



Meeting Book - Regular Meeting of the Toronto Lands Corporation (TLC) Board of Directors

PUBLIC AGENDA

1. Call to Order & Confirmation of Quorum

[Chair](#)

2. 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.

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

[Chair](#)

4. Approval of the Agenda/Other Business

[Chair](#)

For Approval

5. Approval of the Minutes of the Board of Directors Meeting

[Chair](#)

For Approval

6. CEO Update

[TLC Interim CEO](#)

For Information

7. Report from Audit and Finance Committee

[Committee Chair](#)

a. 2024-25 Operating & Capital Budgets (2024-01-061)

For Approval

i. 2024-2025 Proposed Operating Budget

ii. 2024-2025 Draft Capital Budget

8. Report from Human Resources, Nominating and Governance

[Committee Chair](#)

a. TLC Organizational Chart (2024-01-064)

For Information

b. Bill 98 Update (2024-01-060)

For Information

9. Report from Policy and Planning Committee

[Committee Chair](#)

a. 2023-24 Q2 Leases & Licenses for TDSB (2024-01-062)

For Approval

b. Process for Declaring Properties Surplus for the Purposes of Sale or Lease (2024-01-063)

For Approval

c. Proposed Property Disposal, Fee Simple (2024-01-059)

For Information

10. Revised TLC 2024 Meeting Schedule

[Chair](#)

For Approval

11. TLC Delegation Procedure (2024-01-065)

[Chair](#)

Proposal added to Board Book on Mon. January 15 at 2 PM.

For Approval

12. Termination of Meeting

[Chair](#)

For Approval

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

**MINUTES OF REGULAR BOARD OF DIRECTORS MEETING (PUBLIC)
HELD IN-PERSON AT TORONTO LANDS CORPORATION OFFICE
AND VIRTUALLY VIA MICROSOFT TEAMS
TORONTO, ONTARIO**

December 5, 2023, 5:00 PM

BOARD MEMBERS

Dennis Hastings	Trustee Director
Shelley Laskin	Trustee Director
Zakir Patel	Trustee Director
Liban Hassan	Trustee Director (Regrets)
Payman Berjis	Citizen Director
Igor Dragovic	Citizen Director
John Filion	Citizen Director
Aleem Punja	Citizen Director
Stacey Zucker	Interim TDSB Staff Director
Leola Pon	Interim TDSB Staff Director

TLC STAFF

Ryan Glenn	Interim Chief Executive Officer
George Kralidis	Head of People and Culture
Yvonne Choi	Acting Director, Land Use Planning
Barbara Carou	Manager, Strategic Planning & Development
Wilbur Wong	Manager, Asset Management & Leasing
Markus O'Brien Fehr	Communications & External Relations
Ernesto Soliman	Policy Advisor
Paul Nichols	Senior Land Use Planner

TDSB STAFF

Craig Snider	Executive Officer, Business Services
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TDSB BOARD OF DIRECTORS

Deborah Williams	Trustee, Ward 10
Farzana Rajwani	Trustee, Ward 14

GUEST

Dave McEachern	Commander, Facilities Projects, Toronto Paramedic Services
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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, Chair of the TLC Board John Filion called the meeting to order at 5:03 PM (EST).

2. Land Acknowledgement

TLC Board Chair John Filion 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.

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

No conflicts of interest were declared.

4. Approval of the Agenda/Other Business

On a motion duly made by Aleem Punja, seconded by Stacey Zucker, it was resolved to approve the agenda as presented.

The motion was carried.

5. Approval of the Minutes of the Board of Directors Meeting

On a motion duly made by Stacey Zucker, seconded by Aleem Punja, the minutes of the Organizational Board Meeting of November 16, 2023 were approved as presented.

The motion was carried.

6. CEO Update

The Interim CEO, Ryan Glenn provided an update to the Board. He wished everyone a happy holiday and thanked board members and staff for their support over the year.

He also introduced a guest Dave McEachern, Commander, Facilities Projects, Toronto Paramedic Services (TPS) who provided The Board a deputation on TPS space requirements. Mr. McEachern presented the need for training and administrative space currently required by TPS. An official request letter from TPS is included under Staff Presentations item (a). Interim CEO Ryan Glenn committed to reporting back to the Board at a future date on options for accommodating such public organizations requiring space for service delivery and a report about TPS's request for space.

7. Staff Presentation

(a) Toronto Paramedic Services – Request and Assessment of Space Requirements

(b) Staff Presentations to the Board (Rpt #2023-11-058)

I. Appendix A: Workforce Housing – Exploring the Opportunities

The Interim CEO and the Manager of Strategic Partnerships and Development presented the concept of Workforce Housing to possibly consider exploring the application of the Workforce Housing concept on select TDSB properties.

MEETING MINUTES

The Interim CEO indicated that a follow-up report exploring the concept will be presented to the Board at a future meeting in 2024.

On a motion duly made by Dennis Hastings, seconded by Stacey Zucker, it was resolved to receive this information as presented.

The motion was carried.

II. Appendix B: Mixed Use School Development – Case Studies and Draft Guidelines

The Interim Director for Land Use Planning informed the Board that TLC staff engaged the University of Toronto Infrastructure Institute to conduct a review of mixed-used school development projects nationally and internationally. Several examples in the case studies were highlighted and presented to Board.

One of TLC's land use planners also informed the Board about the draft guidelines that came out of the engagement with the Institute for redeveloping school lands, where co-locating of housing or some other compatible use is possible.

Further information will be provided to the Board as the draft guidelines are solidified. Additional information on site specific plans will be delivered in Q1 2024.

On a motion duly made by Shelley Laskin, seconded by Aleem Punja, it was resolved to receive this information as presented.

The motion was carried.

III. Appendix C: Overview of TLC's Role with TDSB Child Care Tenancies

The Manager of Asset Management and Leasing presented to the board an overview of how TLC manages the child care tenancy agreements on behalf of TDSB.

Some of the items raised during the discussion were around the termination of the umbrella agreement between the TDSB and the City of Toronto, child care subsidies, and individual leases with child care providers.

On a motion duly made by Aleem Punja, seconded by Payman Berjis, it was resolved to receive this information as presented.

The motion was carried.

8. Proposed Schedule of Board and Committee Meetings for 2024

The final schedule of board and committee meetings for 2024 was presented to the Board for approval. Starting early next year, the Policy & Planning Committee and Board meetings will be held at the Toronto Metropolitan Reference Library at 789 Yonge Street, Toronto. As well, all future meetings will start at 5:30 PM.

MEETING MINUTES

On a motion duly made by Shelley Laskin, seconded by Stacey Zucker, it was resolved to approve the schedule of Board and Committee meetings for 2024 as presented.

The motion was carried.

9. Termination of Meeting

On a motion duly made by Aleem Punja and seconded by Leola Pon, the meeting terminated at 7:06 PM.

The motion was carried.

2024-25 ANNUAL CAPITAL AND OPERATING BUDGET

COMMITTEE DECISION

On a motion made by John Filion and seconded by Aleem Punja, the Audit and Finance Committee recommends:

- i. That the 2024-25 TLC proposed Operating Budget be approved and in accordance with the Shareholder's Direction be referred to TDSB Finance Staff and then to TDSB Board for approval (Report Appendix C) and,
- ii. That the 2024-25 TLC draft Capital Budget be received for information and that staff will bring forward proposed capital by March 2024 (Report Appendix B) and,
- iii. That the CEO be requested to provide the TLC Board, at its meeting of January 16, 2024, with actual expenditures for each line for 2022-2023 Operating and Capital budgets and to provide the 2023-2024 actuals to the Audit and Finance Committee as they become available.

COMMITTEE: Audit and Finance Committee

DATE: January 9, 2024

ACTION: APPROVAL

RECOMMENDATION

1. That the 2024-25 TLC proposed Operating Budget be approved and in accordance with the Shareholder's Direction be referred to TDSB Finance Staff and then to TDSB Board for approval (Appendix C) and,
2. That the 2024-25 TLC draft Capital Budget be received for information and that staff will bring forward proposed capital by March 2024 (Appendix B).

STRATEGIC DIRECTION

Authority or Direction: [Shareholders Direction](#)

Reporting Requirement: [Toronto Lands Corporation \(TLC\) Annual Plan Progress](#)

That the Toronto Lands Corporation provides the TDSB with an annual budget for approval during their annual budget cycle.

EXECUTIVE SUMMARY

Annually, TDSB is required to complete and submit to the Ministry of Education a Board approved Operating Budget and a separate Capital Budget no later than June 30 for each fiscal year starting September 1. As a part of TDSB's budget process, TLC's approved Annual Budget is consolidated into TDSB's annual budget.

TDSB's Capital Budget accounts for all anticipated capital revenues derived from proceeds of disposition (POD's) and applicable Ministry capital funding. Within the budget, capital revenues are identified and then allocated to Board approved capital priority projects. The three-year capital timeline provides for projected cash flows to be matched with expenditures and year over year budget balances. Currently, TDSB's Capital Budget and associated program remains in a net positive position.

TLC provides key inputs into TDSB's capital budget by identifying potential revenue opportunities, timing of anticipated receipt of POD's and the projected amount of POD's to be received by TDSB based on TDSB surplus declarations.

TDSB's Operating Budget relies on Ministry grants to fund the day-to-day business of the school board. Each year the Ministry of Education releases its "Grants for Student Needs" (GSN's), representing funding to be distributed to school boards primarily based on enrolment. Boards are required to submit a balanced budget that aligns with the GSN's. TLC develops its budget for integration into TDSB's budget cycle and approval process.

TLC's 2024-2025 Budget Preparation

Pursuant to Article 1 of the Shareholder's Direction, TLC's "Annual Budget" is defined as "annual financial plan in a form consistent with industry best practices and will include an annual operating budget, annual capital and renewal budget and any other such information as may be required".

Since TLC's inception in 2008, TDSB Finance has had direct responsibility for all TLC's financial recording and reporting. To this end, TLC works closely with TDSB Finance and the Executive Team to develop a financial plan that will enable TLC's work program to support TDSB's real-estate and land use planning needs.

With the 2024-25 budget TLC has focussed on containing controllable operating costs at a net decrease of 1% (\$72,333) even after accounting for a projected 1% salary increase, step increases and an increase of 4 FTE due to the essential need for an increase in staffing to bolster the organization's core purpose and support ongoing modernization initiatives.

For Non-Operating and Operating School Facilities there was an increase in revenue and a decrease in expenses which resulted in an overall 9% (\$2,691,896) decrease in Operational Costs. The expense variance primarily stems from the assumption that the City of Toronto Umbrella leases cost the same as what the Ministry of Education is funding us – the \$10.85 psf + 3% inflation for 2024-25 which still requires TDSB Finance approval.

The TLC 2024-25 Capital Budget clearly separates and identifies projected Capital POD's and assigns related capital costs such as: real-estate broker commissions, property appraisal reports, legal fees, surveys, heritage, environmental and other due diligence reports that are required to generate sales proceeds. The \$151M capital revenues are directly related to the proceeds of disposition identified within TDSB's approved Capital Budget for 2024-25. After projected capital expenditures are offset by projected revenues to be obtained, TLC is projecting an expense ratio of 2% thus returning 98% of projected revenues for TDSB's capital program.

ACTION PLAN AND ASSOCIATED TIMELINE

1. Presentation of 2024-25 Proposed Operational budget to the TLC Audit and Finance Committee for approval and the 2024-25 Draft Capital Budget for information (January 9, 2024). Approval of the 2024-25 Proposed Capital Budget by the Audit & Finance Committee (March 7, 2024)
2. Presentation of final 2024-25 budget once reviewed and agreed with TDSB Finance to TLC Audit and Finance Committee (March 7, 2024) and Board of Directors (March 28, 2024)
3. Transmittal to the TDSB Board of Directors for approval at their May meeting of the Board.

RESOURCE IMPLICATIONS

See attached appendices.

DUE DILIGENCE

The 2024–25 Toronto Lands Corporation budget will be reviewed and agreed to with TDSB Finance team.

POLICY AND PROCEDURE REFERENCE(S)

Shareholders Direction

APPENDICES

- APPENDIX A** TLC's Combined 2024-25 Capital and Operating Budget
- APPENDIX B** TLC's 2024-25 Capital Budget
- APPENDIX C** TLC's 2024-25 Operational Budget

FROM



Ryan Glenn, Interim Chief Executive Officer, Toronto Lands Corporation, at rglenn.tlc@tdsb.on.ca or at 437-219-8191.

APPENDIX A
TLC's Combined 2024-25 Capital and Operating Budget

MERGED BUDGET				
2024-25 [DRAFT]				
	2023-24 BUDGET		DRAFT 2024-25 BUDGET	
	Revenues	Expenditures	Revenues	Expenditures
Non-Operating School Facilities				
Lease Revenue and Recoveries	\$ 6,088,551	\$ 1,628,618	\$ 7,001,935	\$ 1,710,632
Other Revenue - Land Use Planning/705 Progress (Consolidated into Ln1 2021-22)				
TDSB Program and Administration	\$ 53,000		\$ 53,000	
Deferred Capital Improvement Revenue	-\$ 1,000,000		-\$ 1,000,000	
Provision for Rental Arrears		\$ 5,000		\$ 5,000
Total Net Real Estate Revenue/Expense - Non-Operating Sites	\$ 5,141,551	\$ 1,633,618	\$ 6,054,935	\$ 1,715,632
Operating School Facilities				
City of Toronto Childcare Umbrella Lease Agreements	\$ 9,039,986	\$ 11,212,894	\$ 7,579,324	\$ 7,579,324
City of Toronto Pools Agreements	\$ 5,936,767	\$ 5,936,767	\$ 6,210,198	\$ 6,210,198
City of Toronto Stage 1 Revenues	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000
City of Toronto Exclusive Use Agreements	\$ 1,209,837	\$ 1,209,837	\$ 1,217,190	\$ 1,217,190
Contract Services and Partnership Development (CSPD) and LINC Lease Administration	\$ 317,291	\$ 317,291	\$ 330,670	\$ 330,670
Air Conditioning Surcharge	\$ 93,600	\$ 93,600	\$ 124,600	\$ 124,600
Child Care and Other Agreements	\$ 3,714,881	\$ 3,714,881	\$ 4,249,378	\$ 4,249,378
Temporary Property Interests with Third Parties	\$ 325,000	\$ -	\$ 300,000	\$ -
Total Real Estate Revenue/Expense- Operating Sites	\$ 21,737,362	\$ 23,585,270	\$ 21,111,360	\$ 20,811,360
Total Non-Operating and Operating	\$ 26,878,913	\$ 25,218,888	\$ 27,166,295	\$ 22,526,992
TDSB Chargeback of Administrative Expenses				
Facility Services		\$ 148,886		\$ 151,947
Business Services		\$ 110,415		\$ 116,373
Administrative Support Allocation		\$ 60,600		\$ 60,600
Total TDSB Chargeback		\$ 319,901		\$ 328,919
TLC Administrative Expenses				
Board Remuneration		\$ 50,000		\$ 50,000
Staff Salaries & Benefits		\$ 3,148,742		\$ 3,575,697
Professional Development & Certification		\$ 11,700		\$ 16,044
Supply and Services		\$ 93,305		\$ 93,305
Rental expenses: TLC office		\$ 136,731		\$ 110,598
Legal Fees		\$ 465,000		\$ 425,000
Fees and Contractual Services		\$ 1,525,500		\$ 1,100,000
Casual Help		\$ 24,000		\$ 12,000
Furniture and Equipment		\$ 7,000		\$ 7,000
Other expenditures		\$ 5,000		\$ 5,000
Total TLC Administration Expenses		\$ 5,466,978		\$ 5,394,645
Total TLC Operations		\$ 31,005,767		\$ 28,250,556
Property Sales	\$ -	\$ 98,500,000	\$ -	\$ 151,000,000

APPENDIX B TLC's 2024-25 Capital Budget

CAPITAL BUDGET				
2024-25 [DRAFT]				
	2023-24 Capital Budget		Draft 2024-25 Capital Budget	
	Revenues	Expenditures	Revenues	Expenditures
Proceeds of Disposition (PODs)				
	X			
	X			
	X			
	X			
			X	
			X	
			X	
			X	
			X	
Other Proceeds				
	X			
Total Proceeds of Disposition	\$ 98,500,000		\$ 151,000,000	
TLC Expenses Related to Proceeds of Dispositions				
Staff Salaries & Benefits		\$ 1,976,538		\$ 2,358,184
Facility Services		\$ 89,332		\$ 91,168
Business Services		\$ 66,249		\$ 70,522
Administrative Support Allocation		\$ 36,360		\$ 36,724
Legal Fees		\$ 400,000		\$ 255,000
Fees and Contractual Services		\$ 915,300		\$ 660,000
Board Remuneration		\$ 30,000		\$ 30,000
Professional Development & Certification		\$ 18,000		\$ 9,626
Supply and Services		\$ 55,983		\$ 55,983
Rental expenses: TLC office		\$ 82,039		\$ 66,359
Casual Help		\$ 14,400		\$ 7,200
Furniture and Equipment		\$ 4,200		\$ 4,200
Other expenditures		\$ 3,000		\$ 3,000
Total Expenses		\$ 3,691,400		\$ 3,647,966
Total Expenses Charged to POD		\$ 3,691,400		\$ 3,647,966
Net Contribution to TDSB		\$ 94,808,600		\$ 147,352,034

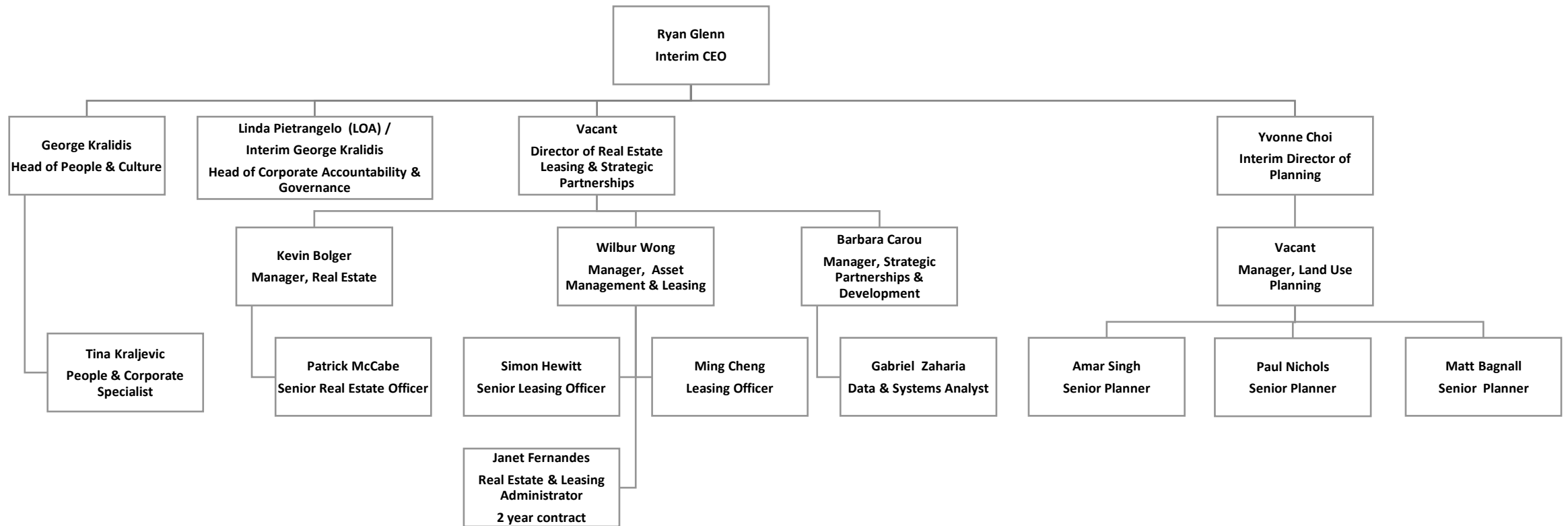
APPENDIX C TLC's 2024-25 Operational Budget

OPERATING BUDGET				
2024-25 [DRAFT]				
	2023-24 Operating Budget		DRAFT 2024-25 Operating Budget	
	Revenues	Expenditures	Revenues	Expenditures
Non-Operating School Facilities				
Lease Revenue and Recoveries	\$ 6,088,551	\$ 1,628,618	\$ 7,001,935	\$ 1,710,632
Other Revenue - Land Use Planning/705 Progress				
TDSB Program and Administration	\$ 53,000		\$ 53,000	
Deferred Capital Improvement Revenue	\$ - 1,000,000		\$ - 1,000,000	
Provision for Rental Arrears		\$ 5,000		\$ 5,000
Total Net Real Estate Revenue/Expense - Non-Operating Sites	\$ 5,141,551	\$ 1,633,618	\$ 6,054,935	\$ 1,715,632
Operating School Facilities				
City of Toronto Childcare Umbrella Lease Agreements	\$ 9,039,986	\$ 11,212,894	\$ 7,579,324	\$ 7,579,324
City of Toronto Pools Agreements	\$ 5,936,767	\$ 5,936,767	\$ 6,210,198	\$ 6,210,198
City of Toronto Stage 1 Revenues	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000
City of Toronto Exclusive Use Agreements	\$ 1,209,837	\$ 1,209,837	\$ 1,217,190	\$ 1,217,190
Contract Services and Partnership Development (CSPD) and LINC Lease Administration	\$ 317,291	\$ 317,291	\$ 330,670	\$ 330,670
Air Conditioning Surcharge	\$ 93,600	\$ 93,600	\$ 124,600	\$ 124,600
Child Care and Other Agreements	\$ 3,714,881	\$ 3,714,881	\$ 4,249,378	\$ 4,249,378
Temporary Property Interests with Third Parties	\$ 325,000	\$ -	\$ 300,000	\$ -
Total Real Estate Revenue/Expense- Operating Sites	\$ 21,737,362	\$ 23,585,270	\$ 21,111,360	\$ 20,811,360
Total Non-Operating and Operating	\$ 26,878,913	\$ 25,218,888	\$ 27,166,295	\$ 22,526,992
TDSB Chargeback of Administrative Expenses				
Facility Services	\$ -	\$ 59,554	\$ -	\$ 60,779
Business Services	\$ -	\$ 44,166	\$ -	\$ 47,014
Administrative Support Allocation	\$ -	\$ 24,240	\$ -	\$ 24,482
Total TDSB Chargeback	\$ -	\$ 127,960	\$ -	\$ 132,276
TLC Administrative Expenses				
Board Remuneration	\$ -	\$ 20,000	\$ -	\$ 20,000
Staff Salaries & Benefits	\$ -	\$ 1,172,204	\$ -	\$ 1,217,514
Professional Development & Certification	\$ -	\$ 12,000	\$ -	\$ 6,418
Supply and Services	\$ -	\$ 37,322	\$ -	\$ 37,322
Rental expenses: TLC office	\$ -	\$ 54,692	\$ -	\$ 44,239
Legal Fees	\$ -	\$ 65,000	\$ -	\$ 170,000
Fees and Contractual Services	\$ -	\$ 610,200	\$ -	\$ 440,000
Casual Help	\$ -	\$ 9,600	\$ -	\$ 4,800
Furniture and Equipment	\$ -	\$ 2,800	\$ -	\$ 2,800
Other expenditures	\$ -	\$ 2,000	\$ -	\$ 2,000
Total Administration Expenses	\$ -	\$ 1,985,818	\$ -	\$ 1,945,093
Total TLC Operations Rev/Expense	\$ 26,878,913	\$ 27,332,667	\$ 27,166,295	\$ 24,604,360

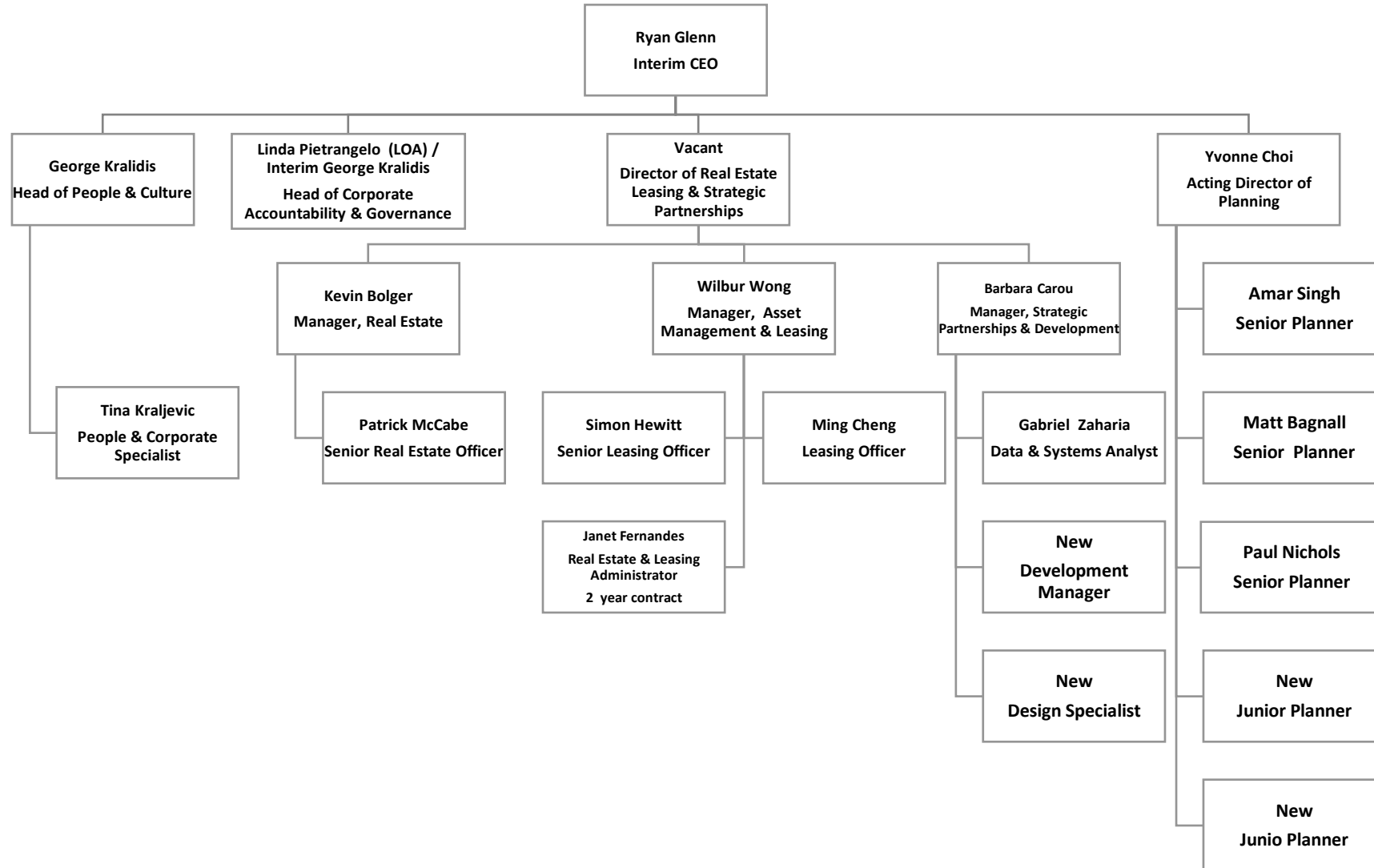
Toronto Lands Corporation

Current Organization Structure

2023



Toronto Lands Corporation Proposed Organization Structure 2024



INFORMATION ITEM**ONTARIO REGULATION 374/23- SUMMARY OF CHANGES AND PRELIMINARY ASSESSMENT OF POTENTIAL IMPACTS TO SCHOOL BOARD PROPERTIES****COMMITTEE DECISION**

The Committee received the report for information.

To: HR, NOMINATING & GOVERNANCE COMMITTEE

Date: January 9, 2023

RECOMMENDATION:

It is recommended that the report be received for information.

EXECUTIVE SUMMARY

On April 17, 2023, the Ontario Legislature introduced Bill 98, also known as the *Better Schools and Student Outcomes Act, 2023*. This Bill made several amendments to the *Education Act*, including changes to Schedule 2, Section 19 of the Act which aims to streamline the process by which boards surplus and dispose of property.

On December 6, 2023 the Province released Ontario Regulation 374/23: *Acquisition and Disposition of Real Property* which provides the directives to support the amendments in the *Better Schools and Student Outcomes Act, 2023*. The new Regulation, which will come into force on December 31, 2023, is intended to replace O.Reg. 444/98.

Toronto Lands Corporation (TLC) has reviewed the legislative changes introduced through O.Reg. 374/23: *Acquisition and Disposition of Real Property* related to the disposition of properties owned by the Toronto District School Board (TDSB). This report will provide a high-level overview of the proposed changes as they relate to the following:

- Circumstances in which a board may make or shall make a sale, lease or disposition
- Circumstances in which a board shall give notice to the Minister of a sale, lease or disposition or obtain the approval of the Minister for the sale, lease or disposition
- Details around the conduct of a sale, lease or disposition
- Bodies to whom school sites or parts of school sites or property may or must be offered
- Directives around the price or other considerations for a disposition, and
- Directives around the use of the proceeds of a disposition

AUTHORITY OR DIRECTION FOR UNDERTAKING PROJECT

Authority or Direction (select from drop down): Shareholders Direction

STRATEGIC GOAL AND ANNUAL PLAN DIRECTIONS

N/A

DUE DILIGENCE (Select all that apply)**Policy & Planning Committee**

- | | |
|---|---|
| <input type="checkbox"/> Site Inspection | <input type="checkbox"/> Planning Report |
| <input type="checkbox"/> Official Plan> | <input type="checkbox"/> Consultation with Local Trustee |
| <input type="checkbox"/> Zoning | <input type="checkbox"/> TDSB Staff Review and Agreement |
| <input checked="" type="checkbox"/> Reg 444/98 (O.Reg 374/23 replaces this) | <input type="checkbox"/> Consultation with TDSB Executive Staff |
| <input type="checkbox"/> Appraisal Report | <input type="checkbox"/> Consultation with TDSB Planning Staff |
| <input type="checkbox"/> Environmental Report | <input type="checkbox"/> Consultation with TDSB Finance Staff |
| <input type="checkbox"/> Title Check | <input type="checkbox"/> Historical Assessment |
| <input type="checkbox"/> Other: | |

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK LEVEL

- N/A

ACTION PLAN AND ASSOCIATED TIMELINES

- N/A

TLC AND TDSB BOARD POLICY AND PROCEDURE REFERENCE(S)

- N/A

APPENDICES

- **Appendix A: Assessment of Regulatory Impacts**

FROM

Ryan Glenn, Interim Chief Executive Officer, Toronto Lands Corporation rqlenn.tlc@tdsb.on.ca

Barbara Carou, Manager, Partnerships and Development, Toronto Lands Corporation
bcarou.tlc@tdsb.on.ca

APPENDIX A: ASSESSMENT OF REGULATORY IMPACTS

The changes proposed by Ontario Regulation 374/23: *Acquisition and Disposition of Real Property*, support amendments to Section 19 of Schedule 2 of the *Education Act*, which sets out a new framework for managing assets no longer needed for educational purposes by a school board.

The new legislation has the intended outcome of streamlining and standardizing the process by which boards dispose of property no longer required to meet pupil accommodation needs. The proposed changes look to assist boards in maximizing their capital assets; expedite the use of property surplus to a board's needs to satisfy the need of another school board; and provide opportunities for other provincial priorities such as building affordable housing and long-term care facilities.

The following is a summary of the proposed amendments through O.Reg. 374/23 that are related to the disposition of properties owned by the Toronto District School Board (TDSB).

Disposition of Property

Discretionary Disposition

Section 1(1) sets out a regime for the discretionary disposition of a property by a board which adds new clarity around the ability of a board to be able to not only sell lease or otherwise dispose of a school site, but also to be able to surplus a “portion” of school site as well as “other property” not required for the purposes of the board.

Section 1(2) provides new opportunities for boards to expedite the sale, lease or disposition in whole or in part of a school site by exempting transactions from the notice of disposition process, provided the following is achieved:

- The board adopts a resolution that the disposition is a reasonable step in a plan to provide accommodation for pupils
- The transaction is a “swap” allowing for a replacement school site
- The board will continue to use the disposed site for pupil accommodation
- The Minister approves the disposition

The board is required to notify the Minister when negotiations begin, provide information as requested and obtain the approval of the Minister prior to entering into an agreement. The prescribed time period within which the Minister must notify the board remains at no more than 60 days from the day of notice.

Mandatory Disposition

Bill 98 provides the Minister of Education with greater direct and indirect influence regarding the utilization of surplus school board facilities and lands including the ability to mandate a disposition if a board does not voluntarily elect to do so.

Section 2(1) of the new Regulations supports the changes in *Bill 98* by allowing the Minister to notify the board of the requirement to lease, sell or dispose of a school site or other property which is not being used or has not been identified as required to meet the board's pupil accommodation needs for the next 10 years. However, the framework establishes that prior to doing so, the Minister shall review whether additional factors need to be considered or consultation needs to be completed before a decision is made. Specification on what additional factors the Minister may take into consideration were not outlined as part of the new Regulation.

However, provisions are also made within the Regulation that allow the Minister, at its discretion, to exempt a school site or property from this process if the board can demonstrate that it will need the property for pupil accommodation at a time more than 10 years into the future. If the Minister agrees to provide such exemption, it may be given with or without conditions.

Notice of Disposition and Exemptions to Disposition

The new Regulation proposes significant changes to the circulation process of surplus property, as it significantly reduces the prioritized list of public bodies to whom notice must be given. Through the new Regulation, the Minister has the discretion to identify to whom an offer must be made considering the following persons or bodies, and in the following order of priority:

- **School boards-** A surplus property would first be assessed by the Minister as to whether it is needed by another school board for pupil accommodation.
- **The Crown-** If the surplus property is not needed by another school board, the Crown has priority for acquisition.
- **Persons or bodies requiring property in order to achieve Provincial priorities-** The Minister has the ability to assess whether a property should be granted to a person or body in order to address critical Provincial priorities.
- **Other Persons or Bodies-** If the surplus property is not needed for public education or other provincial priorities, the Minister would direct school boards to dispose of the property on the open market.

The coterminous school board would continue to retain priority for obtaining surplus lands from another school board for education purposes, however, the new Regulation significantly changes the previous circulation process which required notice be given to a much broader list of public bodies.

Within this new framework, the Ministry has 120 days after receiving notice that the board intends to surplus, lease or dispose a property to identify a person or body to whom the property must be offered to; or otherwise inform the board the property may be offered to any person or body.

Once the person or body to whom the offer shall be made is identified, the board and such party have 180 days to enter into an agreement to dispose of the property. If an agreement is not reached in that time and an extension is not granted by the Minister, the board may offer that property to any person or body or elect to restart the property disposition process.

Exemptions

In addition to an exemption to the Notice of Disposition Process for properties outlined in section 1(2) related to pupil accommodation, new exemptions are also granted if a property is required by the municipality or board of the municipality for infrastructure projects outlined in the *Development Charges Act, 1997* or for the purposes of child focused programming as per the *Child Care and Early Years Act, 2014*.

Exemptions also apply in instances where a board may sell, lease or otherwise dispose of property for the purpose of granting easements.

Valuation and Proceeds of Disposition

Fair Market Value

The proposed regulation continues to indicate disposition, sale or lease of property by school boards, in all instances, would need to be conducted at fair market value.

The one potential exemption to this rule, requiring further clarification, is noted in Section 1(3)a “the granting of the easement is for consideration that a board considers reasonable.”

Proceeds of Disposition

School boards would continue to be allowed to reinvest processed of disposition of surplus property in their school facilities as per Ontario Regulation 193/10. No changes were proposed to broaden or provide more flexibility as to where proceeds of disposition may be utilized. Changes were also not made to the requirements for Ministry approval.

COMMENTS

The proposed regulatory amendments through O.Reg 374/23 are intended to create a more efficient process to dispose of surplus property and continue to allow for the reinvestment of proceeds of disposition by school boards in their schools. The Regulation also better positions

the Province to leverage property surplus to a school board's requirements for use by another school board and/or other provincial priorities such as building affordable housing and long-term care facilities. However, there are a number of sections within the Regulation where further clarification is required:

- Section 1(3)b refers to language around "... granting of an easement for consideration that the board considers reasonable". Clarification is required whether "reasonable consideration" trumps the requirement for fair market value.
- Section 2 (1) affords the Minister to direct the sale of a property that is not required to meet pupil accommodation needs in the next 10 years. The Minister may also exempt a site from this process if the board can demonstrate that it will need the property for pupil accommodation at a time more than 10 years into the future. However, is unclear whether this exemption is only limited to properties that support pupil accommodation. Often times, sites that have a non-operating school may be used to support the delivery of other educational programs and services such as continuing education and adult learning, administration, training, and facility maintenance. Non-operating schools may also be reserved to accommodate students of planned school rebuild projects in addition to being held for future schools.
- There is no information or context to understand the circumstances in which the Minister "may" direct a board to act on surplus property. It would be helpful to understand the additional factors which will be considered by the Ministry before deciding on whether the property must be disposed of.
- The regulation in section 5(1) 1. "The Minister shall identify the person or body to whom the property must be offered, *if the board intends to offer [the property] to any person or body*" is vague. Further clarification is required as to whether the board has the ability to dispose of a property to a specific group (as long as it meets the priorities set out by the Ministry) or whether this is at the sole discretion of the Ministry.
- If a property is deemed surplus by a board, and there is no need for it by another school board, the property is to be considered as an opportunity to support provincial priorities. Further details are required as to how the list of priorities will be communicated to the boards, including any new priorities that may arise from time to time.

As part of the Ministry's consultation on the draft regulations, TLC and TDSB provided a number of comments for consideration. In addition to recommendations on the disposition of surplus property, suggestions were also made to include changes to the regulations that address challenges around consideration for fair market value and restrictions on the use of proceeds of disposition. The comments provided to the Ministry on this subject are summarized below:

- Recommendation for an amendment to be added to the regulation that enables the board to request Ministerial exemption in the need to obtain fair market value where a direct benefit is being secured that enhances the education and learning opportunities for students (i.e., Davisville Aquatic Centre adjacent to Davisville Junior Public School)
- Recommendation for amendments that provide greater flexibility in the use of proceeds of disposition for other purposes beyond facility renewal, allowing the board to better respond in a timely manner and enhance the learning environment for students. Specifically, that permission be given to use proceeds of disposition for:
 - a. Building new pupil places such as additions, replacement schools and new schools.
 - b. Improving barrier-free accessibility to schools
 - c. Upgrading outdated instructional spaces in schools such as science labs and shops
 - d. Expanding under-sized gyms in schools
 - e. Renovating space to accommodate changes in program such as converting a regular classroom into a kindergarten room

While O.Reg. 374/23 does acknowledge the need to consider other provincial priorities, including affordable housing and long-term care facilities, the new Regulation does not reflect the recommendations put forward by TLC and TDSB to broaden the requirement around fair market value to include other direct benefits to education. The continued requirement to obtain fair market value for land, as proposed by O.Reg 374/23, will likely impact the feasibility of delivering on other Provincial priorities on school lands.

Requested changes to the way a board can apply proceeds of disposition beyond that of school renewal were also not reflected.

REFERENCES

- O. Reg. 374/23: Acquisition and Disposition of Real Property
<https://www.ontario.ca/laws/regulation/r23374>
- Bill 98, Better Schools and Student Outcomes Act, 2023
<https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-98>
- Ontario Regulation 444/98: Disposition of Surplus Real Property and Acquisition of Real Property (under Education Act, R.S.O. 1990, c. E.2)
<https://www.ontario.ca/laws/regulation/980444>

DECISION ITEM**2023-24 Q2 LEASES & LICENSES FOR TDSB****COMMITTEE DECISION**

On a motion made by Shelley Laskin and seconded by Leola Pon, the Policy and Planning Committee recommends to the Board of Directors:

- a. 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:
 - i. Burnett PS, 21 Eddifield Avenue, July 1, 2024 – June 30, 2029
 - ii. CB Parsons JHS, 2999 Dufferin Street, September 1, 2024 – August 31, 2032
 - iii. Queens Court PS, 35 Ourland Avenue, July 1, 2024 – June 30, 2032
 - iv. Earls court JPS, 21 Ascot Avenue, July 1, 2024 – June 30, 2032

- b. 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:
 - i. Burnett PS - Prestige School – Lease – 18,589sf, July 1, 2024 – June 30, 2029
 - ii. CB Parsons - JHS Fieldstone School – Lease – 47,189sf, September 1, 2024 – August 31, 2029 + 1x3Year Option to Renew
 - iii. Queens Court PS - Mildenhall Montessori – Lease – 20,017sf, July 1, 2024 – June 30, 2029 + 1x3Year Option to Renew
 - iv. Earls court JPS - Hudson College or New Tenant – Lease – 43,149sf, July 1, 2024 – June 30, 2029 + 1x3Year Option to Renew
 - v. Cedarbrae CI - Wigwamen – License – 14 Parking Spaces, 18 Month term beginning in 2024 during construction

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

To: Policy and Planning Committee

Date: January 10, 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

TDSB Strategic Plan

Goal: (include all that apply)

- 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.

TLC Strategic Plan

Goal: (include all that apply)

- 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

- | | |
|--|--|
| <input type="checkbox"/> Site Inspection | <input type="checkbox"/> Planning Report |
| <input type="checkbox"/> Official Plan | <input checked="" type="checkbox"/> Consultation with Local Trustee |
| <input type="checkbox"/> Zoning | <input type="checkbox"/> TDSB Staff Review and Agreement |
| <input checked="" type="checkbox"/> Reg 372/23 | <input checked="" type="checkbox"/> Consultation with TDSB Executive Staff |
| <input checked="" type="checkbox"/> Appraisal Report | <input checked="" type="checkbox"/> Consultation with TDSB Planning Staff |
| <input type="checkbox"/> Environmental Report | <input type="checkbox"/> Consultation with TDSB Finance Staff |
| <input type="checkbox"/> Title Check | <input type="checkbox"/> Historical Assessment |
| <input type="checkbox"/> Other: | |

FINANCIAL IMPLICATIONS

School	Tenant	Previous Annual Rent	Proposed Annual Rent	Increase
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 New Tenant	\$679,597	TBD – Market	N/A
Cedarbrae CI	Wigwamen	N/A	Cost Recovery	N/A

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 rglenn.tlc@tdsb.on.ca 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

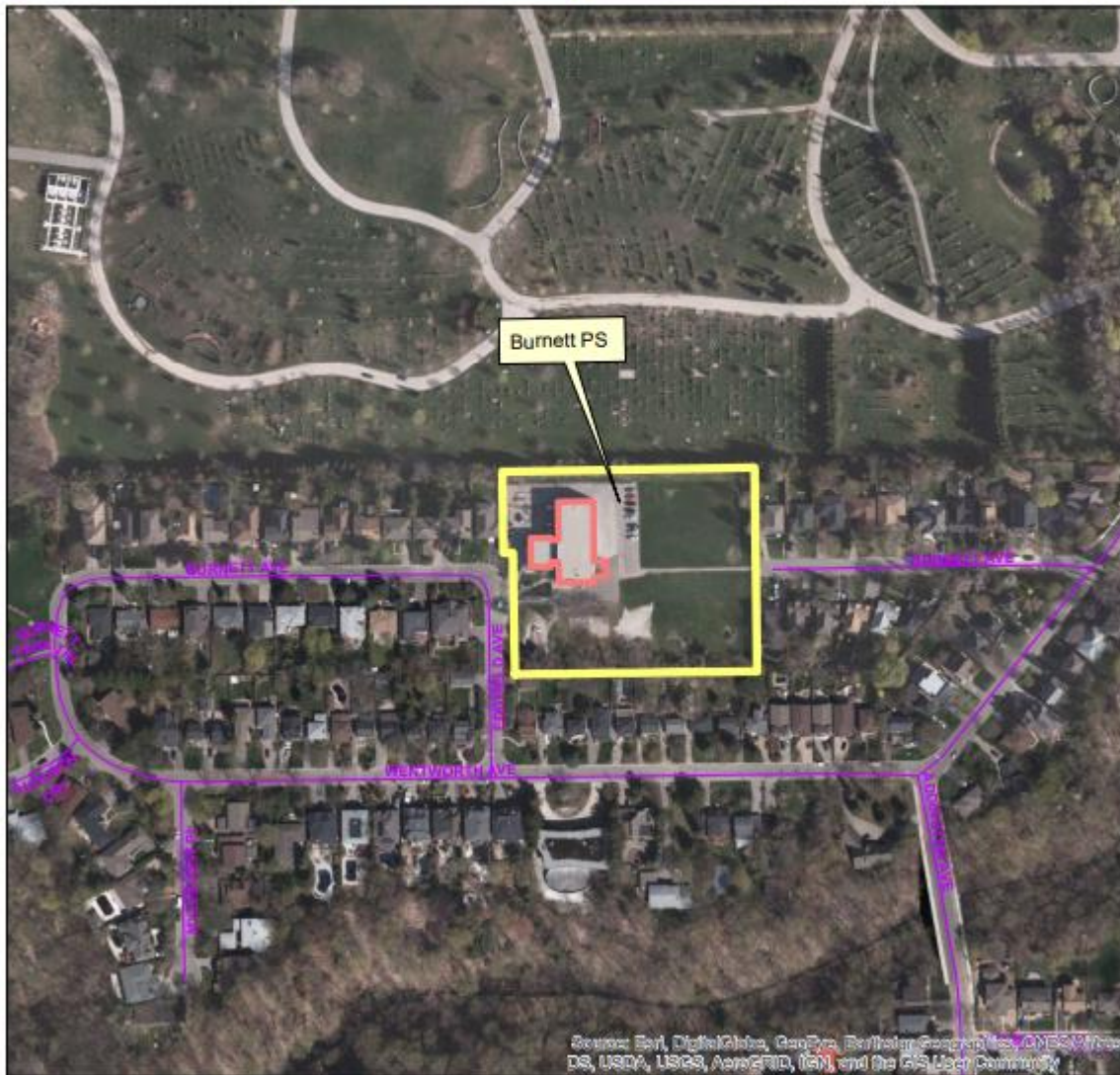
Prestige School

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.



Toronto District School Board

Burnett PS
21 Eddifield Avenue
(2018 Ortho Imagery)



CB Parsons JHS – 2999 Dufferin Street

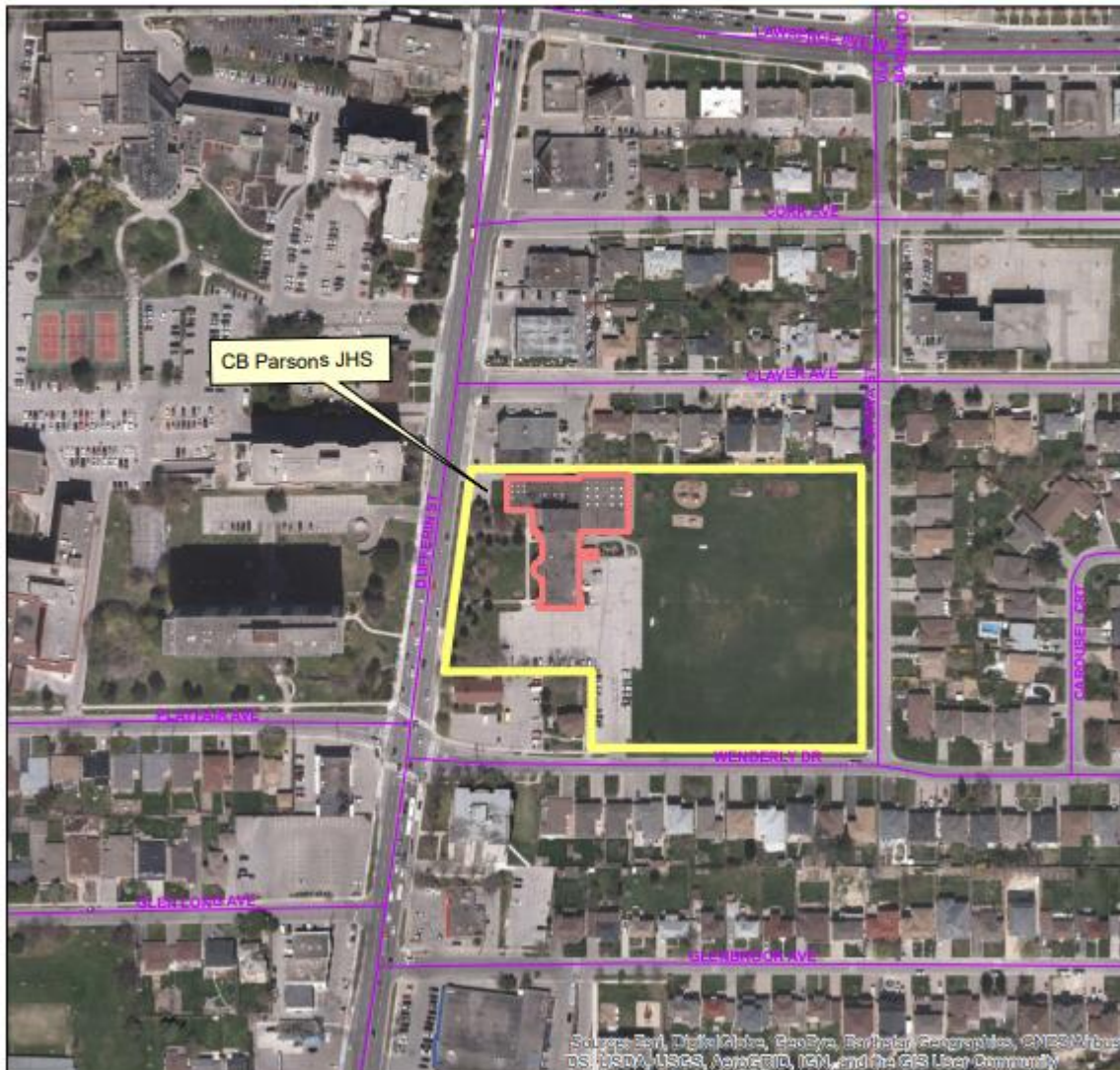
APPENDIX A

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

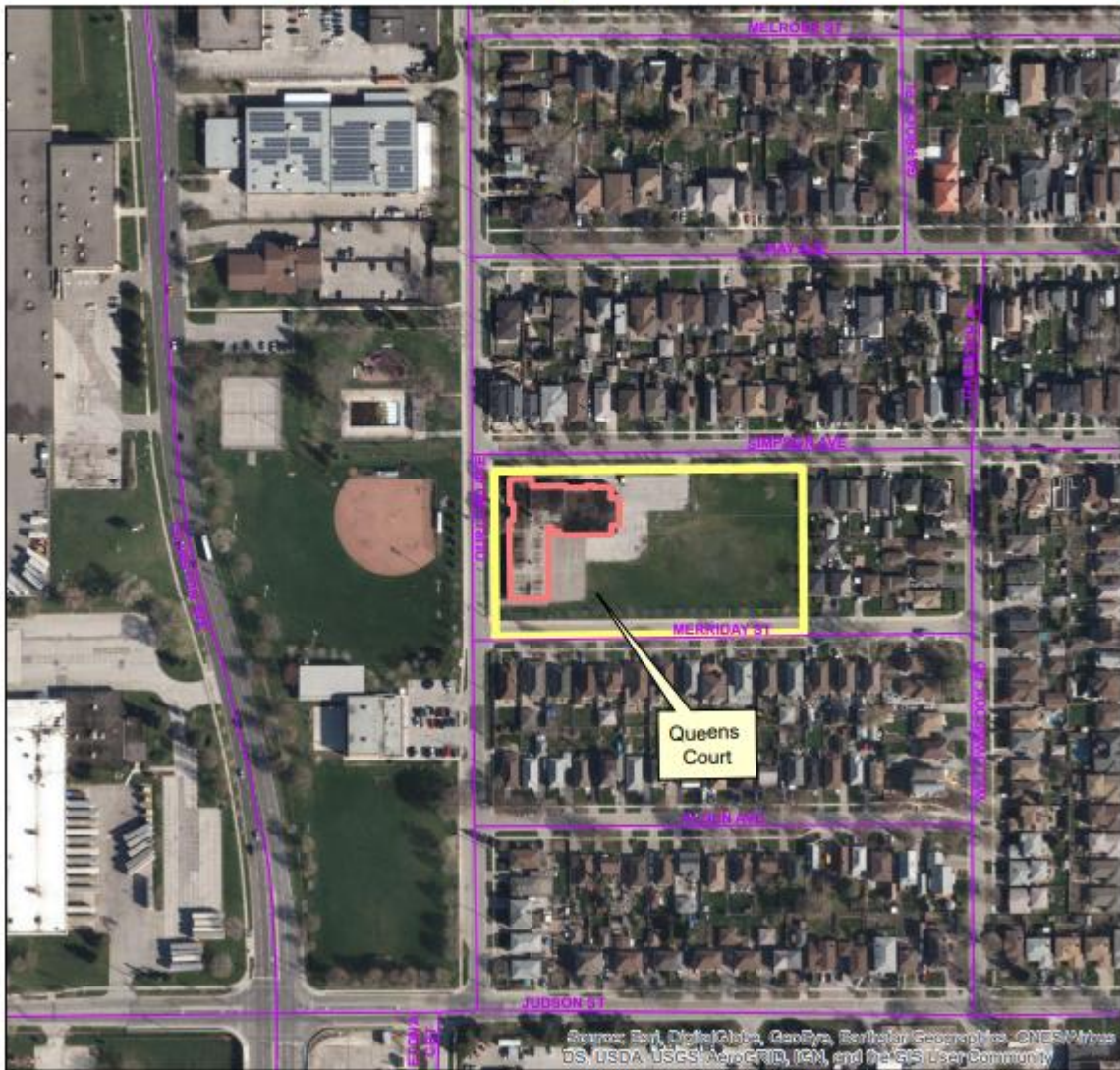
APPENDIX A

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 1st, 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)

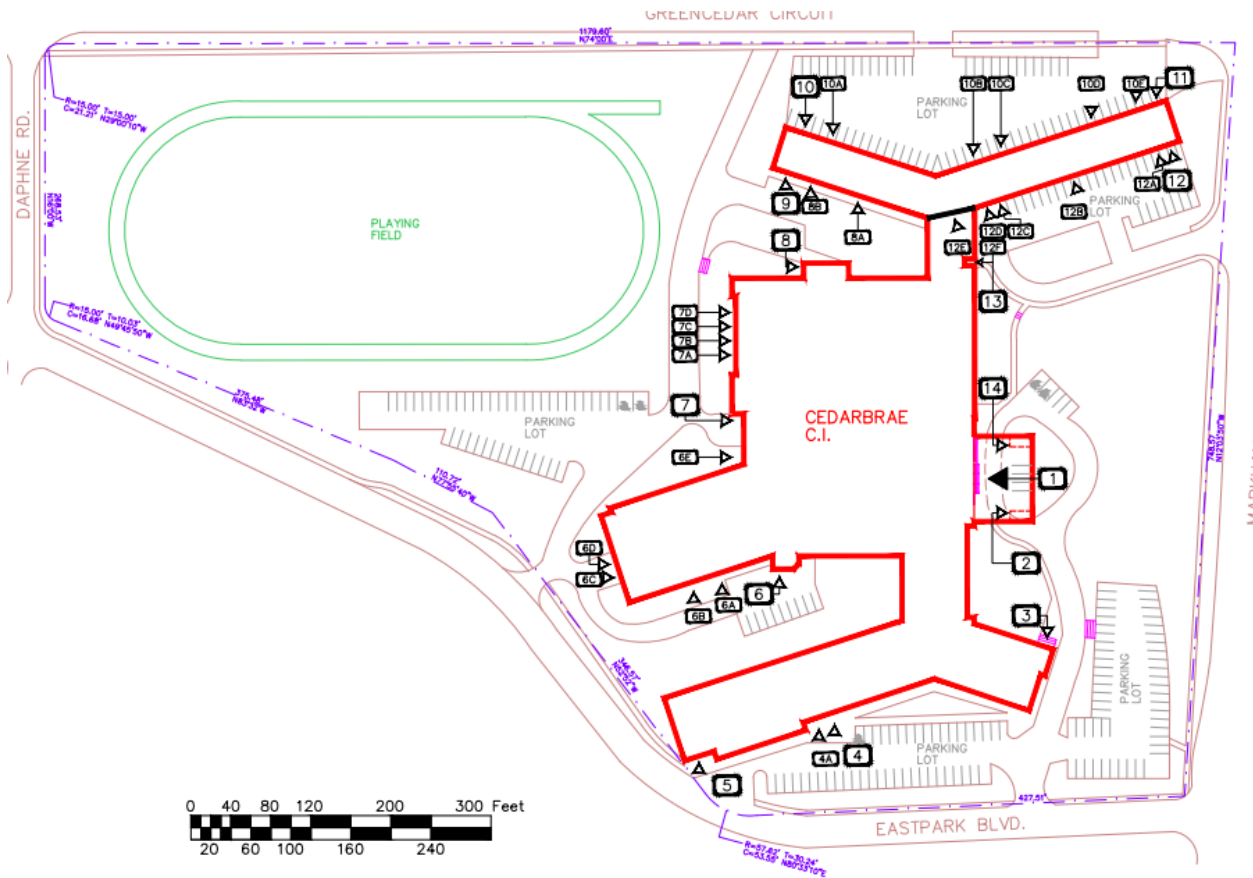


Cedarbrae CI – 550 Markham Road

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 DECISION

On a motion made by John Filion and seconded by Peyman Berjis, the Policy and Planning Committee recommends to the Board of Directors:

- a. That the Committee receive the report for information.
- b. That the (Interim) CEO bring forward recommendations to the Policy and Planning Committee outlining steps within a formal policy governing TLC approval (and recommendation to TDSB) of property dispositions, including lease agreements.

COMMITTEE: AUDIT & FINANCE COMMITTEE

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 extent 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

- TDSB Strategic Plan Goal:
- Allocate Human and Financial Resources Strategically to Support Student Needs
 - 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.

- TLC Strategic Plan Goal:
- Transform Student Learning Environment through the Modernization of Facilities
 - 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 rglenn.tlc@tdsb.on.ca or at 437-219-8191.

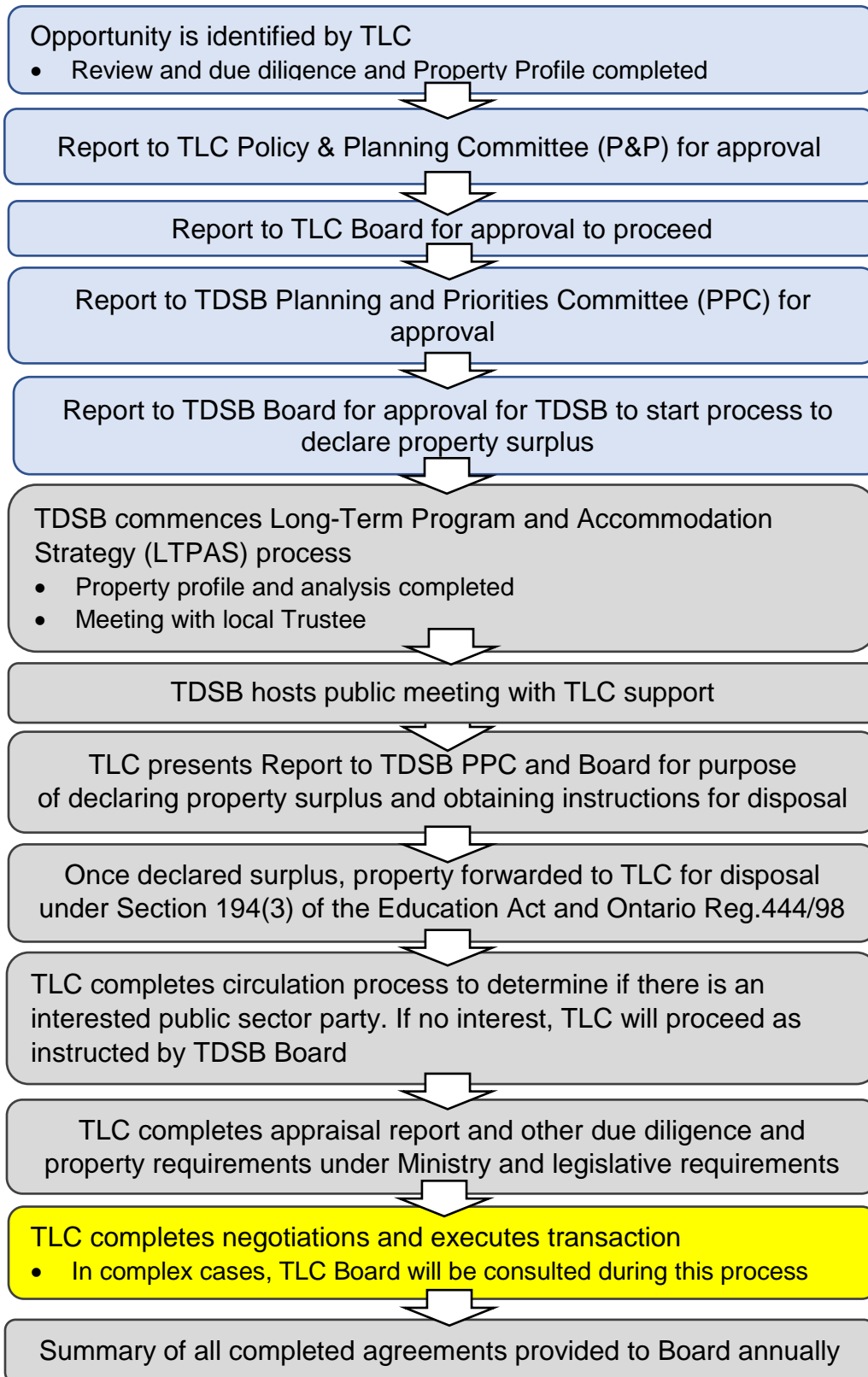
Kevin Bolger, Manager, Real Estate, Toronto Lands Corporation, at kbolger.tlc@tdsb.on.ca or at 416-254-5665.

**PROCESS FOR THE DISPOSAL OF NON-OPERATING TDSB
PROPERTY**

APPENDIX A

<insert flowchart>

Process for Disposal of Non-Operating TDSB Property



PROPOSED PROPERTY DISPOSALS – FEE SIMPLE

COMMITTEE DECISION

On a motion made by John Filion and seconded by Shelley Laskin, the Committee received the report for information.

COMMITTEE: Policy & Planning Committee

DATE: January 10, 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.
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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.
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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 programming 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


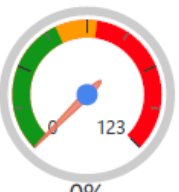
The 5.2-acre Brookbanks school property was acquired by the TDSB in 1958 with the school constructed the following year. The school was closed as a public school in 2001 and has since been leased to a private school operator, Crestwood Preparatory, whose agreement expires in 2026. The current FCI of 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.


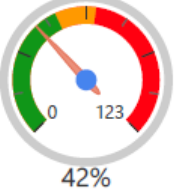
15 TREHORN DRIVE


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

Humber Heights Land			TORONTO LANDS CORPORATION
2245 Lawrence Ave West			
NDS	TDSB Ward 3 City Ward(s) 3	Patrick Nunziata	Humber Heights Land
N/A Building Age	Operating Cost Per Square Foot		
6.40 Site Size (Ac)	N/A		
N/A Facility Size (Sf)	Backlog Per Square Foot		
N/A Student Capacity	N/A		
Current FCI  0% (0 to 123)	City of Toronto Zoning By-law 569-2013 Zoning Category Code Policy Number I (x66) 80.10 City of Toronto's Official Plan Land Use Category Neighbourhoods		

Douglas Park			TORONTO LANDS CORPORATION
301 Lanor Ave			
NDS	TDSB Ward 3 City Ward(s) 3	Patrick Nunziata	Douglas Park
67 Building Age	Net Operating Income Per Square Foot		
5.52 Site Size (Ac)	● Operating Cost/Sf ● Average Operating Cost (AOC)/Sf Variance from AOC: 87% Operating Income - Net: \$77K \$4.28 vs \$2.29		
18K Facility Size (Sf)	Backlog Per Square Foot		
N/A Student Capacity	● Backlog/Sf ● Average Backlog (AB)/Sf Variance from AB: 227% Backlog: \$3M \$166.67 vs \$51.03		
Current FCI  42% (0 to 123)	City of Toronto Zoning By-law 569-2013 Zoning Category Zoning Block Number Zoning Name B14 North Etobicoke Zoning Code City of Toronto's Official Plan Land Use Category Neighbourhoods		

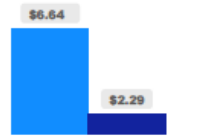

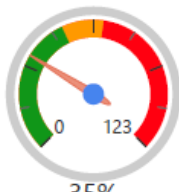



200 Wilmington Avenue

200 Wilmington Ave

NDS	TDSB Ward 5 City Ward(s) 6	Alexandra Lulka Rotman
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200 Wilmington Avenue ▼

69 <small>Building Age</small>	<h4 style="text-align: center;">Net Operating Income Per Square Foot</h4> <p style="font-size: x-small;">● Operating Cost/Sf ● Average Operating Cost (AOC)/Sf</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid gray; padding: 5px;"> Variance from AOC 190% </div> <div style="text-align: center;">  </div> <div style="border: 1px solid gray; padding: 5px;"> Operating Income - Net \$677K </div> </div> <h4 style="text-align: center;">Backlog Per Square Foot</h4> <p style="text-align: center; font-size: 2em; font-weight: bold;">N/A</p>							
4.82 <small>Site Size (Ac)</small>								
102K <small>Facility Size (Sf)</small>								
N/A <small>Student Capacity</small>								
Current FCI  <p style="text-align: center; font-size: 1.5em;">35%</p>								
<p style="font-size: x-small;">City of Toronto Zoning By-law 569-2013</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; font-size: x-small;">Zoning Category</td> <td style="width: 33%; font-size: x-small;">Zoning Name</td> <td style="width: 34%; font-size: x-small;">City of North York By-Law No. 7625</td> </tr> </table> <p style="font-size: x-small;">City of Toronto's Official Plan</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; font-size: x-small;">Land Use</td> <td style="width: 33%; font-size: x-small;">Category</td> <td style="width: 34%; font-size: x-small;">Neighbourhoods</td> </tr> </table>			Zoning Category	Zoning Name	City of North York By-Law No. 7625	Land Use	Category	Neighbourhoods
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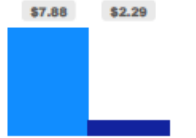

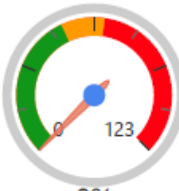


Brookbanks PS

217 Brookbanks Drive

NDS	TDSB Ward 14 City Ward(s) 16	Farzana Rajwani
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Brookbanks PS ▼

64 <small>Building Age</small>	<h4 style="text-align: center;">Net Operating Income Per Square Foot</h4> <p style="font-size: x-small;">● Operating Cost/Sf ● Average Operating Cost (AOC)/Sf</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid gray; padding: 5px;"> Variance from AOC 244% </div> <div style="text-align: center;">  </div> <div style="border: 1px solid gray; padding: 5px;"> Operating Income - Net \$575K </div> </div> <h4 style="text-align: center;">Backlog Per Square Foot</h4> <p style="text-align: center; font-size: 2em; font-weight: bold;">N/A</p>							
5.16 <small>Site Size (Ac)</small>								
73K <small>Facility Size (Sf)</small>								
N/A <small>Student Capacity</small>								
Current FCI  <p style="text-align: center; font-size: 1.5em;">0%</p>								
<p style="font-size: x-small;">City of Toronto Zoning By-law 569-2013</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; font-size: x-small;">Zoning Category</td> <td style="width: 33%; font-size: x-small;">Zoning Name</td> <td style="width: 34%; font-size: x-small;">City of North York By-Law No. 7625</td> </tr> </table> <p style="font-size: x-small;">City of Toronto's Official Plan</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; font-size: x-small;">Land Use</td> <td style="width: 33%; font-size: x-small;">Category</td> <td style="width: 34%; font-size: x-small;">Neighbourhoods</td> </tr> </table>			Zoning Category	Zoning Name	City of North York By-Law No. 7625	Land Use	Category	Neighbourhoods
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Land Use	Category	Neighbourhoods						

MEMO FROM THE CHAIR

Alteration to TLC Board and Committee Meeting Dates

To: TLC Board

Date: January 12, 2024

Following the approval of our TLC meeting schedule for 2024, it was brought to my attention that several of the selected dates conflicted with professional development sessions organized by the TDSB for its Trustees. In order to make sure our Trustee Directors are able to attend all our meetings, I am recommending three (3) alterations to the TLC meeting schedule as established in December 2023.

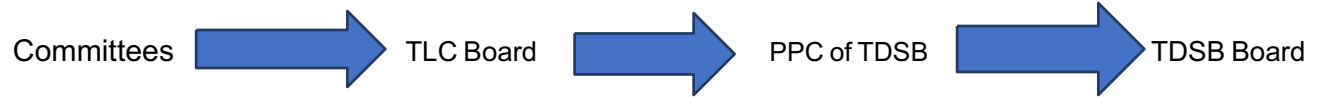
- John Filion, Chair, TLC Board of Directors

RECOMMENDATION

That the TLC Board of Directors approve the following alterations to its 2024 meeting calendar:

- a) **TLC Policy & Priorities Committee**, originally scheduled for February 8, 2024, at 5:30 PM, be **rescheduled for Tuesday, February 6, 2024, at 5:30 PM**;
- b) **TLC Policy & Priorities Committee**, originally scheduled for March 19, 2024, at 5:30 PM, be **rescheduled for Monday, March 18, 2024, at 5:30 PM**;
- c) **TLC Board Meeting**, originally scheduled for May 30, 2024, at 5:30 PM, be **rescheduled to Tuesday, May 28, 2024, at 5:30 PM**.

REVISED 2024 Meeting Schedule



	Committees	(updated)	TLC Board	(updated)	PPC of TDSB	TDSB Board
January	Jan. 9 A&F 5:30 HR 7:30	Jan. 10 P&P 5:30	Jan. 16 5:30	Jan. 25	Jan. 31	
February	Feb. 1 A&F 5:30 HR 7:30	Feb. 6 P&P 5:30	Feb. 15 5:30	Feb. 28	Mar. 6	
March	Mar. 7 A&F 5:30 HR 7:30	Mar. 18 P&P 5:30	Mar. 28 5:30	Apr. 9	Apr. 17	
May	9-May A&F 5:30 HR 7:30	16-May P&P 5:30	May. 28 5:30	11-Jun	19-Jun	
September	Sept. 5 A&F 5:30 HR 7:30	Sept. 12 P&P 5:30	Sept. 19 5:30	Oct. 1	Oct. 9	
October	Sept. 26 A&F 5:30 HR: 5:30	Oct. 10 P&P Oct. 10	Oct. 17 5:30	Oct. 30	Nov. 6	
November			Nov. 21 5:30			

Toronto Lands Corporation

TLC Operational Procedure PRXYZ

Title: **DELEGATION**

Adopted: [insert date]
Effectuated:
Revised:
Reviewed:
Authorization: Board of Directors

1. RATIONALE

The Toronto Lands Corporation's Delegation Procedure (the "Procedure") allows members of the public to provide information and perspectives to the Board of Directors and to be actively involved in the Board's decision-making process.

2. OBJECTIVE

To set out a consistent and easily understandable process for the public to address Committees of the Board through delegations (i.e., by speaking in person or through written submission).

3. DEFINITIONS

Accommodation, for the purpose of this Procedure, means an adjustment made to the delegation process to enable fair and equitable participation by persons with disabilities when addressing Committees of the Board through delegations.

Board for the purpose of this Procedure, means the Board of Directors of the Toronto Lands Corporation.

Closed (Private) Session means a meeting of members of the Board which is closed to the public in accordance with subsections 207 (2) and 207 (2.1) of the *Education Act*.

Committee means the following committees of the Board established pursuant to the TLC Bylaws: Human Resources, Nominating and Governance Committee, Audit and Finance Committee, and Policy and Planning Committee, or any other committee established by the TLC Board of Directors.

Delegation means the action of presenting or submitting a written statement by a delegate to the Board or a Committee.

Personal Information means recorded information about an identifiable individual. As defined by *Municipal Freedom of Information and Protection of Privacy Act*.

TDSB means the Toronto District School Board.

TLC means Toronto Lands Corporation.

4. RESPONSIBILITY

The Chair of the TLC Board, Chairs of Committees of the Board, in consultation with the CEO or designate.

5. APPLICATION AND SCOPE

This Procedure applies to all members of the Board, staff supporting Committee meetings, and members of the public wishing to address a Committee of the Board through delegations.

6. PROCEDURES

Delegation Requirements

- 6.1. Delegates may request to address the TLC Policy and Planning Committee in person and/or in writing, or to any committee or the Board of the TLC in writing, on any item on an agenda.
- 6.2. Requests to address a Committee in person, through electronic means or through written submissions must be provided to TLC's office one (1) day prior to the meeting.
- 6.3. An in person delegation may be made once within a 12-month period, unless the subject of the delegation has changed substantially.

Submitting a Request for Delegation

- 6.4. Persons wishing to address the Policy and Planning Committee in person must submit their request in writing.
- 6.5. In order to manage the delegation process, delegation requests must be submitted to TLC by 4:00 p.m. one (1) working day before the meeting.
- 6.6. Requests received after the deadline noted above will be considered at the discretion of the Committee Chair.

- 6.7. Every effort will be made by TLC to post the meeting agendas on the public website three (3) working days before a Committee meeting. If an agenda item is posted after the said deadline, additional time will be provided to submit delegation requests, and appropriate notification will be posted on the website advising on the extended deadline.
- 6.8. A request for delegation can be submitted via email, through regular mail or in person to TLC, as follows:
- Email: [delegations.tlc@tdsb.on.ca]
 - Mailing address:
Toronto Lands Corporation
60 St. Clair Avenue East, Suite 201
Toronto, Ontario
M4T 1N5
Attention: Board Delegations
- 6.9. A request for an in-person delegation must include the following information in writing:
- Name of the delegate and, if applicable, the name of the group or entity the speaker represents;
 - Municipality;
 - Delegate's Contact information;
 - Name of the Committee, date of meeting and the agenda item;
 - A short description of the purpose of the delegation.
- 6.10. Delegates that require accommodations in accordance with the TDSB's Accessibility Policy (P069) or need assistance, including translation services, may contact TLC in advance of the meeting.
- 6.11. Upon receipt of a delegation request, TLC will contact the delegate to confirm receipt of the request within one business day and will provide the delegate with Committee meeting information (e.g., date, time, location).

Conduct of Delegates

- 6.12. Delegates are expected to provide input in a respectful and constructive manner whether in person or in writing.
- 6.13. Delegates may voice concerns but must not:
- Promote hate, harassment, or violate the *Ontario Human Rights Code*, Service Level Agreement, TLC/TDSB Policies and Procedures;
 - Use offensive, obscene or defamatory language, gestures or images;
 - Use negative or derogatory personal references;
 - Misuse personal information related to TDSB students, staff, Trustees, or TLC Board members;
 - Discuss topics outside of their intended delegation;
 - Discuss matters related to litigation or potential litigation or any matter which is currently before any court or administrative tribunal affecting the TLC or TDSB; or

- Cross debate with other delegates, staff, Trustees or Directors of the Board.
- 6.14. Delegates engaged in any behaviour that is disruptive to the meeting or violates any of the above requirements may have their delegation stopped by the Committee Chair and the delegate may be removed from the meeting.

Review of Delegation Requests

- 6.15. For each Committee or Board meeting, TLC staff will circulate requests for in person delegations along with written submissions to all applicable committee or board members prior to the start of the meeting.
- 6.16. For each meeting of the Policy and Planning Committee, the Committee Chair will review the number of in person delegations to ensure there is enough time to hear all delegations and complete the agenda. The Committee Chair shall have the opportunity to move a motion, requiring majority support of members in attendance, to vary the Delegations Procedure to facilitate a manageable flow of the agenda and meeting.

Delegations by Staff

- 6.17. Employees of the TLC or TDSB may make a delegation request on topics other than those concerning individual employment or personal professional interests, for which other channels exist.
- 6.18. Employees must disclose the fact that they are employed by the TLC or TDSB in their written request. Employees are required to keep confidential any and all information they acquire during the course of employment that would reasonably be considered personal or confidential information and are responsible to ensure compliance with the TDSB's Employee Conflict of Interest Policy (P057) and any other applicable TDSB/TLC policies.
- 6.19. Delegation requests from staff will be considered and may be accepted solely at the discretion of the Committee Chair in consultation with the CEO or their designate.

Matters to be Considered in Closed (Private) Session

- 6.20. The Committee Chair may determine whether to schedule a delegation in closed session if the matter meets the requirements of subsections 207 (2) and 207 (2.1) of the *Education Act* (see section 3.0 – Closed (Private) Session definition).

Time Allotted for a Delegation

- 6.21. The length of time allotted for a delegate speaking to a Committee will be up to five (5) minutes. If a delegation involves more than one speaker, the maximum time allotted remains at five (5) minutes. It is the responsibility of the delegates to present according to this timeframe.

- 6.22. Following the delegation, each Board member may ask brief questions for clarification only. Questions of clarification should be related to the delegate's presentation. The time for both questions and responses will not exceed three (3) minutes per Board member.

Committee Discussion of the Delegation

- 6.23. Substantive discussion on the matter of the delegation will take place when its corresponding item is reached on the meeting agenda. Speaking time for each Board member will be limited to five minutes, at a time, during the discussion.
- 6.24. If the delegation addressed a matter relevant to the mandate of the Committee, but not an item on the agenda for that meeting, a Board member may move a motion requesting consideration of the matter at another regular meeting of the Committee. Discussion of the matter addressed by the delegation will then take place at that regular meeting of the Committee.

Written Submissions

- 6.25. All written submissions received before a Committee meeting will be shared as part of the delegations package. Written submissions received after a Committee meeting will be shared prior to the next Board meeting.

7. EVALUATION

This Procedure will be reviewed as required by the Board, at a minimum every five (5) years after the effective date.

8. REFERENCE DOCUMENTS

- Accessibility Policy (P069)
- Employee Conflict of Interest Policy (P057)
- *Ombudsman Act*
- Regulation 464/97 under the *Education Act*
- Toronto Lands Corporation Bylaws
- TDSB Bylaws