the ASD community.



### 200 WILMINGTON AVENUE

The 4.92-acre Wilmington school property was acquired in 1954 and by 1978 it was closed as a public school and leased out to the existing tenant, Anne & Max Tanenbuam Community Hebrew Academy of Toronto "CHAT" operating as a private school. CHAT remains in operation with a lease, that includes options for renewal until 2034. The tenant has secured rights on the TDSB property for 56 years. During this time, the tenant has, at its sole expense and with TDSB approval, included a large addition to the original structure. The tenant also has a right of first offer, following compliance with Ontario Regulation 444/98, within its TDSB's lease agreement.

A sale of the site to CHAT will not only provide capital to the TDSB through proceeds of disposition, but it will also provide the opportunity for an established community partner the security to move forward with a long-term capital strategy to ensure program viability.

### 217 BROOKBANKS DRIVE

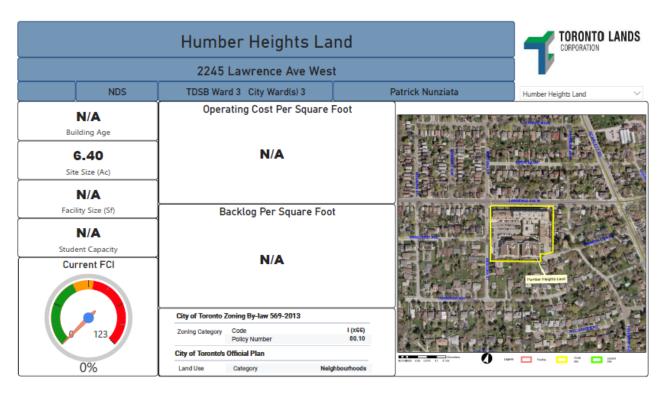
The 5.2-acre Brookbanks school property was acquired by the TDSB in 1958 with the school constructed the following year. The school was closed as a public school in 2001 and has since been leased to a private school operator, Crestwood Preparatory, whose agreement expires in 2026. The current FCI of this school is 85%. Due to the limited time remaining on the current agreement, along with the fact that Crestwood Preparatory is an established community member, having operated at the site for 22 years, providing the satisfactory completion of Ontario Regulation 444/98, the tenant has the first right to purchase the site.

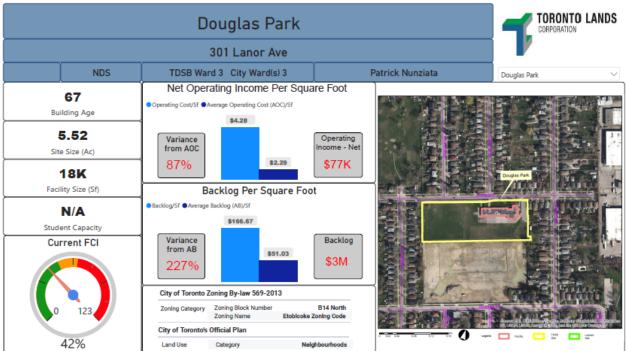
### 15 TREHORN DRIVE

In 2018, Scarlett Heights Entrepreneurial Academy closed as an operating secondary school due to declining enrolment. When a building becomes vacant, staff from both the TLC and the TDSB review the property to determine the TDSB's long-term need for it. There are three possibilities for vacant sites: they can be used to address a current pressure; they can be sold to achieve efficiencies and generate revenue; or they can be kept to address a future pressure and leased out until required. In this instance, the TCDSB expressed a strong interest in purchasing the property. The TLC and the TCDSB are in the final stages of an Agreement of Purchase and Sale for the Scarlett Heights building to use for a secondary school. The Ministry of Education is supportive and has provided the TCDSB with capital funds to establish this school.

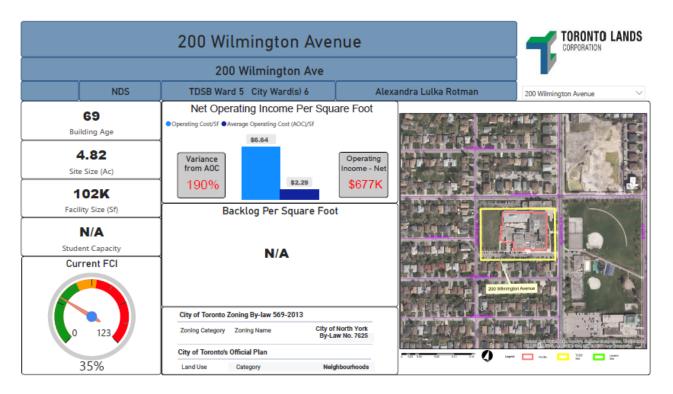


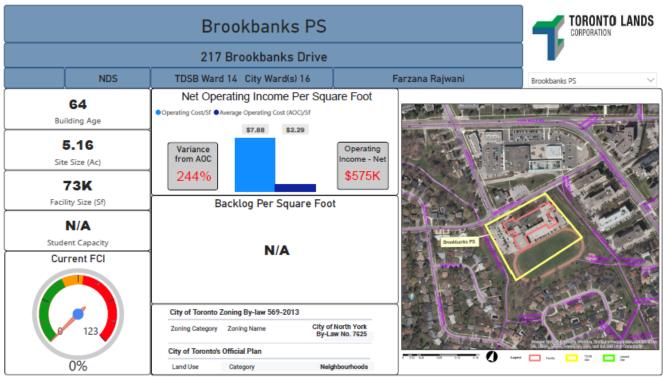
SITE PROFILES APPENDIX B













### **DECISION ITEM**

### 2023-24 Q2 LEASES & LICENSES FOR TDSB

To: Policy and Planning Committee

**Date:** January 11, 2024

### **RECOMMENDATION:**

### It is recommended:

1. That in accordance with section 194(3) of the Education Act, the following spaces highlighted in *Appendix A* which are not required for the purposes of the board be declared surplus for the term outlined below:

School	Address	Surplus Term
Burnett PS	21 Eddifield Avenue	July 1, 2024 – June 30, 2029
CB Parsons JHS	2999 Dufferin Street	September 1, 2024 – August 31, 2032
Queens Court PS	35 Ourland Avenue	July 1, 2024 – June 30, 2032
Earlscourt JPS	21 Ascot Avenue	July 1, 2024 – June 30, 2032

2. That the Toronto Lands Corporation (TLC) be authorized to enter into agreements thereof in favour of the following tenants and licensees outlined below for the indicated term upon satisfactory completion of Ontario Regulation 374/23, if required, on terms and conditions satisfactory to TLC in its reasonable discretion in form and content satisfactory to TLC's legal counsel:

School	Tenant – Agreement Type – Premises – Term			
Burnett PS	Prestige School – Lease – 18,589sf			
	July 1, 2024 – June 30, 2029			
CB Parsons JHS	Fieldstone School – Lease – 47,189sf			
	September 1, 2024 – August 31, 2029 + 1x3-Year Option to Renew			
Queens Court PS	Mildenhall Montessori – Lease – 20,017sf			
	July 1, 2024 – June 30, 2029 + 1x3-Year Option to Renew			
Earlscourt JPS	Hudson College or New Tenant – Lease – 43,149sf			
	July 1, 2024 – June 30, 2029 + 1x3-Year Option to Renew			
Cedarbrae CI	Wigwamen – License – 14 Parking Spaces			
	18-Month term beginning in 2024 during construction			

3. That the TLC report "2023-24 Q2 Leases & Licenses for TDSB" be forwarded to TDSB (Board) for approval.



### **EXECUTIVE SUMMARY**

The TLC, on behalf of the TDSB, acts as landlord for the TDSB for all third-party leases, licenses, and other forms of real estate agreements. In consultation with local Trustees, TDSB Planning & Accommodations staff, and local TDSB staff the following are recommended for approval.

### **AUTHORITY OR DIRECTION FOR UNDERTAKING PROJECT**

**Authority or Direction:** Shareholders Direction

### STRATEGIC GOAL AND ANNUAL PLAN DIRECTIONS

# \* Build Strong Relationships and Partnerships with School Communities to Support Student Learning and Well-Being \* Working together with tenants and community partners to generate revenue that supports student learning at TDSB. \* Create a Culture of Partnership & Collaboration with Key Stakeholder Groups

Collaborating with tenants and community partners to achieve mutually beneficial results and success.

### **DUE DILIGENCE** (Select all that apply)

Policy & Planning Committee	
☐ Site Inspection	☐ Planning Report
☐ Official Plan	
☐ Zoning	☐ TDSB Staff Review and Agreement
⊠ Reg 372/23	□ Consultation with TDSB Executive Staff
	□ Consultation with TDSB Planning Staff
□ Environmental Report	☐ Consultation with TDSB Finance Staff
☐ Title Check	☐ Historical Assessment
☐ Other:	



### FINANCIAL IMPLICATIONS

School	Tenant	Previous	Proposed	Increase
		Annual	Annual	
		Rent	Rent	
Burnett PS	Prestige School	\$260,246	\$399,633	Market
CB Parsons JHS	Fieldstone School	\$519,079	\$1,002,766	Market
Queens Court PS	Mildenhall Montessori	\$300,255	\$325,276	Market
Earlscourt JPS	Hudson College or	\$679,597	TBD –	N/A
	New Tenant		Market	
Cedarbrae CI	Wigwamen	N/A	Cost	N/A
			Recovery	

### **RISK LEVEL**

Low

### **ACTION PLAN AND ASSOCIATED TIMELINES**

- January 18, 2024 TLC Board approval
- January 31, 2024 TDSB Board approval
- February 2024 May 2024 120-day Notice of Disposition (if required)
- Thereafter Negotiating and Executing agreements

### TLC AND TDSB BOARD POLICY AND PROCEDURE REFERENCE(S)

- Shareholders Direction
- TDSB Delegation of Authority Procedure, PR 711 dated January 18, 2018
   Section 8.6 Capital Property Leases, Board approval is required.
- Toronto District School Board (TDSB) Disposition of Property Policy

### **APPENDICES**

Appendix A: Site Profiles

### **FROM**

Ryan Glenn, Interim Chief Executive Officer, Toronto Lands Corporation, at <a href="mailto:rglenn.tlc@tdsb.on.ca">rglenn.tlc@tdsb.on.ca</a> or at 437-219-8191.

Wilbur Wong, Manager, Asset Management & Leasing, Toronto Lands Corporation at wwong.tlc@tdsb.on.ca or at 416-788-3229.



### Burnett PS - 21 Eddifield Avenue

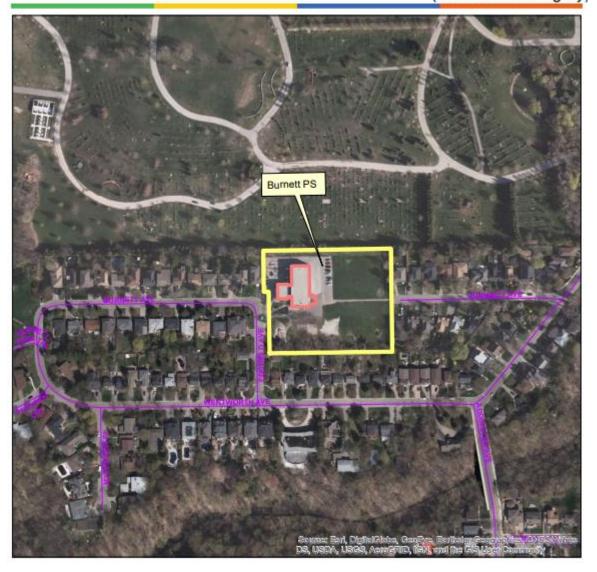
APPENDIX A

### **Prestige School**

The Prestige School provides a supportive community and learning opportunities for children in Grades 1 through 12. Prestige has been a tenant since June 1, 2014. The current Lease Agreement for 18,589sf expires on June 30, 2024. The proposed extension is for a period of five (5) years commencing July 1, 2024. TDSB will have the ability to terminate the lease if the site is required for TDSB use with one (1) year's notice.



Burnett PS 21 Eddfield Avenue (2018 Ortho Imagery)





### CB Parsons JHS - 2999 Dufferin Street

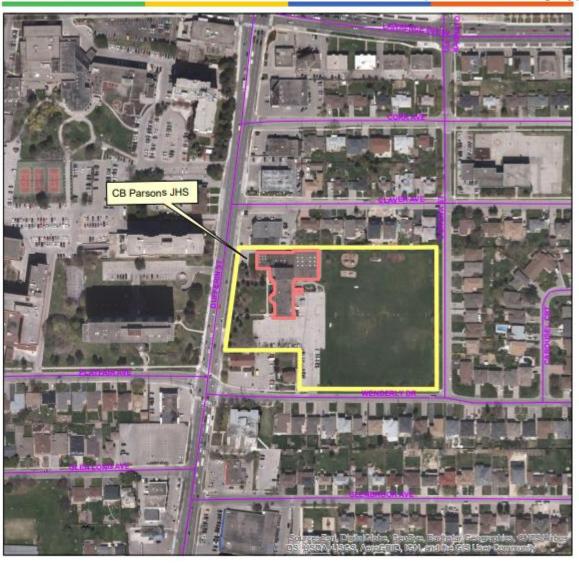
**APPENDIX A** 

### **Fieldstone School**

The Fieldstone School provides a supportive community and learning opportunities for children in Junior Kindergarten to Grade 8 and for Kings College School for Grades 9 through 12. Fieldstone has been a tenant at CB Parsons since July 1, 2011. The current Lease Agreement for 47,189sf expired on August 31, 2021. The proposed extension is for a period of five (5) years commencing September 1, 2024 with one (1) option to renew for three (3) years. The tenant will remain in overholding until the new lease comes into effect. TDSB will have the ability to terminate the lease if the site is required for TDSB use with one (1) year's notice.



C B Parsons JHS 2999 Dufferin Street (2018 Ortho Imagery)





### Queens Court PS - 35 Ourland Avenue

**APPENDIX A** 

### Mildenhall Montessori

Mildenhall Montessori provides a supportive community and learning opportunities for children ages 18 months to 14 years. Mildenhall has been a tenant since January 1<sup>st</sup>, 2008. The current Lease Agreement for 20,017sf expires on June 30, 2024. The proposed extension is for a period of five (5) years commencing July 1, 2024 with one (1) option to renew for three (3) years. TDSB will have the ability to terminate the lease if the site is required for TDSB use with one (1) year's notice.



Queens Court 35 Ourland Avenue (2018 Ortho Imagery)





### Earlscourt JPS - 21 Ascot Avenue

**APPENDIX A** 

### **Hudson College or New Tenant**

Hudson College is the current tenant at 21 Ascot Avenue. Hudson has been a tenant since August 21, 2006. The current Lease Agreement for 43,149sf expired on July 15, 2022. TLC will enter into a new lease with Hudson College or a new tenant at market rates for a period of five (5) years commencing September 1, 2024 with one (1) option to renew for three (3) years. The current tenant will continue to overhold until a new lease comes into effect. TDSB will have the ability to terminate the lease if the site is required for TDSB use with one (1) year's notice.



Earlscourt Jr PS - Leased Portion 21 Ascot Avenue (2018 Ortho Imagery)



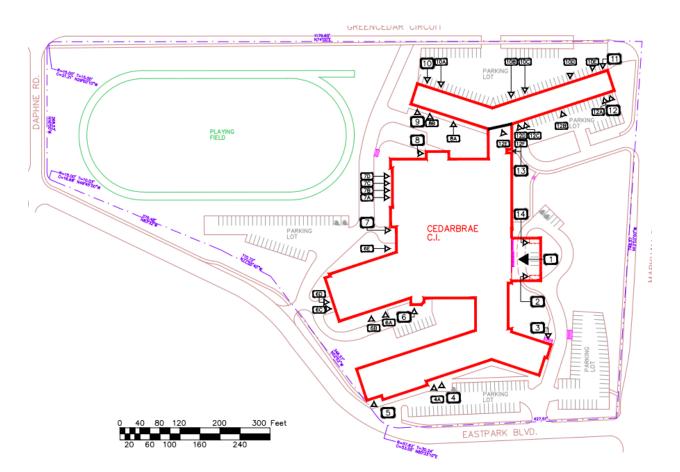


### Cedarbrae CI – 550 Markham Road

### **APPENDIX A**

### Wigwamen

Wigwamen is a non-profit charitable organization and is Ontario's oldest and largest urban Aboriginal housing provider. Currently, they require the assistance of TDSB through the use of 14 parking spaces at Cedarbrae CI to help facilitate their construction project that is set to begin in 2024 for an expected period of 18 months.





### **Process for the Disposal of TDSB Non-Operating Property**

**COMMITTEE:** POLICY & PLANNING

**DATE:** January 25, 2024

**ACTION:** Information

### RECOMMENDATION

It is recommended that the report be received for information.

### **EXECUTIVE SUMMARY**

TDSB owns one of the largest public land portfolios in the City of Toronto and TLC is responsible to manage the real estate interests of these assets, including the disposal of property that is surplus to TDSB's requirements. This work is completed under the direction of TDSB and TLC's core principles while ensuring compliance with the Ontario Education Act, including Section 194 (3) and Ontario Regulation 444/98.

### TLC core principles include:

- TDSB lands will be preserved as public assets to the greatest extend possible.
- Continuous modernization of TDSB schools strengthens the public education system.
- Maximizing TDSB land value extends beyond the financial and includes community and social value.
- TDSB will be kept financially whole in the development of public service initiatives.

TLC's work strategy includes exploring potential disposal opportunities to address TDSB's capital funding needs by leveraging existing land holdings. Given the on-going Ministry mandated moratorium on closing operating school across Ontario there is a limitation on new disposition opportunities and until this is lifted TLC, working closely with TDSB staff, will continue to identify opportunities within TDSB's portfolio of non-instructional properties, which includes leased sites, vacant properties, and administrative locations.

Throughout this disposal process, TLC will remain sensitive to the importance of utilizing public lands in a manner that best serves the public interests, carefully balancing the needs of revenue generation for TDSB while exploring public partnership opportunities.



### STRATEGIC DIRECTION

 Allocate Human and Financial Resources Strategically to Support Student Needs

TDSB Strategic Plan Goal:

- Provide equity of access to learning opportunities for all students
- Build strong relationships and partnerships with school communities to support student learning and well-being

Strategic disposal of TDSB surplus sites provides capital revenues for investment into operational facilities and opportunities for new schools in emerging new areas.

 Transform Student Learning Environment through the Modernization of Facilities

TLC Strategic Plan Goal:

 Create a Culture of Partnership & Collaboration with Key Stakeholder Groups

Allowing for building of new learning environments for students, staff, and creating partnership opportunities with public communities.

### **DUE DILIGENCE**

N/A

### POLICY AND PROCEDURE REFERENCE(S)

Policy P010 - Disposition of Property for Sale or Lease

### **APPENDICES**

APPENDIX A

PROCESS FOR THE DISPOSAL OF NON-OPERATING TDSB PROPERTY

### **FROM**

Ryan Glenn, Interim Chief Executive Officer, Toronto Lands Corporation, at <a href="mailto:rglenn.tlc@tdsb.on.ca">rglenn.tlc@tdsb.on.ca</a> or at 437-219-8191.

Kevin Bolger, Manager, Real Estate, Toronto Lands Corporation, at <a href="mailto:kbolger.tlc@tdsb.on.ca">kbolger.tlc@tdsb.on.ca</a> or at 416-254-5665.



# PROCESS FOR THE DISPOSAL OF NON-OPERATING TDSB PROPERTY

**APPENDIX A** 

<insert flowchart>

## **Process for Disposal of Non-Operating TDSB Property**

# Opportunity is identified by TLC Review and due diligence and Property Profile completed

Report to TLC Policy & Planning Committee (P&P) for approval

Report to TLC Board for approval to proceed

Report to TDSB Planning and Priorities Committee (PPC) for approval

Report to TDSB Board for approval for TDSB to start process to declare property surplus

TDSB commences Long-Term Program and Accommodation Strategy (LTPAS) process

- Property profile and analysis completed
- Meeting with local Trustee

TDSB hosts public meeting with TLC support

TLC presents Report to TDSB PPC and Board for purpose of declaring property surplus and obtaining instructions for disposal

Once declared surplus, property forwarded to TLC for disposal under Section 194(3) of the Education Act and Ontario Reg.444/98

TLC completes circulation process to determine if there is an interested public sector party. If no interest, TLC will proceed as instructed by TDSB Board

TLC completes appraisal report and other due diligence and property requirements under Ministry and legislative requirements

TLC completes negotiations and executes transaction

In complex cases, TLC Board will be consulted during this process

Summary of all completed agreements provided to Board annually