



Toronto Lands Corporation (TLC) Policy and Planning Committee Meeting

Committee Members:

16 May 2024

In-Person: TLC Office

60 St Clair Ave E. Suite 201

Toronto, ON, M4T 1N5

Virtual: Microsoft Teams

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

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 Public and Private Session Minutes of the Policy & Planning Committee

Chair

For the meeting of March 18, 2024. Private minutes from March 18 to be reviewed in closed session.

For Approval

6. Staff Reports

1. 200 Poplar Road Preliminary Concept Review [5-92]

[Matti Siemiatycki, University of Toronto](#); [Ryan Glenn, Interim CEO](#)

For Approval

2. 2024-25 TLC Annual Plan [5-93]

[Ryan Glenn, Interim CEO](#)

For Approval

3. Summarizing Provincial Planning Changes [5-94]

[Yvonne Choi, TLC Staff](#)

For Information

4. Tri-Party Land Exchange with Gabriel Dumont [5-95]

[Ryan Glenn, Interim CEO](#)

For Approval

5. 235 Galloway Road Update [5-96]

[Ryan Glenn, Interim CEO/Barbara Carou, TLC Staff](#)

For Approval

7. Adjournment to the Closed Session

Chair

To consider matter [5-97] under section 207(2)[a] and [c] of the Education Act regarding financial information on property disposition.

For Approval

8. Report from the Closed Session

Chair

For Approval

9. Termination of Meeting

Chair

For Approval

**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**

MARCH 18, 2024, 6:00 PM

The following Committee Members were present: Payman Berjis (Citizen Director), John Filion (Citizen Director), Aleem Punja (Citizen Director), Dennis Hastings (Trustee Director), Shelley Laskin (Trustee Director), Leola Pon (TDSB Staff Director)

The following Committee Members were absent: Igor Dragovic (Citizen Director/Committee Chair) with regrets

Non-Committee Board Members present: Stacey Zucker (TDSB Staff Director)

The following TLC staff were present: Barbara Carou (Manager, Strategic Partnerships & Development), Yvonne Choi (Director of Planning), Ryan Glenn (Interim Chief Executive Officer), George Kralidis (Head of People & Culture), Markus O'Brien Fehr (Communications & External Relations Liaison), Wilbur Wong (Manager, Asset Management & Leasing)

Guests: Richard Joy, Rahul Nargas, Jonathan Tinney, (Urban Lands Institute)

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 by John Filion, TLC Board Chair, acting as Committee Chair at 6:04 PM (EST).

2. Land Acknowledgement

John Filion, Acting Committee Chair, read the following land acknowledgment:

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

No corrections or amendments to the agenda.

Trustee Shelley Laskin, seconded by Payman Berjis, moved approval of the meeting agenda.

The motion was carried.

5. Approval of Minutes of the Policy and Planning Committee

The minutes of the Policy and Planning Committee meeting from February 6, 2024 were before the Committee. There were no errors or omissions.

Trustee Shelley Laskin, seconded by Peyman Berjis, moved that the minutes of the Policy and Planning Committee from February 6, 2024 be approved.

The motion was carried.

6. ULI Technical Assistance Panel Report

Jonathan Tinney, Outreach Committee Chair, Urban Lands Institute presented the outcomes of the ULI's Technical Assistance Panel for the 'Peanut' property at 2900-3000 Don Mills Road.

On a motion made by Trustee Shelley Laskin and seconded by Payman Berjis, the Policy and Planning Committee recommends:

1. TLC advance due diligence for the site located at 2900-3000 Don Mills Road and return to the Board in Q1 2024-25 with draft considerations to be included as part of any future Request for Proposal process.
2. That as part of future recommendations TLC explore opportunities for additional city and community building opportunities, with a focus on truth and reconciliation and equity.
3. That TLC work with TDSB to complete a pupil accommodation review and public consultation process.

The motion was carried.

7. Staff Reports

1. 2023-24 Q2 Business Operations Report

Markus O'Brien Fehr presented the summary of business operations for TLC's second quarter from December 2023 to February 2024.

On a motion made by Aleem Punja and seconded by Trustee Dennis Hastings, the Policy and Planning Committee recommends:

1. That the TLC Q2 Business Operations Report be received and sent to TDSB Board for information.

The motion was carried.

2. Affirming TLC's Guiding Principles

Ryan Glenn, Interim CEO, walked through a presentation expanding on TLC's guiding principles and illustrated how they applied to three active projects.

On a motion made by Aleem Punja and seconded by Trustee Shelley Laskin, the Policy and Planning Committee received this report for information.

The motion was carried.

8. Resolution into Closed Session

At 7:04 PM, on a motion made by Payman Berjis, seconded by Trustee Shelley Laskin, the Committee resolved into closed (private) session to consider matters under section 207(2)[a] and [c] of the *Education Act* regarding financial information on property disposition.

9. Reconvene

At 7:22 PM, the committee meeting reconvened.

10. Report from the Closed Session

Trustee Shelley Laskin, seconded by Trustee Dennis Hastings, moved that the committee adopt the decision made in private session.

The motion was carried.

11. Adjournment of Meeting

At 7:26 PM, on a motion made by Trustee Shelley Laskin, seconded by Leola Pon the meeting adjourned.

DECISION ITEM**200 Poplar Rd (former Sir Robert Borden BTI)- Preliminary Concept Review****To: TLC Policy & Planning Committee****Date:** May 16, 2024**RECOMMENDATION:**

It is recommended that:

1. TLC report back to the Board in Q1 2024-2025 with a development plan based on the preliminary work developed to date;
2. That the TLC explore opportunities for additional city and community building opportunities with a focus on truth and reconciliation and equity, and wherever possible, include these opportunities as part of the due diligence.
3. TLC report back on the outcome of staff's due diligence including:
 - a. Refined site massing and potential built form developed through consultation with the City of Toronto and community partners.
 - b. Requirements to be included in any future offering of the site with an emphasis on community benefit and partnership opportunities.
 - c. A high-level financial proforma.
 - d. Heritage, Title, and Environmental summary.
 - e. A plan for engaging with stakeholders and the local community.
 - f. Risks.

EXECUTIVE SUMMARY

The TDSB property at 200 Poplar Road, formerly known as Sir Robert Borden Business and Technical Institute, was closed on June 22, 2016, and has since been used for various administrative functions, including staff training and equipment storage.

The underutilized 12-acre site is situated in the Kingston-Galloway neighbourhood in Scarborough and presents a tremendous opportunity to deliver on several community-building objectives. The site was brought to the October 17, 2023, Policy & Planning Committee, where staff were directed to complete further due diligence, including a refined site massing and built-form study.

The development vision contained in *Attachment B* puts forward a preliminary concept for this site, which was developed in partnership with the Infrastructure Institute at the University of Toronto. The intent of bringing this work forward in advance of completing a fulsome development plan for the site was to receive initial feedback from the Board on the preliminary direction being proposed for 200 Poplar Rd. Feedback the Committee provides will inform the next steps of the due diligence work and a preferred development concept.

A presentation on the proposed preliminary concept will be delivered as part of this item.

BACKGROUND

The former school is situated on 12 acres in the Kingston Road and Lawrence Avenue East neighbourhood and is adjacent to community housing and single-family residential homes. There have been multiple previous attempts by the TLC to activate the site including an initial market offering in 2018 and a proposed land exchange with the City in 2020 which did not materialize.

TLC has been working in partnership with the Infrastructure Institute at the University of Toronto, to assess opportunities on the site that deliver on community needs and are respectful of the surrounding neighbourhood context.

A preliminary concept has been developed as reflected in *Attachment B* which illustrates the opportunity to deliver hundreds of housing units within a private and not-for-profit mix, a much-needed job skills training facility, a public park, and significant public realm improvements.

Staff are seeking initial feedback from the Committee on the proposed preliminary development concept which will inform future phases of work.

AUTHORITY OR DIRECTION FOR UNDERTAKING PROJECT

Authority or Direction (select from drop down): 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](#)

Create opportunities for the use of TDSB lands to deliver improved learning facilities while exploring other broader city building objects which strengthen the communities in which these schools serve.

TLC Strategic Plan Goal: (include all that apply)

- [Transform Student Learning Environment through the Modernization of Facilities](#)

Opportunity to build TDSB capital priority replacement schools that have not been recognized by the Ministry as priority projects.

Opportunity to leverage high valued sites for reinvestment back into new/replacement schools that deliver exceptional learning spaces and support communities.

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Site Inspection | <input checked="" type="checkbox"/> Planning Report |
| <input checked="" type="checkbox"/> Official Plan | <input checked="" type="checkbox"/> Consultation with Local Trustee |
| <input checked="" type="checkbox"/> Zoning | <input checked="" type="checkbox"/> TDSB Staff Review and Agreement |
| <input checked="" type="checkbox"/> Reg 347/23 | <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 checked="" type="checkbox"/> Consultation with TDSB Finance Staff |
| <input checked="" type="checkbox"/> Title Check | <input type="checkbox"/> Historical Assessment |

FINANCIAL IMPLICATIONS

There are no financial implications.

RISK LEVEL

Low

ACTION PLAN AND ASSOCIATED TIMELINES

Q1 2024-2025 Report back to the TLC Board

TLC AND TDSB BOARD 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:** Site Profile
- **Appendix B:** Preliminary Concept

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

Barbara Carou, Acting Director, Strategic Partnership and Development, Toronto Lands Corporation, at bcarou.tlc@tdsb.on.ca

Appendix A: Site Profile

Sir Robert Borden

(closed school)

200 Poplar Rd

Ward: 19 (Patel)

Location: Kingston Rd & Galloway Rd

Current Use: Storage/ Occasional Staff Training

Site Size: 12 acres

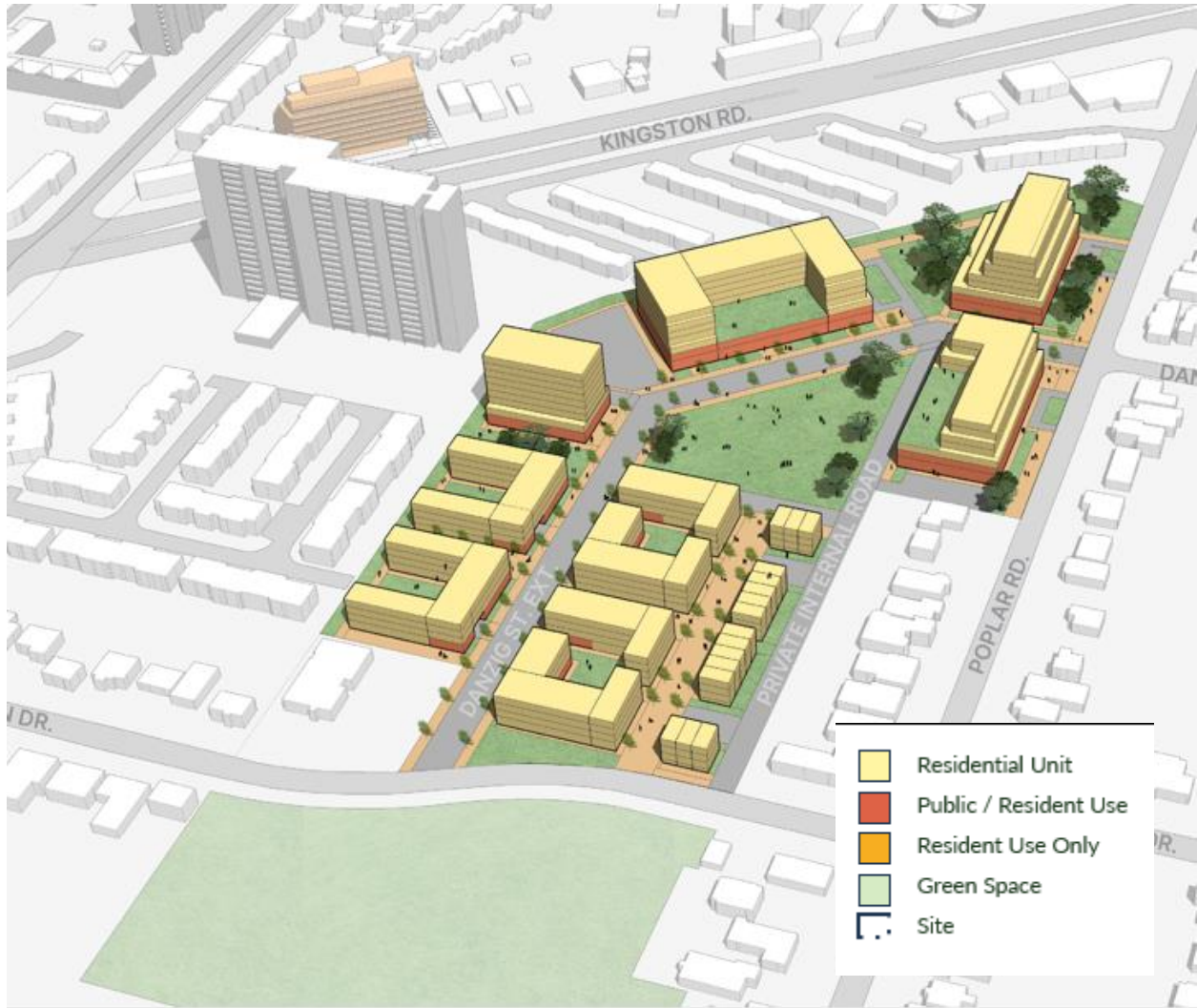
OP Designation: Neighbourhoods

Zoning: Institutional

Major Transit
Station Area: No



Appendix B: Preliminary Concept





200 Poplar Road Update

APRIL 26TH, 2024

Initial Development Concept



01

Introduction

- Current planning and development context
- Summary of studies done

02

Initial Development Concept

- Conceptual Development Option Review

03

Discussion

- Feedback
- Next Steps

Agenda



01

Introduction

Current Site Description

- A 11.93-acre site in the West Hill, Scarborough
- Currently houses the Sir Robert L Borden Business and Technical Institute that was built in 1966 but has been vacant since 2017
 - A 1-storey building with partial 2nd floor
 - \$10.2M in remediation costs for the next 10 years (RJC Engineers 2021 Physical Building Condition Assessment)
- Currently zoned I-38-47-74, Institutional
- Flanked by designated “Neighbourhoods” that permit 4-storeys or less
- In 2018, Council adopted MM41.23 to identify community hub opportunities for the site.



Development Activity

Development activity comprises mostly mid-rise residential proposals along Kingston Rd.

4097 Lawrence Ave E

Status: Under Review
Description: 12-storey residential building with 228 units

LAWRENCE AVE. E

4280 Kingston Rd

Status: Under Review
Description: 9-storey residential building with 148 units

KINGSTON RD.

4384 Kingston Rd

Status: Under Review
Description: 7-storey mixed-use building with 78 units

144 Galloway Rd

Status: NOAC Issued
Description: 10-storey residential building with 168 rental units

GALLOWAY RD.

4206 Kingston Rd

Status: Under Review
Description: 11-storey mixed-use building with retail and 271 units

CORONATION DR.

POPLAR RD.

KITCHENER RD.

Proposed
200 Poplar Rd. Site



02

Initial Development Concept

Perspective

- Community Hub development concept with an estimated 850 units, support services, community amenities, and retail
- Extension of Danzig St. right-of-way (18.5m) and new private lane
- A diversity of housing types and unit sizes are spread across 9 development blocks amidst a network of greenspaces



Total Development
67,830m ² 730,070 ft ²
Residential GFA
50,330m ² 541,760 ft ²
Non-Residential GFA
17,490m ² 188,300 ft ²
Green / Open Space
16,870m ² 181,530 ft ²
Green Roofs
1,600m ² 17,190 ft ²
Site Coverage
28%
FSI
1.4

Perspective

- Community Hub development concept with an estimated 850 units, support services, community amenities, and retail
- Extension of Danzig St. right-of-way (18.5m) and new private lane
- A diversity of housing types and unit sizes are spread across 9 development blocks amidst a network of greenspaces



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67,830m² | 730,070 ft²

Residential GFA
50,330m² | 541,760 ft²

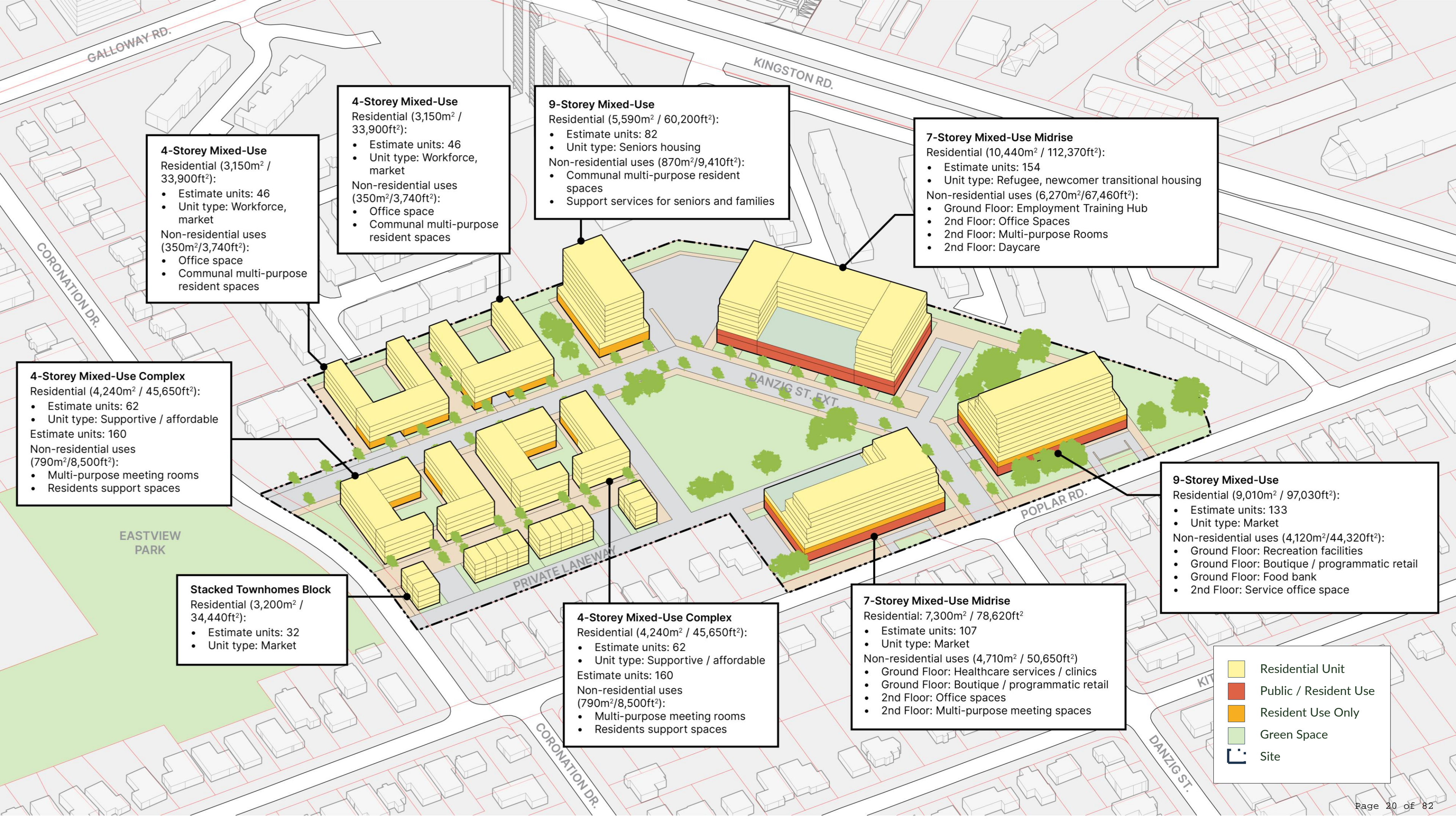
Non-Residential GFA
17,490m² | 188,300 ft²

Green / Open Space
16,870m² | 181,530 ft²

Green Roofs
1,600m² | 17,190 ft²

Site Coverage
28%

FSI
1.4



4-Storey Mixed-Use
 Residential (3,150m² / 33,900ft²):
 • Estimate units: 46
 • Unit type: Workforce, market
 Non-residential uses (350m²/3,740ft²):
 • Office space
 • Communal multi-purpose resident spaces

4-Storey Mixed-Use
 Residential (3,150m² / 33,900ft²):
 • Estimate units: 46
 • Unit type: Workforce, market
 Non-residential uses (350m²/3,740ft²):
 • Office space
 • Communal multi-purpose resident spaces

9-Storey Mixed-Use
 Residential (5,590m² / 60,200ft²):
 • Estimate units: 82
 • Unit type: Seniors housing
 Non-residential uses (870m²/9,410ft²):
 • Communal multi-purpose resident spaces
 • Support services for seniors and families

7-Storey Mixed-Use Midrise
 Residential (10,440m² / 112,370ft²):
 • Estimate units: 154
 • Unit type: Refugee, newcomer transitional housing
 Non-residential uses (6,270m²/67,460ft²):
 • Ground Floor: Employment Training Hub
 • 2nd Floor: Office Spaces
 • 2nd Floor: Multi-purpose Rooms
 • 2nd Floor: Daycare

4-Storey Mixed-Use Complex
 Residential (4,240m² / 45,650ft²):
 • Estimate units: 62
 • Unit type: Supportive / affordable
 Estimate units: 160
 Non-residential uses (790m²/8,500ft²):
 • Multi-purpose meeting rooms
 • Residents support spaces

Stacked Townhomes Block
 Residential (3,200m² / 34,440ft²):
 • Estimate units: 32
 • Unit type: Market

4-Storey Mixed-Use Complex
 Residential (4,240m² / 45,650ft²):
 • Estimate units: 62
 • Unit type: Supportive / affordable
 Estimate units: 160
 Non-residential uses (790m²/8,500ft²):
 • Multi-purpose meeting rooms
 • Residents support spaces

7-Storey Mixed-Use Midrise
 Residential: 7,300m² / 78,620ft²
 • Estimate units: 107
 • Unit type: Market
 Non-residential uses (4,710m² / 50,650ft²):
 • Ground Floor: Healthcare services / clinics
 • Ground Floor: Boutique / programmatic retail
 • 2nd Floor: Office spaces
 • 2nd Floor: Multi-purpose meeting spaces

9-Storey Mixed-Use
 Residential (9,010m² / 97,030ft²):
 • Estimate units: 133
 • Unit type: Market
 Non-residential uses (4,120m²/44,320ft²):
 • Ground Floor: Recreation facilities
 • Ground Floor: Boutique / programmatic retail
 • Ground Floor: Food bank
 • 2nd Floor: Service office space

Residential Unit
 Public / Resident Use
 Resident Use Only
 Green Space
 Site

03

Discussion / Next Steps

2024-25 TLC Annual Plan

COMMITTEE: POLICY & PLANNING COMMITTEE
DATE: May 16, 2024
ACTION: Decision

RECOMMENDATION

1. That that the Annual Plan for 2024-25 be approved and forwarded to the TDSB Board for its approval.

EXECUTIVE SUMMARY

TLC's Shareholder's Direction requires that the TDSB Board approve an Annual Plan for TLC operations within one month of the start of the fiscal year. The operational deadline for TDSB to approve this report is August 1, one month before the start of the fiscal year in September.

The attached plan, which builds on the previously approved annual capital and operating budgets, provides additional detail on TLC's strategic direction, alignment to the TDSB's mission and strategic plan, and key deliverables it will achieve during the 2024-25 fiscal year.

STRATEGIC DIRECTION

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

The 2024-25 Annual Plan identifies priorities for human an financial resources for the coming fiscal year.

TLC Strategic Plan Goal: To be a highly functioning organization successfully aligning TLC's and TDSB's Missions and the Shareholder Direction

Completing the 2024-25 Annual plan satisfies the requirement of the Shareholder's Direction creating accountability for the organization.

ACTION PLAN AND ASSOCIATED TIMELINE

The Annual Plan will be before the TLC Board at its meeting on May 28, 2024. Subject to approval, it would be forwarded to the TDSB's Planning and Priorities Committee on June 11 and to the TDSB Board on June 19.

RESOURCE IMPLICATIONS

N/A

DUE DILIGENCE

N/A

POLICY AND PROCEDURE REFERENCE(S)

TDSB-TLC Shareholder's Direction

APPENDICES

APPENDIX A 2024-25 TLC Annual Plan

FROM

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

Markus O'Brien Fehr, Communications & External Relations Liaison, Toronto Lands Corporation, at mo'brienfehr.tlc@tdsb.on.ca or at 416-788-3211.



TORONTO LANDS
CORPORATION




2024-2025

ANNUAL PLAN

Unlocking the potential of TDSB properties for the benefit of students, staff and communities.

www.torontolandscorp.com



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, Metis and the Inuit peoples.

The Toronto Lands Corporation is the wholly owned subsidiary and exclusive real estate, leasing, development and land use planning services provider to the Toronto District School Board. With specific and professional expertise in these disciplines, TLC's mandate is to provide opportunities that ensure the well-being of TDSB students in modern and innovative schools, preserve public assets and collaborate to build complete communities where people live, learn, work and play.



Contents

- 2** Message from the CEO
- 3** TLC's Core Principles
- 4** TLC's Strategic Direction
- 6** Feature Project Portfolio
- 8** TLC's Commitments for 2024-25
- 12** Budget Highlights

CEO's MESSAGE

I'm pleased to present our Annual Plan for 2024-25, reaffirming our commitment to advancing exceptional learning spaces serving vibrant communities.

2023-24 has been a year of significant change for the TLC. We have advanced with a new Board of Directors along with many new staff members, all of whom have been brought onboard to sharpen the focus of the TLC in its service to the TDSB. Additionally, the TDSB and TLC are currently in the midst of a search for a permanent CEO, and thus, anticipates more change ahead.

Legislation and policies from the Province pose new complexities and many unknowns, specifically on how the TDSB manages its real estate portfolio. The City of Toronto continues to revise zoning bylaws, advancing its work to increase the city's housing supply. The TDSB has adopted a new Multi-Year Strategic Plan focused on equity, belonging, achievement, thriving, and revitalization. This work presents an opportunity for TLC to work in lockstep with the TDSB, to maximize resources for school renewal while proactively preparing for the challenges of the future presented by a quickly growing city.

As stewards of the TDSB real estate portfolio, our mission to unlock the potential of those properties for the benefit of students, staff, and communities guides every aspect of our business strategy. At TLC, we will continue to pursue new ideas on what education orientated redevelopment can look like and how they can better serve the communities surrounding them, while finding new and creative ways to deliver both financial and social value.

At the root of our success is a dynamic team of real estate, planning, and public policy professionals. This group brings great value to the TDSB, offering efficiency, insight, and integrity in their work. Their ability to collaborate effectively with our shareholder and other stakeholders will ensure our collective success. I want to thank all of the individuals who have done incredible work and are eagerly anticipating tackling new challenges in the year ahead.

Together, we look forward to working in full alignment with the TDSB's mission and goals to ensure that public school students, their families, communities and staff have the best possible learning spaces.



We will continue to pursue new ideas on what education oriented redevelopment can look like.

- Ryan Glenn
Interim CEO, Toronto Lands Corporation

TLC's CORE PRINCIPLES

1. **TDSB lands will be preserved as public assets to the greatest extent possible.**



TLC will continue to support growing communities by seeking to deliver educational facilities alongside spaces for community services and housing. Government agencies, community groups, not-for-profits, coterminous school boards, and other public sector organizations will be prioritized for all land disposals, including leases.

2. **Continuous modernization of TDSB schools strengthens the public education system.**



TLC will work with TDSB to generate revenue through its real estate portfolio to facilitate capital re-investment in the modernization of its schools. To achieve geographical diversity, TLC will focus on areas with high Learning Opportunities Indexes (LOI) and recognize that the public education system extends beyond the “brick and mortar” of the school into the community.

3. **Maximizing TDSB land value extends beyond the financial and is to include community and social value.**



TLC will focus on truth, reconciliation, and equity as part of land development due diligence. TLC will seek to capture and quantify value through the delivery of Provincial Priorities and municipal and civic services while exploring opportunities for partnership with community services that can complement the educational experience of TDSB students.

4. **TDSB will be kept financially whole in the development of public service initiatives.**



TLC will identify opportunities for optimizing land by adding other uses or land severances to reinvest in improving schools. Properties and buildings will be utilized at fair market rates to the greatest extent possible to reduce carrying costs while TLC seeks to leverage additional funding through government partners seeking to incorporate Provincial Priorities, municipal facilities or other public services.

TLC's STRATEGIC GOALS

Goal 1: Transform student learning environments through the modernization of facilities.

As the TDSB advances its Capital Revitalization Strategy, TLC will continue to offer professional support and a vision of what modern schools can be. A redeveloped school site can offer more than a school. It can be an integrated space that maximizes public assets and becomes a destination that serves students and the broader public. With the average age of school buildings being over 60 years old and a backlog in major maintenance for buildings over \$4.2 billion, finding ways to utilize public space more efficiently is critical.

Over the coming year, TLC will work with TDSB to identify a list of priority schools working through a real estate lens to focus efforts, taking into account which sites are large enough to accommodate a new schools and areas with the highest Learning Opportunity Index (LOI).

A redeveloped site can offer more than a school. It can be an integrated space that maximizes public assets and becomes a destination.





Goal 2: Create a culture of partnership and collaboration with key stakeholder groups.

Achieving modernization within the TDSB school portfolio will require extensive partnership and collaboration. TLC will continue to work towards strengthening relationships with public sector partners, including the City, Province, not-for-profits, and community-based organizations, to achieve mutually agreed-upon outcomes.

These collaborations will be especially important in the context of current provincial policy and legislation. The current landscape is challenging, requiring creativity and outside-the-box thinking to advance ideas and test new strategies. We can choose not to be limited by these challenges, rather focusing on how we get to “yes.” This approach will create new opportunities to drive equity and reach underserved communities, creating a better learning environment for all.

Goal 3: To be a highly functioning organization successfully aligning the TLC’s & TDSB’s missions and the Shareholder’s Direction.

TLC will continue to work at establishing additional value for our Shareholder, the TDSB. Over the past year, this has included taking an increased role negotiating the functionality of urban format schools, both contractual and in proposed built form. TLC has ensured an increased presence at TDSB Board meetings, establishing itself as a resource for both TDSB staff and trustees.

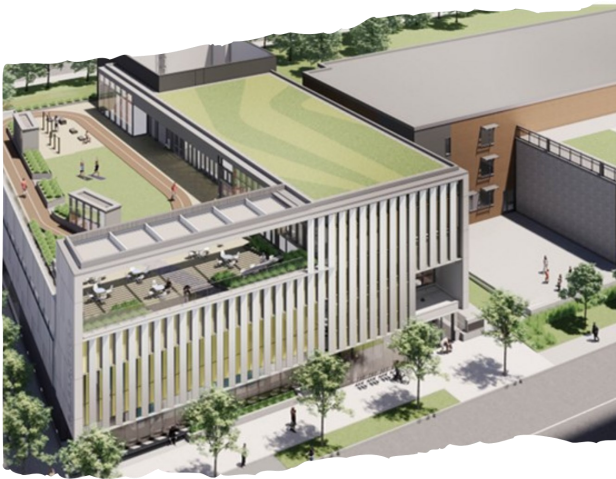
Over the coming year, TLC will continue its work to ensure accountability, collaboration, and effective communication with our shareholder as we continue to strengthen relationships between organizations and position TLC as a critical part of the TDSB’s Capital Revitalization Plan.

Over the coming year, TLC will continue its work to ensure accountability, collaboration and effective communication with our shareholder.

FEATURE PROJECT PORTFOLIO

705 Progress Avenue

A property jointly owned between TDSB & City of Toronto near the Scarborough Town Centre will establish a joint vision for a City park, new school, housing and community hub to serve the surrounding area.



Davisville Aquatic Centre

City work is advancing on this new recreational facility at Yonge and Davisville being created on the property of Davisville JPS following an agreement that brought in City funding for the creation of a new school on site.

Douglas Park

TLC has been working with New Haven, an organization offering specialized programming to better understand and treat those affected by Autism Spectrum Disorder (ASD) to purchase this site at 301 Lanor Avenue in Etobicoke and create a new state-of-the-art facility with partnership opportunities for the TDSB and the benefit of its students.



Ethennonhawahstihnen'

Redevelopment of the land south of Bessarion Subway Station on Sheppard Avenue East created space for a new school with City partnerships to use surrounding green space. The site presents an opportunity to explore affordable housing as a component of the site.

Peanut Plaza

This landmark property on Don Mills Road between Finch and Sheppard Avenues presents an opportunity to create a new complete community including new modern schools, housing, open space, transit, cultural spaces, commercial spaces, recreation, and childcare.



Sugar Wharf

As part of the large-scale development at Lower Yonge's Sugar Wharf, TLC has secured school space for the TDSB to serve the development site and surrounding area. The 455-pupil school continues to undergo design revisions.



Housing Now

The City of Toronto's initiative to create 1,254 new affordable rental units at 770 Don Mills Road (at Eglinton Avenue) also includes space secured by TLC for a 550-pupil podium school along with a new City park and non-profit childcare facility.



St. Margaret's

This school at 235 Galloway Road in Scarborough has been an urgent TDSB capital priority for many years and requires a complete rebuild. The property size affords many potential community-building opportunities, and has been identified in particular as the site for a potential long-term care facility.

West Don Lands Block 9

TLC helped to secure property for a future TDSB school during the creation of the West Don Lands Master Plan. The site is currently used by Metrolinx for construction staging for the Ontario Line but will present an opportunity to explore affordable housing and City park-use agreements in the development of the new school.



TLC Commitments in 2024-25

STRATEGIC PARTNERSHIPS & DEVELOPMENT

TLC recognizes that cultivating relationships with public sector, not-for-profit and community-based partners is a critical part of working efficiently and successfully meeting the TDSB's real estate goals. Over the coming year, TLC will:

- Tender Open Public Offerings to advance work on the Peanut Plaza's future design and 50 Ethennonnhawahstihnen' Lane.
- Work with an established non-for-profit long-term care provider with deep community roots to establish a plan to integrate an TLC facility on the site of St. Margaret's PS.
- Complete the design of the new school facility at Sugar Wharf and complete the transaction with the associated builder.
- Complete the sale of Douglas Park School to New Haven Learning Centre.
- Complete the MOU with the City of Toronto on 770 Don Mills Road's Housing Now project, anticipating that the City will take the project to market by the end of 2024, then work with the selected developer to advance the project design.
- Develop a standardized template establishing how we share park space with the City of Toronto, particularly in high-growth areas, to support urban-format schools.



Cultivating relationships with public sector, not-for-profit and community based partners is critical.

- Complete a Master Plan and draft an MOU with the City of Toronto to deliver a joint vision for 705 Progress Avenue.
- Work to establish a neighbourhood plan for Thorncliffe Park acknowledging the current and growing school enrollment pressures, in addition to its need for publicly accessible community spaces.
- Review the TDSB's portfolio to identify opportunities where EV charging could potentially be provided for public use.
- Continue to develop relationships with organizations such as the Urban Land Institute and the Infrastructure Institute at the University of Toronto to provide advice on opportunities to maximize additional city building opportunities on TDSB land.

TLC Commitments in 2024-25

REAL ESTATE & LEASING

The Real Estate & Leasing Team allows TLC to function as the stewards, asset managers, and professional advisors on matters related to TDSB's real estate holdings. Over the coming year, TLC will:

- Secure an estimated \$72 million in Proceeds of Disposition through the sale of surplus properties to help fund the TDSB's Modernization Strategy.
- Continue to manage over 600 leases for tenants in operating and non-operating TDSB schools, including childcare services that provide spaces to over 23,000 children.
- Generate gross revenue of over \$27 million through leases in operating and non-operating TDSB schools to help fund TDSB operating expenses.
- Consolidate its leasing agreements and support childcare tenants entering new funding arrangements resulting from the City of Toronto's new formula.
- Advance Open Public Offerings for Emery CI and Lester B Pearson CI, both in high Learning Opportunities Index (LOI) areas, to achieve community partnership agreements for improved sports field facilities, similar to the new agreement at Lawrence Park CI.
- Finalize an agreement with the City of Toronto which would see TDSB compensated through a land swap securing the use of a City field at 705 Progress Avenue in exchange for a small strip of land at 120 Galloway Road that would be provided to Gabriel Dumont Non-Profit Homes to build 67 additional units of affordable housing for Toronto's Métis community.



TLC Commitments in 2024-25

LAND USE PLANNING

TLC's Land Use Planning team seeks to ensure schools are a component of complete communities in Toronto and to provide effective stewardship of TDSB assets for healthy, safe, and modern learning environments through the planning process. Over the coming year, TLC will:

- Play an active role in the City of Toronto's development of municipal policy documents, advocating for policies that reflect the critical role schools play in achieving complete communities.
- Seek party or participant status at the Ontario Land Tribunal (former LPAT) on matters where the TDSB's interests need to be protected, such as securing new school sites in high-growth areas or addressing proposed developments that may adversely impact a TDSB site.
- Work proactively with the City and developers to identify new and creative opportunities for new school sites where appropriate and seek solutions where new applications present planning issues.



TLC seeks to ensure schools are a component of complete communities in Toronto.

- Provide thorough and timely comments to the City on planning applications in advance of their consideration by Council.
- Continue advocating with provincial policymakers for greater presence, influence, and autonomy for the TDSB in land use and capital planning processes.





TLC Commitments in 2024-25 **CORPORATE SERVICES**

TLC's Corporate Services support the core work of the organization, ensuring that the TLC team has the tools they need to perform and excel in a transparent and accountable environment.

Over the coming year, TLC will:

- Continue to evaluate its staffing structure to ensure that staffing levels and skill sets meet present and future demands while continuing its work to attract and retain high-performing employees.
- Seek to find a new working space as its current office lease expires, ensuring adequate space for a growing team of professional staff, with adequate meeting space to foster staff collaboration, board member engagement, and opportunities for public participation.
- Create an updated Service Level Agreement between TDSB and TLC to delineate actual service levels relating to functions, including finance, facilities, human resources, IT, payroll, and benefits.
- Revise and develop additional governance policies such as a Conflict-of-Interest Policy, Board Code of Conduct, and Public Complaints Process to ensure best practices of transparency are adhered to.

Ensuring the TLC team has the tools they need to perform and excel.

- Revise the long-term TLC Strategic Plan to ensure alignment with the TDSB's Multi-Year Strategic Plan (MYSP).
- Develop a set of Key Performance Indicators (KPIs) to help measure TLC's performance and mitigate risks to TDSB in connection with the delivery of its services.
- Pursue strategies and communications tools to build awareness of TLC's work in the public sphere, creating opportunities for public engagement and new opportunities for community partnerships.



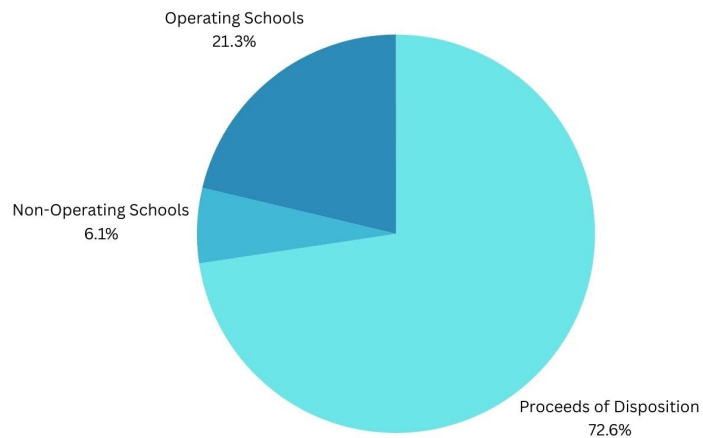
	—	—	—	(318)	(140)	—	(458)	—	(458)
	—	333	333	(93)	—	—	240	—	240
	9,918	15,984	25,902	(14,434)	(1,825)	(1,707)	7,936	—	7,936
Markets	899	3,714	4,613	(1,496)	(428)	(311)	2,378	(128)	2,250
Banking	1,639	1,347	2,986	(586)	(332)	(270)	1,798	(383)	1,415
Health Management	3,858	3,529	7,387	(2,568)	(35)	(702)	4,082	(1,402)	2,680
Insurance	403	370	773	(366)	(30)	(18)	359	(128)	231
Manufacturing	550	193	743	(224)	(27)	(40)	452	(192)	260
Other Items	1,609	659	2,268	(1,003)	(77)	(117)	1,071	—	1,071
	426	4,613	5,039	(4,135)	—	—	873	(192)	681
	(102)	36	(66)	(2,060)	—	—	(2,552)	2,552	—
	(211)	(141)	(352)	(243)	—	(27)	(612)	(127)	(739)

BUDGET HIGHLIGHTS

TLC’s work will continue to raise funds for the TDSB’s Capital Renewal and Modernization programs and facility operations. 2024-25 budget highlights include:

- Generating an estimated \$72 million in property disposition revenue, subject to TDSB advancement and approval, in addition to the nearly \$65 million budgeted in 2023-24.
- Increase net lease revenue at non-operating school facilities by 18%.
- Reduction of administrative expenses by 1% while adding four additional staff positions to advance future work on behalf of TDSB.

TLC Combined 2024-25 Capital & Operating Gross Revenue Percentages



TLC Combined 2024-2025 Capital and Operating Budget

	2023-24 Revised Budget		2024-25 Budget	
	Revenue	Expenditures	Revenue	Expenditures
Proceeds of Disposition	\$64,800,000		\$72,100,000	
Non-Operating School Facilities	\$5,141,551	\$1,633,610	\$6,054,935	\$1,715,632
Operating School Facilities	\$21,737,362	\$23,585,270	\$21,111,360	\$20,811,360
TLC Administrative Expenses		\$5,466,978		\$5,394,645

TLC Board of Directors

TLC is governed by an independent 10 member Board of Directors, consisting of four Citizen Directors, four appointed TDSB Trustees and two TDSB Executive staff.

Payman Berjis

Citizen Director

Igor Dragovic

Citizen Director

John Filion

Citizen Director / chair

Aleem Punja

Citizen Director / vice chair

Liban Hassan

TDSB Trustee Member

Dennis Hastings

TDSB Trustee Member

Shelley Laskin

TDSB Trustee Member

Zakir Patel

TDSB Trustee Member

Leola Pon

TDSB Staff Member

Stacey Zucker

TDSB Staff Member



For more detail on the work of the Toronto Lands Corporation visit our website at torontolandscorp.com

 [@TorontoLands](https://twitter.com/TorontoLands)

 [/Toronto-Lands-Corporation](https://www.linkedin.com/company/Toronto-Lands-Corporation)

SUMMARIZING PROVINCIAL PLANNING CHANGES AND PRELIMINARY ASSESSMENT OF POTENTIAL IMPACTS ON TLC/TDSB

COMMITTEE: POLICY & PLANNING COMMITTEE

DATE: May 16, 2024

ACTION: Information

RECOMMENDATION

It is recommended that the report be received for information.

EXECUTIVE SUMMARY

On April 10, 2024, as part of Ontario's Spring 2024 Red Tape Reduction Package, the Province announced a number of measures in efforts to cut red tape, speed up government processes, and build at least 1.5 million homes by 2031:

- Introduction of Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024* (First Reading), which proposes to make changes to legislation, including the *Planning Act, City of Toronto Act, 2006*, and *Municipal Act, 2001*. Changes include:
 - Expedited approval process for community service facility projects.
 - "Use it or lose it" tools for subdivision and site plan approvals.
 - Voluntary pre-application process and removal of fee refund provisions.
 - Limiting third-party appeals.
 - Updates to public notices.
 - Repeal of Community Infrastructure and Housing Accelerator (CIHA) tool.
- Additional consultation on the proposed Provincial Planning Statement (PPS), which includes updated policies on supporting coordination between municipalities and school boards.
- Launch of the new Minister's Zoning Order (MZO) Framework.

Appendix A provides additional information on the above and the potential impacts and implications for TLC and TDSB. As set out in Appendix B and C to this report, TLC and TDSB have prepared submissions to the province. These proposed changes offer opportunities for TLC and TDSB to advocate for changes to improve the land use planning process for school sites. TLC will be closely monitoring these proposed changes as they move through the provincial legislative and approval process and are implemented in the City of Toronto.

STRATEGIC DIRECTION

TDSB Strategic Plan Goal: Build Strong Relationships and Partnerships within School Communities to Support Student Learning and Well-Being

TLC Strategic Plan Goal: To be a highly functioning organization successfully aligning TLC's and TDSB's Missions and the Shareholder Direction

ACTION PLAN AND ASSOCIATED TIMELINE

TLC will be closely monitoring these proposed changes as they move through the provincial legislative and approval process and are implemented in the City of Toronto. TLC and TDSB anticipate further engagement by the Province in consultation regarding their proposal for new regulation establishing a streamlined approvals pathway for public schools.

RESOURCE IMPLICATIONS

There are no financial implications on current operational budgets.

DUE DILIGENCE

The proposed changes have been discussed with TDSB staff (Capital Services and Strategy & Planning).

POLICY AND PROCEDURE REFERENCE(S)

Shareholder's Direction - TLC's mandate includes the responsibility of all land use planning matters on behalf of the Toronto District School Board (TDSB). The proposed changes outlined in this report are related to the land use planning process in Ontario.

APPENDICES

- APPENDIX A** Backgrounder
- APPENDIX B** TDSB Submission to Province on Bill 185
- APPENDIX C** TLC Submission to Province on Proposed PPS

FROM

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

Yvonne Choi, Director of Planning, Toronto Lands Corporation, at ychoi.tlc@tdsb.on.ca or at 416-788-2659

BACKGROUND

APPENDIX A

On April 10, 2024, the Province announced a number of measures, as part of Ontario's Spring 2024 Red Tape Reduction Package, in efforts to cut red tape, speed up government processes and build at least 1.5 million homes by 2031.

A. PROPOSED BILL 185

The Province introduced *Bill 185, the Cutting Red Tape to Build More Homes Act, 2024* (First Reading April 10, 2024, Second Reading April 17, 2024), an omnibus bill that proposes to make changes to 15 statutes, including the *Planning Act*, *City of Toronto Act, 2006*, the *Development Charges Act*, and *Municipal Act, 2001*. The Province posted a summary of the proposed legislative changes to the Regulatory Registry for consultation. [see <https://ero.ontario.ca/notice/019-8369>]. TLC and TDSB staff worked together to review the proposed changes and prepare comments that were submitted in a letter on May 9, 2024 [see **Appendix B**].

Bill 185 has been referred to the Standing Committee of Finance and Economic Affairs for May 7, 14, and 15. Final legislation may look very different from the First Reading of Bill 185. Key changes proposed by Bill 185 and potential implications for TLC and TDSB are described below.

1. Expedited Approval Process for Community Service Facility Projects

Bill 185 proposes establishing a regulatory authority to exempt, restrict, or limit the application of provisions in the *City of Toronto Act*, *Planning Act*, and/or regulation to a prescribed class of community service facilities. The Province's backgrounder and announcement on this proposal identify that they are "consulting on a new expedited approval process for community service facilities starting with K-12 public schools", which could be set out in the regulation established under this new proposed authority.

< Potential Implications for TLC/TDSB:

The regulatory authority provides a significant opportunity for TDSB and TLC to advocate for a more efficient land use planning approval process for school board capital projects. Consistent with the approach taken by the Ontario Public School Boards' Association (OPSBA) and the Council of School Business Officials (COSBO), TDSB's submission [see **Appendix B**] requests that public school boards be given an exemption to the *Planning Act* and the planning provisions of the *City of Toronto Act*, and any applicable/corresponding changes considered in the *Municipal Act*. TDSB's submission also requests that if a full exemption is not granted, a separate expedited approval process be established, which could include exemptions from site plan conditions (e.g. sidewalk widenings and road conveyances that can add significant costs and delays to the process) as well as additional consideration for schools on shared sites, as contemplated by the *Education Act* s.195(1.5.) and the related proposed new regulation.

2. "Use It or Lose It" Tools

The proposal enhances the lapsing authority for approvals of draft subdivision/condominium plans and site plans. With respect to site plans, developments with approved site plans that do not obtain building

permits within a period of time can have their approvals withdrawn. The period, including any exemptions, will be set by regulation, with a default of no less than three years if a regulation does not apply.

< Potential Implications for TLC/TDSB:

If a TDSB capital project is unable to meet the regulated timeframe between site plan approval and building permit, it would be required to go through the site plan approval process again, leading to significant delay and cost escalation. A lapsing condition may be a challenge for TDSB, as there are matters beyond the control of school boards (e.g. Ministry of Education approvals for construction and additional funding, the uncertainty of child care funding for additions to school sites) that may not permit the TDSB to proceed with a building permit within the regulated timeframe. As such, TDSB's submission to the Province [see **Appendix B**] requests that school boards be considered for exemptions from lapsing provisions.

3. Voluntary Pre-application Process & Removal of Fee Refund Provisions

Bill 185 proposes to make pre-application consultations (PACs) with municipalities voluntary at the applicant's discretion, reversing previous provincial legislative changes that allowed municipalities to make them mandatory. Bill 185 also proposes to allow an applicant to challenge complete application requirements to the OLT at any time during the PAC process rather than wait for a negative response from the municipality about the completeness of a submitted application. The fee refund provisions (where a municipality did not make a decision within specified times) that were recently put in place by recent provincial legislative changes (Bill 109) are also proposed to be revoked.

< Potential Implications for TLC/TDSB:

In order to meet timelines put in place by the Bill 109 refund provision, the City of Toronto had recently revamped its development application process to significantly front-end the review process, including implementing the mandatory PAC, as well as refusing more applications where issues are not anticipated to be resolved prior to required refunds. There is a lot of municipal and industry support for the proposal to wind back the fee refunds, as this would allow for additional time for continuous dialogue between the parties without the municipal liability of application fee refunds. As a commenting agency on development applications, this would also allow for greater opportunity to engage with applicants and the City to resolve any issues or concerns of the TDSB.

TLC recommends the continued use of a PAC, to ensure completeness of a development application and to facilitate a more efficient review of the application. The ability to challenge the complete application requirements at an earlier stage could be helpful where there are fundamental disagreements with the City on the reasonableness of application requirements.

4. Limiting Third Party Appeals

Bill 185 proposes to limit Ontario Land Tribunal appeals for official plan and zoning by-law amendments to only the applicant, public bodies (including school boards), and specified persons (such as utility companies, railway operators) who have made submissions to Council. As a transition provision, appeals filed by persons other than those permitted by Bill 185 are dismissed unless a hearing of merit has already been scheduled.

< Potential Implications for TLC/TDSB:

As a defined “public body,” TDSB/TLC would retain rights to appeal where TDSB/TLC submissions have been made on a plan/application – e.g., a development that has negative impacts on nearby TDSB sites. However, the removal of third-party appeal rights may result in added public pressure for TDSB/TLC to appeal locally unpopular official plan or zoning changes, even where the Board has no direct interest. We understand that the City of Toronto and other parties have made submissions to the Province against this blanket removal of third-party appeal rights in favour of limiting third-party appeals for specific priority projects, such as development proposals that are solely or significantly social/affordable housing.

5. Updates to Public Notices

A proposed change to regulations that govern how public notices are issued by municipalities will reflect current practices, including a requirement to post notices on websites if local print newspapers are not available.

< Potential Implications for TLC/TDSB:

There will be no implications for TLC/TDSB, who will continue to receive notices through email, post and review online notices and information as before.

6. Repeal of Community Infrastructure and Housing Accelerator (CIHA)

Bill 185 proposes to remove the Community Infrastructure and Housing Accelerator (CIHA) tool from the *Planning Act* to avoid duplication with the revised process for requesting and issuing minister’s zoning orders (MZO).

< Potential Implications for TLC/TDSB:

TDSB is not opposed to the proposal to remove the CIHA tool from the *Planning Act* but requests that the Minister’s Zoning Order (MZO) framework specify clear approval timeframes to ensure greater efficiency. The new MZO framework is described in further detail in Section C of this report appendix.

B. PROVINCIAL PLANNING STATEMENT

The Ministry of Municipal Affairs and Housing is seeking feedback on an updated proposed Provincial Planning Statement (Proposed PPS 2024). The Proposed PPS 2024 is intended to replace the existing provincial planning policy documents: A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (“A Place to Grow”) and the Provincial Policy Statement, 2020 (the “PPS 2020”). TLC provided comments in December 2022 (ERO Number 019-6177) and August 2023 (ERO Number 019-6813) during the province’s previous rounds of consultation and has recently provided comments [see **Appendix C**] on the Proposed PPS 2024.

In general, the proposed new policies align with the direction the TDSB is taking with respect to many new school opportunities in emerging high-density neighbourhoods and support TLC’s mandate to modernize public schools and unlock the potential of TDSB properties for the benefit of students, staff,

and communities. The Proposed PPS 2024 proposes policies recognizing schools as an important component of complete communities, directing for early collaboration between school boards and planning authorities, optimizing and efficiently using public service facilities, and prioritizing planning and investments in infrastructure and public service facilities.

C. NEW MINISTER'S ZONING ORDER (MZO) FRAMEWORK

The Province has introduced an updated framework for Minister's Zoning Orders (MZO), with much more detail and transparency around the process than previously shared. [see <https://www.ontario.ca/page/zoning-order-framework>]. MZO requests are made or refused at the discretion of the Minister of Municipal Affairs and Housing. MZOs are similar to local zoning by-laws but do not have to be consistent with the PPS (except in the Greenbelt Area) and cannot be appealed to the Ontario Land Tribunal. Key aspects include:

- Enhanced authority: may also remove municipal use of site plan control, require agreements between municipalities and landowners concerning site plan matters, require/remove inclusionary zoning (affordable housing requirements).
- Does not exempt proponents from downstream approvals such as plan of subdivision approvals, environmental approvals, building permits, and other applicable permits.
- Must meet at least one of the intake thresholds for requests:
 - deliver on a **provincial priority that is supported by a minister** (e.g. long-term care, hospitals, transit-oriented communities, **educational facilities**, housing priorities, economic development, manufacturing, etc.)
 - supported by a single-tier or lower-tier municipality (e.g. council resolution or letter from mayor where strong mayor powers are enacted).
- Submission requirements include (among other matters):
 - why the project requires ministerial zoning relief rather than following municipal planning processes.
 - whether there is a demonstrable need for urgency of zoning relief, such as timelines relating to funding or grants, or an emergency public health and safety concern.
 - project feasibility – anticipated timelines regarding downstream approvals, servicing, etc.
- Consultation: 30-day posting on Environmental Registry, except where zoning relief is time sensitive; Ministry may request additional info regarding engagement completed with the public and Indigenous communities about the proposed project.

The inclusion of education facilities, alongside other provincial priorities, positions TLC well for applying MZOs to sites we are considering for redevelopment. Our submission to the province has requested that further details regarding MZO approval timeframes be established to ensure a more expeditious approval process.



The Office of the Associate Director of Modernization and Strategic Resource Alignment

Stacey Zucker
Associate Director
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E-mail: stacey.zucker@tdsb.on.ca

Date: May 9, 2024

PlanningConsultation@ontario.ca

and

The Honourable Paul Calandra
Minister of Municipal Affairs and Housing
777 Bay Street, College Park, 17th Floor
Toronto, ON M7A 2J3
minister.mah@ontario.ca

and

The Honourable Stephen Lecce
Minister of Education
438 University Avenue, 5th Floor
Toronto, ON M7A 2A5
minister.edu@ontario.ca

Re: **ERO number 019-8369**

Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)

On behalf of the Toronto District School Board, we are writing to provide our feedback on the Environmental Registry of Ontario posting pertaining to changes to various land use planning instruments.

The TDSB is the largest school board in Canada and one of the largest in North America, with almost 600 schools and serving approximately 12% of all Ontario students. The TDSB supports the province's efforts to respond to the current housing crisis through streamlining land use planning approvals. Together with the current focus on delivering more homes



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faster for Ontarians, there is also the need to expedite school construction to keep pace with the growth of our communities.

In fall 2023, a new framework for school board capital priorities submissions guided school boards' requests for capital funding for new schools and additions. The focus on "shovel ready" applications is testament to the need to speed up school construction projects. However, in many jurisdictions, including Toronto, some of the most significant delays facing school boards are with the municipal land use planning approval process.

The TDSB and Ontario Association of School Business Officials (OASBO) on behalf of school boards have been advocating for changes to the land use planning regime in Ontario to secure the priority of school sites as part of complete communities and simplifying approvals to construct schools. TDSB comments on the relevant proposals put forward by Bill 185 are below.

Proposal: Expedited Approval Process for Community Service Facility Projects

Create regulation-making authority to enable a streamlined approvals pathway for prescribed class(es) of "community service facility" projects (public schools K-12, hospitals and long-term care facilities) that support the creation of complete communities

TDSB is pleased to see the above proposal and the respective proposed amendments to the *Planning Act* and *City of Toronto Act, 2006*, with the intention of enabling an expedited approval process for community service facilities such as public schools. Notably, the proposal considers offering an exemption, limitation or restriction of the application of sections of the *City of Toronto Act* and the *Planning Act* and its regulations to community service facilities, such as schools.

Similar to the current approach taken with the Crown and Colleges, and now proposed for Universities with respect to student housing, TDSB requests:

- **That publicly funded school boards in Ontario be given exemptions from the *Planning Act* and the planning provisions of the *City of Toronto Act*, and any applicable/corresponding changes considered in the *Municipal Act*.**



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School boards are consolidated onto the provincial government's financial statements and all school board capital and operating funding comes from the government. Delays in projects translate into cost escalations that become a direct pressure on the government. An exemption would also allow for school capital projects to be delivered in a much more responsive and timely manner.

School board capital projects are subject to significant provincial oversight in school location, siting, design and construction processes:

- New construction funding requests are reviewed and approved by the Ministry of Education.
- The Ministry of Education must approve school board requests to acquire land. These reviews are undertaken in consultation with the Ministry of Municipal Affairs and Housing. The Ministry of Education also has a role in the disposition of surplus school board properties.
- School design and funding proposals are reviewed by the Ministry of Education before funds are allocated for tendering the construction of new capital projects.

Furthermore, school capital projects would continue to involve accredited professionals (architects, engineers, planners) and adhere to all other applicable laws and approvals, including the Ontario Building Code, environmental approvals, and other applicable permits. Furthermore, TDSB's internal design process involves significant community engagement, which ensure the local school community's needs are included and addressed.

If a full exemption is not granted, TDSB requests the following:

- **That a separate, expedited approval process be established for school board capital projects (including associated child care facilities). The process would include a standard process containing minimum project requirements and appropriate approval timelines. These would include clear requirements for transparency of the overall process. Through the proposed regulation, the application of the *Planning Act* and the *City of Toronto Act, 2006* should be limited to also:**
- **Exclude specific types of capital projects (e.g. any additions to existing school sites or replacement schools on existing school sites) from site plan**



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approval (section 41 of the *Planning Act*, and section 114 of the *City of Toronto Act, 2006*)

- Exempt all school board capital projects from all or specific site plan approval conditions set out in City of Toronto Act s.114(11) (e.g. road widenings, sidewalk widenings, garbage enclosures), as set out in Attachment 1.

Furthermore, where new standalone school sites are not a viable option to accommodate areas of high-density residential growth and intensification:

- That additional exemptions and consideration be given to support efficiently delivering schools on shared sites, as contemplated by the *Education Act* s.195(1.5) and the related proposed new regulation (Proposal Number: 23-EDU009)

To facilitate creative and innovative forms of schools, such as podium schools, a more flexible planning framework is needed. TDSB's October 2023 submission on the proposed new regulation for schools on shared sites is provided at Attachment 2.

Proposal: Community Infrastructure and Housing Accelerator (CIHA)

- Remove the Community Infrastructure and Housing Accelerator (CIHA) tool from the *Planning Act* by repealing s. 34.1 of the *Planning Act* to avoid unnecessary duplication with a revised and transparent process for requesting and issuing minister's zoning orders.
- Provide transition rules to permit CIHA orders that have been made to date to continue functioning as municipal zoning by-laws

TDSB is not opposed to the proposal to remove the CIHA tool from the *Planning Act*, but requests that the Minister's Zoning Order (MZO) framework specify clear approval timeframes to ensure greater efficiency than the municipal planning process. Furthermore, for any project involving public schools, it should be coordinated and integrated with the Ministry of Education's capital planning process to ensure schools can be built quickly to meet the demands of residential development.



The Office of the Associate Director of Modernization and Strategic Resource Alignment

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Proposal: “Use It or Lose It” Tools

For site plan control approvals:

- Enable a municipal “authorized person” to apply a lapsing condition when approving a new site plan control application.
- Create Minister’s regulation-making authority to set timelines for lapsing provisions and establish exemptions from lapsing provisions.

TDSB requests that school boards be provided with exemptions from lapsing provisions, as there are matters beyond the control of school boards (e.g. Ministry of Education approvals for construction and additional funding, child care funding, etc.) that may impact the ability to proceed with building permits within regulated timeframes. The need to go through the approval process again would lead to significant delays and cost escalation.

In addition to the above comments on the specific proposals put forward by the proposed Bill 185, TDSB also requests:

- That publicly funded schools be permitted in any residential land use designation, and in non-residential designations outside of Employment Areas, that are located in Designated Growth Areas and Settlement Areas as defined by the Provincial Planning Statement;
- That publicly funded schools be permitted, as of right, in any zone allowing residential, commercial, or mixed-use development in Designated Growth Areas and Settlement Areas as defined by the Provincial Planning Statement; and
- That all temporary accommodation (portables) be exempt from Site Plan Approval. Currently, site plan exemptions for portables only apply to schools in existence on January 1, 2007. Site plan approvals, amendments and other approvals can create a challenge for the timing of the delivery of temporary accommodation which is necessary to respond to fluctuating enrolment. Matters pertaining to siting etc. are otherwise within the purview of the Ontario Building Code.
- That density exemptions and bonusing be permitted for mixed use development incorporating public school facilities, in order to:
- encourage/incentivize private sector and public sector partners to include school facilities within their development;



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- support the financial viability and opportunity for school boards to acquire space within the development;
- meet the objectives of the proposed Provincial Planning Statement policy directing the planning of public service facilities to “leverage the capacity of development proponents” (3.1.1.b) and for “schools integrated in high-rise developments” (3.1.5)

We thank you for considering these requests and continuing to recognize that efforts to deliver more housing in Ontario by streamlining planning approvals also requires supporting school boards’ collective ability to advance the construction of new schools, additions, and temporary accommodations more quickly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stacey Zucker".

Stacey Zucker
Associate Director
Modernization and Strategic Resource Alignment

- C. Maia Puccetti, Executive Officer, Facility Services and Planning, TDSB
Andrew Gowdy, System Planning Officer, Strategy and Planning, TDSB
Dan Castaldo, Senior Manager, Strategy and Planning, TDSB
Ryan Glenn, Chief Executive Officer (Interim), Toronto Lands Corporation
Yvonne Choi, Director of Planning, Toronto Lands Corporation

The following table provide a rationale and example of scenarios where the City of Toronto has requested specific site plan conditions set out in the City of Toronto Act s.114(11), which have been challenge for the Toronto District School Board.

Requested Exemption	Rationale for Exemption
<p>Specific site plan conditions set out in s.114(11) of the <i>City of Toronto Act, 2006</i></p>	<p>s.114(11) of the <i>COTA</i> specifies conditions of site plan approval, requiring the applicant to provide to the satisfaction of and at no expense to the City certain facilities or works on-site and off-site. These requirements, subject to municipal discretion, can add significant costs and delay to the approval process.</p>
<p>(i) Road widenings that abut the land</p>	<p>This conveyance of lands to the City for future road widening is a lengthy process, involving environmental site assessment and documentation, retention of a third-party peer reviewer, and completion of any required environmental remediation. As the widenings are not being utilized immediately, conveyances should not be required to be completed prior to issuance of site plan approval.</p> <p>The land taking could be minimal (e.g. 40 cm wide strips) or substantial (e.g. 10 m wide for a future public road). The latter is offside Education Act O. Reg 374/23 (Acquisition and Disposition of Real Property) which allows for exceptions to the disposition process for the purposes of infrastructure (development charge services, including roads), but requires the disposition to be at fair market value.</p>
<p>(iii) off-street vehicular loading and parking facilities</p>	<p>The City of Toronto has requested on-site vehicular pick-up drop-off at school sites where TDSB has not required them, impacting the amount of outdoor playspace available to students and adding time and costs to the project by requiring additional traffic study work and consultant time in negotiations.</p>
<p>(iv) walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access, (iv.1) facilities designed to have regard for accessibility for persons with disabilities;</p>	<p>The City of Toronto requests reconstruction of sidewalks on the adjacent City right-of-way to a width of 2.1m to meet City of Toronto Green Standards (beyond the AODA width requirement of 1.5m). In some instances, the City has requested sidewalk reconstruction of fairly new sidewalks that effectively increase the width by as little as 10cm or requested sidewalk widenings on multiple abutting streets that are not impacted by the TDSB capital project.</p>

Requested Exemption	Rationale for Exemption
(vi) walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands	The City of Toronto has requested the TDSB install certain types of fencing and landscaping at higher costs than Ministry benchmarks, resulting in delays from the need to seek additional funding.
(vii) vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material	The City of Toronto requires garbage storage to be incorporated into an enclosed building, which add significant cost (building GFA, ventilation, etc) when there are other more cost-effective and efficient storage solutions (e.g. in-ground Molok Systems) that can address municipal concerns around odour and visibility of garbage facilities.

TDSB Comments on Proposed Changes to Regulations

New Regulation: Schools on a Shared Site

It is our understanding that a new regulation under the Education Act will be created to prescribe:

- Circumstances under which a school board shall give notice to the Minister or require approval from the Minister for the acquisition of land or premises for a school to be shared with other entities;
- The specific types of notices and approvals needed to proceed with the acquisition;
- Timelines associated with providing notices and obtaining approvals; and
- Criteria for obtaining approvals.

This proposed regulation would not apply to school sites that will be shared exclusively with another school board, municipality, or child care center.

TDSB Comments on the Proposed New RegulationScope of the Regulation

This new regulation would apply to circumstances “Where a board plans to acquire a school site for pupil accommodation and the site will not be occupied or used exclusively by the board, or exclusively with another board, municipality, child care centre or other prescribed entity” (Section 195 (1.5)). We recommend that other prescribed entities include other public entities and non-profit entities.

We recommend that the new regulation not apply to projects that are already funded by the Ministry such as the new elementary school in the Lower Yonge Precinct that is being planned to be built in the podium of a condominium tower.

Approvals by the Ministry

We are supportive of clear direction of the type of notices and approvals required and recommend that notice be in a format that directly ties to the approval criteria to ensure efficient reporting by school boards and review by the Ministry.

We support the removal of the original Section 196 of the Education Act that required the Minister to provide approval for a school board to begin negotiations of a Memorandum of Understanding with a person or entity other than a school board or municipality, such as a developer, for the provision of student accommodation on a

At a minimum, the eligibility requirement should be eliminated for a school board to enter into a Localized Education Development Agreement (LEDA) which would allow school boards like the TDSB to potentially acquire a school on a shared site funded by the developer. A successful example from the past that would be beneficial to replicate was the agreement for the redevelopment of the Railway Lands in downtown Toronto (now called CityPlace) where the developers of the area paid a per-unit levy that funded the construction of a mixed-use facility consisting of a TDSB school (Jean Lumb Public School), a TCDSB school (Bishop Macdonell Catholic School), a child care centre, and a community centre – at no cost to the Ministry of Education.

We also recommend that the permitted uses of EDCs be expanded from land related costs to include construction costs for new buildings and other costs to meet growth-related infrastructure needs such as additions and renovations to existing schools.

These recommended changes to EDCs should benefit all schools, not just schools on a shared site.

Support for School Boards in Working with Developers and Municipalities

We recommend that measures be put in place to support school boards in acquiring a school on a shared site:

- Incentives should be provided for developers to accommodate a school on a shared site when the need is identified by school board staff; and
- Municipalities should be required to share green space next to a shared site for use as the school's playfield, drop-off area, and marshalling area (the terms for sharing the green space should take into consideration exclusive use for the school during certain hours to ensure student safety).

To have real effect, we recommend that these measures be incorporated into legislation where appropriate, such as the Planning Act, to give school boards authority and leverage in working with municipalities and developers to ensure that local student accommodation needs are met.

Unique Considerations

We offer the following unique considerations for schools on shared sites for the awareness of the Ministry, incorporation into the appropriate guiding documents, and for accommodation in the approvals process. This is not a comprehensive list and will change over time as more schools on shared sites are constructed.

- It is essential that a school located within a mixed-use development has a positive and defining impact on the plan and character of the community instead of just 'fitting a school into a condo'.
- School boards should be brought in early in the developer's design process to have an opportunity to create a Memorandum of Understanding prior to Ministry approval that includes consideration for:
 - gym location;
 - column spacing;
 - size and location of rooftop play;
 - mechanical systems;
 - appropriate windowsill heights and sizes, operable window vents and shading devices where required; and
 - access to natural light and views from all instructional spaces.
- Early consultation with the developer and the municipality is essential to allow for the exploration of planned local amenities for shared-use opportunities, e.g., community and recreation centres, child care facilities, city park developments.
- Ministry benchmarks for funding the construction of schools on shared sites need to be increased to reflect actual construction costs and cost premiums. Cost premiums associated with a school co-located within a mixed-use development include:
 - Premiums for finishes at areas that become part of the overall architectural expression of the building;
 - Consideration for improved quality of interior space related to a dense urban environment, e.g., improved ventilation to ensure a high level of indoor air quality at dense urban locations where operable windows may not be appropriate for both air quality and/or acoustic reasons; and
 - School Identity – premiums for signage and street/community presence, which must be approved by the developer and integrated into the overall building design.
- This type of school development will have no room for portables or building future additions, so consideration must be made for purchasing additional space which may be leased out until the school needs the space due to enrolment changes. This type of school should be built to a utilization rate less than 100% for the projected peak enrolment – we recommend 80%. This additional space will function as flex space to accommodate fluctuations in enrolment.

School Entrances

- Exterior marshalling area for access to the main school entrance must accommodate a minimum of three classrooms (up to 90 students) at one time. If the playground is across a road a similar sized marshalling area is required on the playground side.
- Exclusive main school entrance must be located at ground level. If the remainder of the school is at different floor levels, the entrance lobby must be large enough (approximately 250 square meters) to accommodate a minimum of two classrooms at one time (up to 60 students) and include lockable storage space, washrooms, location for a staff member to welcome and supervise students and visitors, and large video monitor and security camera for connection to general office.
- Two oversized elevators (30-person capacity) are required to facilitate student movement during arrival, dismissal, lunch and recess. A second exclusive school entrance, with the second elevator, may be required to improve traffic flow. Location will be determined by specific site configuration.
- Two exclusive exit stairs in addition to the required exit stairs are preferred. If the school is located on more than one floor, two exclusive exits/internal circulation stairs are recommended.
- Exit stairs must be designed for the comfort and safety of small children, e.g., wider treads, shorter risers, and child-height handrails in addition to the handrails required by code.
- Exit stairs that are shared with other building occupants require additional security measures, e.g., alarms, cameras or vestibules separating the school space from the public space.

Instructional Areas and Student Amenity Spaces

- The Ministry's area benchmark should be revised to accommodate the unique needs of schools in shared sites. To compensate for smaller outdoor play areas and potential challenges with access to playgrounds and outdoor learning environments, the provision of additional indoor amenities and gross motor skills space at each school level is recommended. These spaces may include multi-purpose rooms, collaboration spaces, a kitchen to accommodate nutrition programs, or lunchroom, depending on the specific need. Approximately 0.5 – 0.75 square meter per pupil place is recommended.
- Classrooms and other instructional spaces may require some flexibility in size and configuration to fit specific site or building configurations while creating exemplary learning environments.

- Space should be planned with acoustic separation to manage sound transmission between classrooms, specific program spaces, and other users in the building. If possible, avoid direct adjacency of school spaces to residential units.

Safety and Security

- Additional safety and security measures are required:
 - Additional security cameras;
 - Fire safety plan (amendment to main building); and
 - Special school board fire drill and evacuation considerations, e.g., wider stairwells).

Play Areas

- Kindergarten and primary students must have direct access to fenced/enclosed outdoor play. This will often be in rooftop space on the podium.
- Direct access to outdoor play for all other grade levels is preferred, e.g., on the same site, not crossing a public road.
- If outdoor play must be located with access crossing a public road, provision of safe road crossing facilities is required. Additional staff are required for supervision. A storage shed and convenient washroom facilities for exclusive use of the school are strongly recommended. Shade must be provided by planting mature trees or provision of a shade structure.
- Fencing or a landscaped enclosure must be provided at shared playgrounds, such as city parks. Fencing is particularly important to separate dog runs from areas in which children play.
- Rooftop play requires upgraded structure and roof depth to accommodate the live occupant load and play surfaces. Higher guard rails, than what is required by the Ontario Building Code, are also required. Shade structures may also be required where trees cannot be accommodated. Access to water and power is required. Consideration should be given for snow clearing for all-year access, e.g., covered play area, heat tracing, etc.
- The total area of recommended exclusive outdoor play is 8 to 10 square meters per pupil place. Kindergarten and primary students must have a secured outdoor play area with direct access to the school. For grades 4-8 direct access to the school is preferred.

Shared Spaces

- Specific provisions including additional security and circulation space may be required for community access to the school (gymnasium, library, etc.) or outdoor play and amenity spaces.
- There are premium costs for underground parking and bike parking, as required by code and site-specific needs. Consideration for bus and parent drop-off requires early consultation with the developer or building owner. Premium costs may be incurred to accommodate drop-off on a dense urban site, e.g., access to underground parking and service areas.
- Requirement for handling of waste, deliveries, etc. in a different way will have space and staffing implications, e.g., service elevator with garbage holding area and storage area at below grade levels.

Schools on shared sites are new experiences for school boards and more will be learned as these schools are built which could change construction parameters. We recommend that guidelines be developed with school board staff. Flexibility should be embedded in the guidelines since high-density neighbourhoods are unique in their design; schools incorporated into these neighbourhoods will require unique design as well.

10 May 2024

growthplanning@ontario.ca

Provincial Land Use Plans Branch
13th Floor, 777 Bay St
Toronto, ON, M7A 2J3

Re: ERO Number 019-8462
Review of proposed policies for a new provincial planning policy instrument
Comments from Toronto Lands Corporation

The Toronto District School Board (TDSB) is the largest school board in Canada and one of the largest in North America, with almost 600 schools and serving approximately 12% of all Ontario students. Toronto Lands Corporation (TLC) is a wholly owned subsidiary of the Toronto District School Board (TDSB) and its exclusive land use planning and real estate service provider.

On behalf of the TDSB, TLC provided comments in December 2022 (ERO Number 019-6177) and August 2023 (ERO Number 019-6813) during the province’s previous rounds of consultation on the Provincial Planning Statement. TDSB and TLC have reviewed the updated proposed Provincial Planning Statement (Proposed PPS 2024) and offer the following comments.

We are pleased to see the continued inclusion of many policies in the Proposed PPS 2024 that align with the direction the TDSB is taking with respect to many new school opportunities in emerging high-density neighbourhoods. The proposed policies also support TLC’s mandate to modernize public schools and unlock the potential of TDSB properties for the benefit of students, staff, and communities.

Our August 2023 submission commented on some key themes, with requested policy modifications. The table below provides further comments on these themes in the context of the Proposed PPS 2024 and other proposed changes introduced by the province this spring.

SUMMARY OF TLC AUGUST 2023 REQUESTED MODIFICATIONS	TLC MAY 2024 COMMENTS
<p>1. Prioritizing schools – additional policies that prioritize and expedite development approvals for schools, requiring planning authorities to consider the use of all tools available to them, to ensure that schools can be available when residential developments are occupied.</p>	<p>As mentioned in our previous submission, we are supportive of the proposed policies recognizing schools as an important component of complete communities, directing for early collaboration between school boards and planning authorities, optimizing and efficiently using public service facilities, and prioritizing planning and investments in infrastructure and public service facilities.</p> <p>We are pleased to see the Province introduce complementary measures in effort to prioritize and expedite approvals for schools. The Province through Bill 185 is proposing to eliminate the Community Infrastructure and Housing Accelerator (CIHA) tool and replace it with the new Minister’s Zoning Order (MZO) framework. We appreciate that the MZO</p>

SUMMARY OF TLC AUGUST 2023 REQUESTED MODIFICATIONS	TLC MAY 2024 COMMENTS
	<p>framework specifies educational facilities as a priority and establishes submission requirements. We request that further details regarding MZO approval timeframes be established to ensure a more expeditious approval process, and to support the above Proposed PPS 2024 policy directions.</p> <p>We also look forward to participating in the Province’s consultation on an expedited approval process for community service facilities, specifically schools. TDSB’s submissions in this regard were submitted May 9, 2024 (ERO number 019-8369).</p>
<p>2. Phasing of development / school capacity – additional policies that require municipal planning approvals to consider the adequacy of existing and planned school sites, and for municipalities to establish and implement phasing policies to ensure the orderly progression of development and the timely provision of public service facilities in conjunction with that growth.</p>	<p>We are pleased to see the addition of policy 2.3.1.6 directing planning authorities to establish and implement phasing policies to ensure development growth aligns with the timely provision of public service facilities.</p>
<p>3. Innovative approaches in school design – revision to proposed policy to ensure school boards are given full opportunity to participate in determining when and what innovative approaches may be appropriate, ensuring flexibility in policies and standards to allow for innovative school facilities.</p>	<p>As mentioned in our previous submission, we are supportive of the policies that encourage innovative approaches in the design of schools, which further support the ability for TDSB to optimize and efficiently use land and facilities. We request a minor modification to the language that directs planning authorities “in consultation with school boards”. In our experience, “consultation” can have varying levels of engagement and influence. As municipal staff generally do not have the expertise or understand the complexities of school facilities (e.g. funding, timing, design, operations), we request that policy 3.1.6 be modified as follows to ensure appropriate school board input:</p> <p><i>“Planning authorities, in consultation partnership with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in strategic growth areas, and other areas with a compact built form.”</i></p>
<p>4. Leveraging development proponents – additional policies that that encourage/ incentivize private sector and public sector partners to include school facilities within their development through municipal planning measures such as density exemptions and bonusing, and community benefit charge credits.</p>	<p>The Proposed PPS 2024 does not provide any additional policy direction to support proposed policy 3.1.1.b. However, we request that the proposed regulation for a new expedited approval process for community service facilities, consider these mixed use forms of schools.</p>
<p>5. Optimizing public open space – additional policies that direct municipalities to collaborate and consult with other public agencies (including school boards) in coordinating, planning, and sharing public</p>	<p>We are supportive of the updated policy 3.1.4, which encourages parks and open spaces to be co-located with public service facilities.</p>

SUMMARY OF TLC AUGUST 2023 REQUESTED MODIFICATIONS	TLC MAY 2024 COMMENTS
open space, to ensure the use and potential of these public assets are optimized.	

The Proposed PPS 2024, along with the changes we are requesting in this letter, will help support the delivery of school facilities to meet the needs of growing communities.

If you have any questions regarding this matter, please contact me at ychoi.tlc@tdsb.on.ca.

Yours truly,



Yvonne Choi, RPP MCIP
 Director of Planning
 Toronto Lands Corporation

- c. Ryan Glenn, CEO (I), TLC
 Dan Castaldo, Senior Manager, Strategy and Planning, TDSB
 Stacey Zucker, Associate Director, Modernization and Strategic Resource Alignment, TDSB
 Maia Puccetti, Executive Officer, Facility Services and Planning, TDSB
 Andrew Gowdy, System Planning Officer, Strategy and Planning, TDSB

Tri-Party Land Exchange with Gabriel Dumont

COMMITTEE: POLICY & PLANNING COMMITTEE
DATE: May 16, 2024
ACTION: Decision

RECOMMENDATION

1. It is recommended that the Board of the Toronto Lands Corporation approve the proposed tri-party land exchange between the Toronto District School Board, the City of Toronto, and Gabriel Dumont Non-Profit Homes; and
2. That the Board of the Toronto Lands Corporation forward this report to Board of Trustees for the Toronto District School Board for consideration.

EXECUTIVE SUMMARY

On September 28, 2022, the TDSB Board of Trustees approved that staff be authorized to explore the concept of either donating or selling a strip of land at the north end of the Maplewood High School parking lot to Gabriel Dumont Non-Profit Homes (GDNP) and to report back to the Board when more information has been received.

GDNP is an agency that operates a housing complex for the Indigenous communities located in southeast Scarborough immediately adjacent to Maplewood High School (Trustee Patel, Ward 19). GDNP is proposing to expand the number of units in the complex by constructing 67 units of one and two bedrooms to accommodate Elders, seniors, and single parents with one child. This expansion requires the acquisition of a narrow strip of land along the north edge of Maplewood High School's parking lot.

The strip of land is approximately 20 metres wide by 100 metres long with an approximate area of 2,000 square metres or 0.49 acres. It is unused by the school and has little potential future use given its location and size. If the strip is conveyed to GDNP, the area of the Maplewood High School site will decrease minimally from 12.6 acres to 12.1 acres. This will have no impact on current school operations or the ability of the site to accommodate students. The integrity of the school site is maintained; it will continue to be able to function as a school and accommodate changes over time.

Appendix A contains aerial photos that show the location of the GDNP housing complex, Maplewood High School, and the strip of land that GDNP would like to acquire. Appendix B contains photos of the strip of land. Appendix C contains a site plan and sketch of GDNP's proposed development.

Supporting GDNP with their Application for Funding

To support GDNP in their application for funding for their project, staff commissioned a survey and geotechnical studies through the TDSB procurement process. The survey and studies were shared with GDNP under a confidentiality agreement. GDNP reimbursed the TDSB for the costs of the survey and studies.

Severance Process

The process to sever the Maplewood High School site into a parcel that can be acquired by GDNP requires a consent application submission to the City of Toronto’s Committee of Adjustment. This process has now been completed and once the transaction is finalized, the TLC on behalf of the TDSB will be able to transfer the property to GDNP.

Ongoing Discussions with the Ministry of Education

Staff have met with the staff of the Ministry of Education on several occasions to discuss the proposal. The Ministry staff have advised that when school boards dispose of land, they must dispose of it at fair market value. Currently there is no provision in provincial legislation to allow a school board to donate land.

Path Forward Land Exchange with the City of Toronto

Staff from the TLC, in consultation with the TDSB, have been working with the City of Toronto (“the City”) to develop a plan that would allow the TLC to transfer the property at nominal value to GDNP in exchange for use of City owned land (Appendix D) for the purposes of an outdoor playfield at a future urban format (podium) school. The TLC and the City have agreed in principle that in exchange for the TLC providing at no cost, the land to GDNP, the City has committed (Appendix E) to provide the TDSB access to an acre of future parkland at 705 Progress Avenue (Trustee Patel, Ward 19) for forty-nine (49) years. The value of this consideration meets or exceeds the fair market value requirement with respect to the strip of land being provided to GDNP and represents what is possible when two public sector landowners are committed to truth and reconciliation and seeking a creative path forward.

STRATEGIC DIRECTION

TDSB Strategic Plan Goal: Provide Equity of Access to Learning Opportunities for All Students

Strengthening neighbourhoods and developing new, modern learning environments.

TLC Strategic Plan Goal: Create a Culture of Partnership and Collaboration with Key Stakeholder Groups

By working with the City of Toronto on a creative way forward, the TLC and the City continue to build and strengthen our mutual commitment to truth and reconciliation.

ACTION PLAN AND ASSOCIATED TIMELINE

Seek Ministry of Education approval of this proposed transaction.

RESOURCE IMPLICATIONS

None

DUE DILIGENCE

Staff from the TDSB, City of Toronto, Ministry of Education and Gabriel Dumont non-profit homes have been regularly consulted.

POLICY AND PROCEDURE REFERENCE(S)

Truth and Reconciliation

APPENDICES

- APPENDIX A** Aerial Photos and Property Lines – Maplewood Secondary School
- APPENDIX B** Photos of the Strip of Land Proposed to be Conveyed to GDNP
- APPENDIX C** Site Plan and Sketch of GDNP’s Proposed Development
- APPENDIX D** Site Sketch of 705 Progress Avenue
- APPENDIX E** Letter of Intent from the City of Toronto

FROM

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

Appendix A

Aerial Photos Showing Existing and Proposed Property Lines

Existing property Lines



Proposed Property Lines



Appendix B

Photos of the Strip of Land Proposed to be Conveyed to GDNP

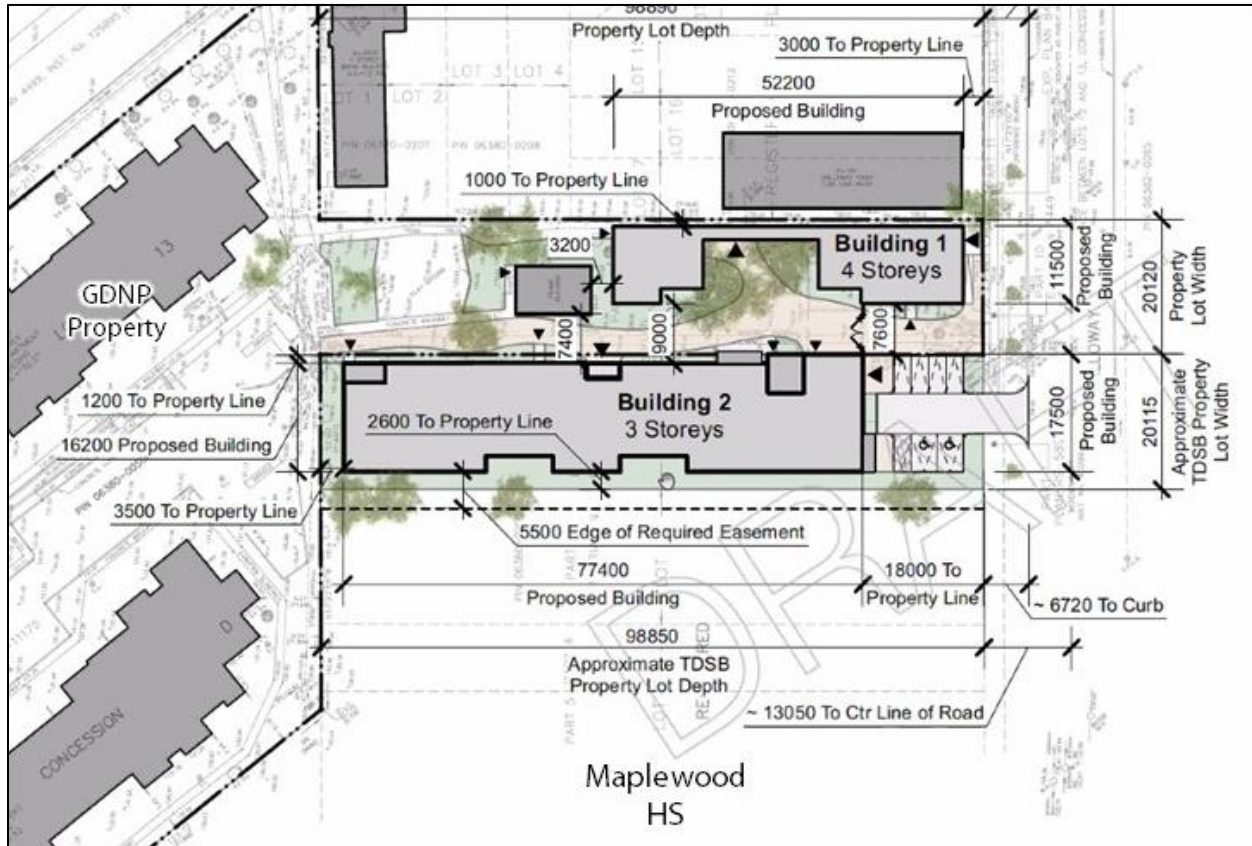


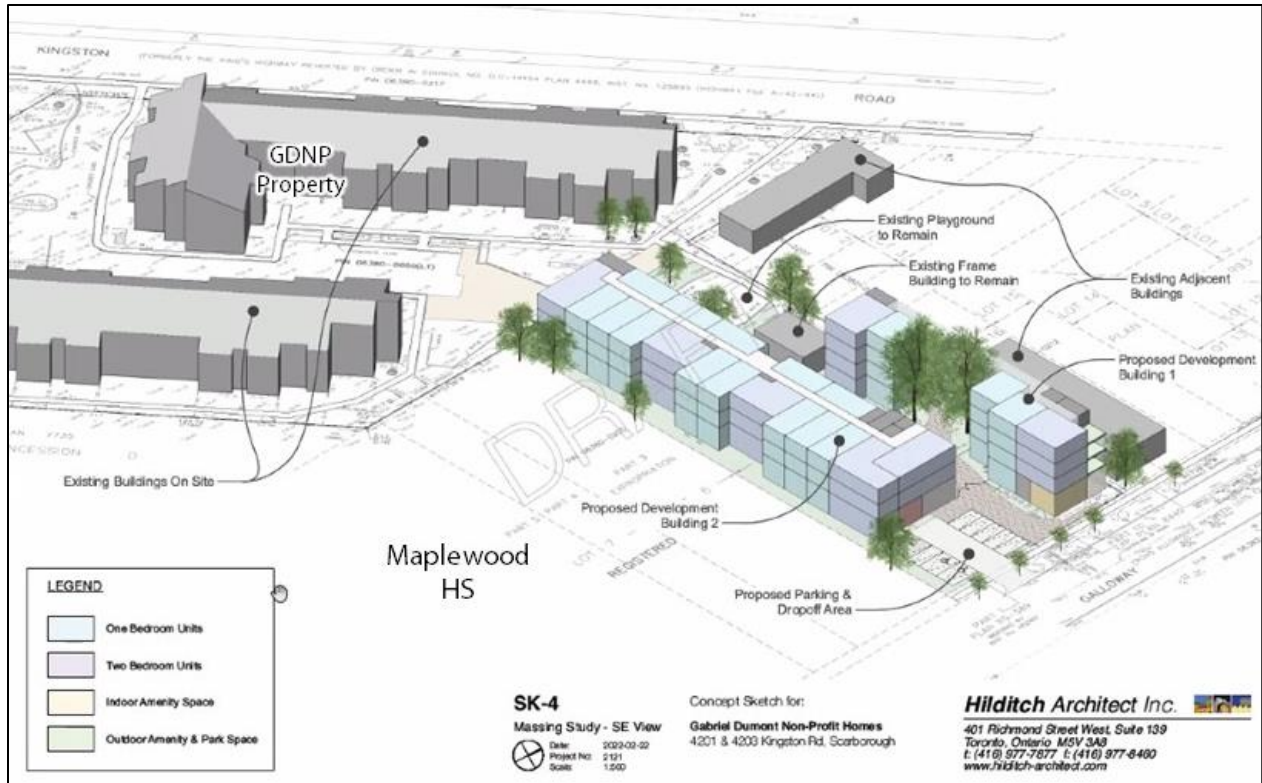


Source: Google Maps

Appendix C

Site Plan and Sketch of GDNP's Proposed Development





Source: Hilditch Architect Inc

APPENDIX D Site Sketch of 705 Progress Avenue



Figure illustrates approximate 1 acre of parkland to be entered into with the City of Toronto as part of a future development concept for the site at 705 Progress Ave.

Transaction Services
Corporate Real Estate Management Division

Metro Hall
55 John Street
2nd Floor
Toronto, Ontario M5V 3C6

Tel: 416-338-2998
Alison.Folosea@toronto.ca
www.toronto.ca

May 7, 2024

SENT VIA EMAIL – RGlenn.tlc@tdsb.on.ca

Toronto Lands Corporation
60 St. Clair Avenue East, Suite 201
Toronto, ON M4T 1N5

Attention: Ryan Glenn

RE: 705 Progress Future Park Access

Dear Mr. Glenn

The City of Toronto, through the Corporate Real Estate Management division, Housing Secretariat and Parks, Forestry and Recreation division, and Toronto Lands Corporation (TLC) have been actively working with Gabriel Dumont Non-Profit Homes Inc. to consider mechanisms to have TLC convey approximately 2,000 m² portion of the greenspace between the parking lot of the Maplewood High School lands at 120 Galloway Road, Toronto (the “Excess Property”) to Gabriel Dumont Non-Profit Homes (Metro Toronto) Inc. (“GDNP”).

GDNP is currently undertaking a 19-rental home development at 4201 and 4203 Kingston Road, a site currently owned and operated by GDNP as affordable housing. GDNP has identified an opportunity to further increase the number of affordable rental homes that can be created, should they be able to access a narrow strip of greenspace between the Maplewood school’s parking lot and GDNP's property. Should this portion of land be conveyed to GDNP, the combined project site could support 60 to 80 new affordable homes (instead of 19 affordable rental homes currently proposed).

On November 9, 2021, Toronto City Council adopted item GL26.7. This Council item and its associated motions consider a master redevelopment plan at 705 Progress Avenue. GL26.7 considers new city-building outcomes to serve the rapidly urbanizing community of Scarborough Centre, with specific consideration for: a new public elementary school; a permanent community hub for local charities; public parkland; and, an affordable housing component.

City staff are prepared to recommend to City Council, subject to obtaining necessary authorities, that the City of Toronto enter into a nominal value park access agreement for 49 years, permitting TLC/TDSB to access and use 1 acre of the planned 705 Progress park, during the instructional day for recreational and educational purposes, in consideration of TLC transferring the ownership of the Excess Property GDNP.

Contractual obligations will only be created by a formal agreement that is signed by both the City and TLC, notwithstanding any negotiations, settlement of issues, or conduct which would otherwise suggest the existence of an agreement.

We appreciate the continued commitment by TLC and the TDSB in contributing to truth, justice and reconciliation with Indigenous Peoples and your ongoing partnership with the City.

Sincerely,



Alison Folosea
Director
Transaction Services
Corporate Real Estate Management Division
City of Toronto

DECISION ITEM

235 Galloway Rd (St. Margaret's Public School) - Update on Long-Term Care Opportunity

To: Policy and Planning Committee

Date: May 16, 2024

RECOMMENDATION:

It is recommended that:

1. The Board receive an Expression of Interest from the Scarborough Health Network contained in *Appendix B* for the TDSB site located at 235 Galloway Rd- St. Margaret's Public School.
2. TLC staff be authorized to negotiate the terms of a Memorandum of Understanding with the Scarborough Health Network to locate a future long-term care facility on the TDSB-owned property at 235 Galloway Rd and to report back to the Board in Q1 2024-2025 with a draft.

EXECUTIVE SUMMARY

The site of St. Margaret's Public School located at 235 Galloway Road is a large 7.2 acre parcel whose size presents an opportunity to explore the addition of other uses on the site. At the October 17, 2023, meeting of the Policy and Planning Committee, staff presented the potential for using a portion of the south end of the site for a new long-term care facility to complement a planned replacement of the existing school. This program was proposed based on the need for services in the neighbourhood, the ability to provide programming and revenue opportunities for the existing school, and the overall contribution to the delivery of additional Provincial priorities.

As part of the due diligence on the site, staff have been having discussions with various long-term care providers to understand the viability of this program on the site and the opportunities and challenges it may present.

Scarborough Health Network is an established partner in the community, having provided health services to area residents for many years. The Expression of Interest contained in *Attachment B* outlines their proposal to explore opportunities with TLC/TDSB to develop a plan for the construction and operation of a health service facility on a portion of the property located at 235 Galloway Road.

BACKGROUND

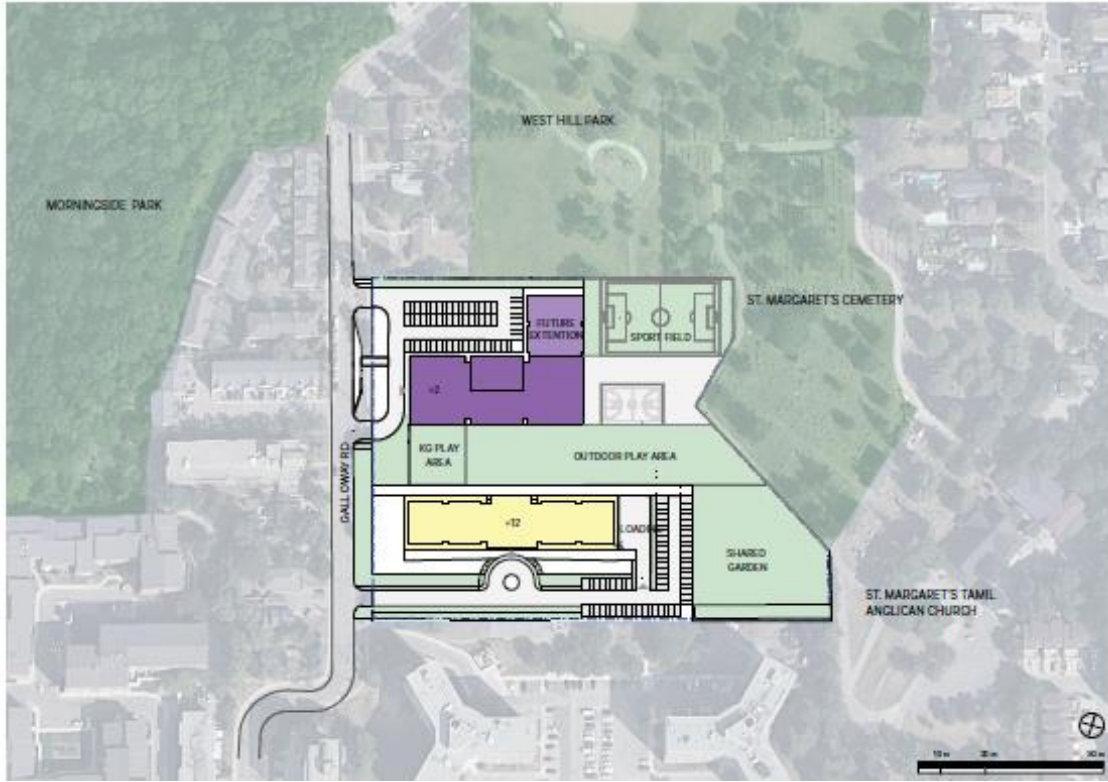
St. Margaret's PS is an operating JK-8 elementary school located in the Kingston-Galloway Neighbourhood of Toronto. In 2022-2023 the school was operating at 113% utilization with 278 students on-site (capacity is 245). To address the historical and current accommodation pressures on the site, a large 16-unit port-a-pack was attached

to the school building. St. Margaret's PS is also within the City of Toronto's West Hill Neighbourhood Improvement Area and ranks high on the Learning Opportunities Index (7), which is based on measures of external challenges affecting student success. The existing St. Margaret's Public School is proposed to be replaced with a new and expanded 340-pupil place JK to Grade 8 elementary School that would provide students with a new and desperately needed state-of-the-art facility and childcare. The school buildout would be phased, allowing for the construction of a new school while the existing St. Margaret's PS remains operational. A Capital Priorities request for the replacement of the school was submitted to the Ministry of Education in late October 2023.

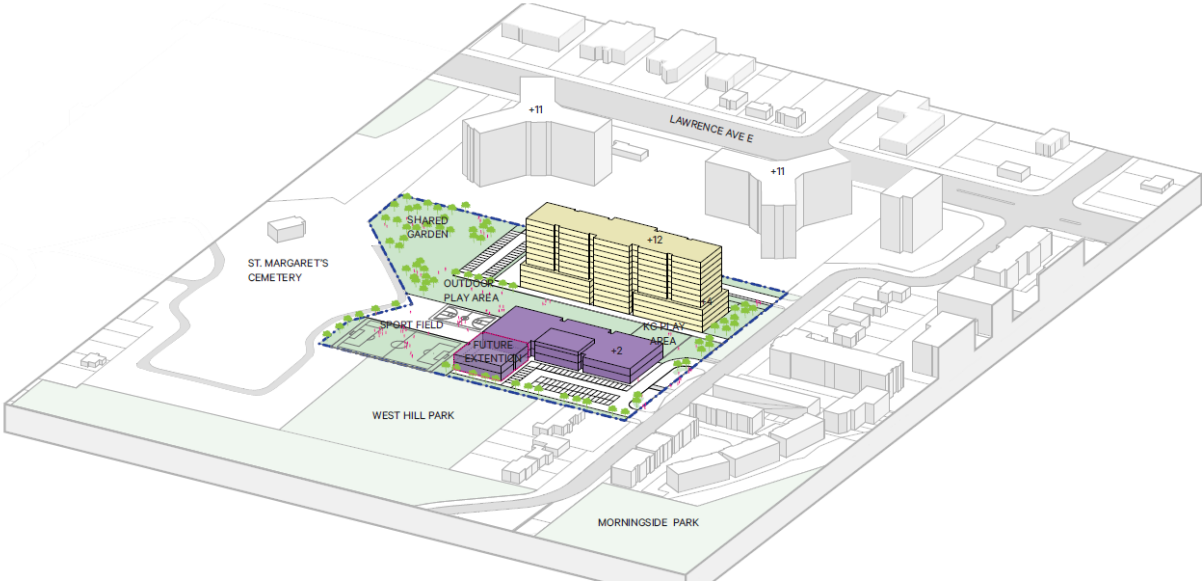
The St. Margaret's property is a large 7.4-acre site that is relatively flat and irregular in shape with a prominent frontage on Galloway Road. Sites of this size are rare in Toronto. The parcel offers ample space to section off a portion of the site for a new school and yard while maintaining the south end as a viable development parcel. This could provide an opportunity to explore options for delivering other community benefits that speak directly to the TLC's mandate to think more broadly about the role TDSB's real estate can play in supporting communities. It also speaks to provincial priorities to better utilize public lands to help meet other community priorities.

The site abuts the City-owned West Hill Park to the north and St. Margaret's In the Pines cemetery to the east. While the site is designated Neighbourhood in the City of Toronto Official Plan, it is also adjacent to lands on the south and west of designated Apartment Neighbourhoods. The site is also in close proximity to Lawrence Avenue East and Kingston Road (a mixed-use future transit corridor). In the last few years, there have been several new development applications on the south side of Lawrence Ave E for 10-12 storey apartment buildings.

The images below are a first draft illustrating a 4.5-acre school site with a new 2-storey 340 pupil placement school that reserves the opportunity for future expansion (600 pp) and includes an approximate 9,000 sq.m school yard and associated parking. On the south end of the site, the concept illustrates the potential to accommodate a 25,000 sq.m long-term care facility and outdoor amenity area, which could be shared with the school. While this concept requires further review, these images illustrate the potential to maximize the use of the site to meet other community-building priorities with the added opportunity to enhance/complement student learning.



Picture 1: Preliminary site evaluation incorporating 4.5-acre school site with a new 2-storey 340 pupil placement school that reserves the opportunity for future expansion (600 pp), associated play space and a long-term care facility on the south-end.



Picture 2: View looking south-east.

AUTHORITY OR DIRECTION FOR UNDERTAKING PROJECT

Authority or Direction (select from drop down): 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

Create opportunities for the use of TDSB lands to deliver improved learning facilities while exploring other broader city building objects which strengthen the communities in which these schools serve.

TLC Strategic Plan Goal: (include all that apply)

- Transform Student Learning Environment through the Modernization of Facilities

Opportunity to build TDSB capital priority replacement schools that have not been recognized by the Ministry as priority projects.

Opportunity to leverage high-valued sites for reinvestment back into new/replacement schools that deliver exceptional learning spaces and support communities.

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 type="checkbox"/> Reg 444/98 | <input checked="" 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 |

FINANCIAL IMPLICATIONS

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

RISK LEVEL

Low

ACTION PLAN AND ASSOCIATED TIMELINES

Report back to the TLC Board following the completion of a draft term sheet to inform a Memorandum of Understanding.

TLC AND TDSB BOARD 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:** Site Profile
- **Appendix B:** Expression of Interest from SHN

FROM

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

Barbara Carou, Acting Director, Strategic Partnership and Development, Toronto Lands Corporation, at bcarou.tlc@tdsb.on.ca

SITE PROFILE

APPENDIX A

St. Margaret's

235 Galloway Rd

Ward: 19 (Patel)

Location: Lawrence Ave & Morningside Ave

Current Use: Elementary School

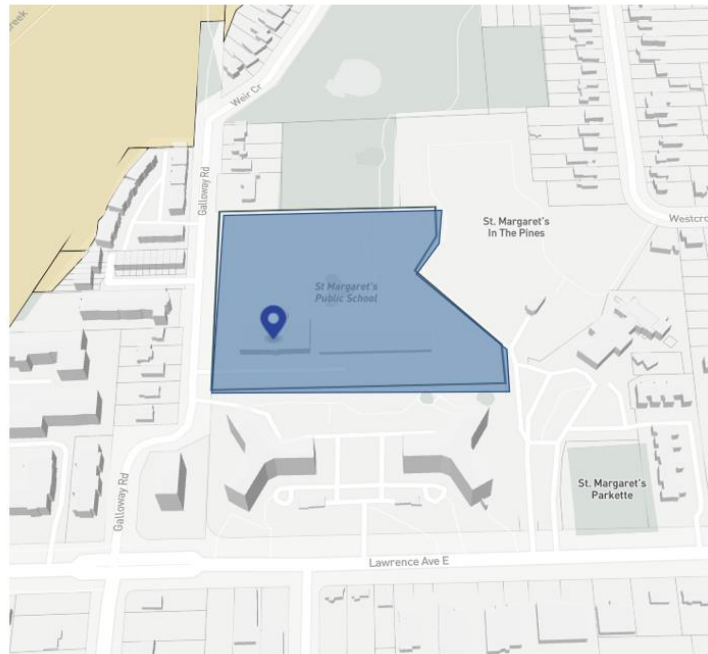
Site Size: 7.4 Acres

OP Designation: Neighbourhoods

Zoning: SFD

Major Transit: No

Station Area:





May 13, 2024

Toronto Land Corporation
60 St. Clair Avenue East, Suite 200
Toronto, ON M4T 1N5

Re: Letter of Intent to Partner for Development of a Long-Term Care Facility at St. Margaret's Elementary School Site

We at the Scarborough Health Network (SHN) are pleased to express our intent to partner with the Toronto Land Corporation (TLC) to develop a portion of the St. Margaret's Elementary School Site into a state-of-the-art long-term care (LTC) facility. This partnership reflects our shared vision of enhancing healthcare infrastructure in Scarborough to meet the growing needs of our community.

Overview of the Project:

- Site Location: St. Margaret's Elementary School Site, Scarborough
- Purpose: To develop a long-term care facility that will be operated by SHN
- Proposed Facility Size:
 - Option 1: 12-storey building, 18,150 square meters (195,000 sqft), 260-350 units
 - Option 2: 5 to 10-storey building, 18,700 square meters (201,300 sqft), 270-365 units
- LTC Home Design Principles:
 - Courtyard Building, Single-Loaded Corridor, Independent Cluster of Units
 - Outdoor destinations and patio-like spaces
 - Adherence to Ontario LTC design guidelines
- LTC Partnership Benefits:
 - Wrap-around supports for residents
 - Employment opportunities for Scarborough residents for construction and operationalization of the LTC home.
- Initial Development Plan: Explore opportunities to establish a partnership and collaborate with TLC and key stakeholders to develop key terms that will set out to inform and application to the Ministry of Long-Term Care.

Benefits of the Partnership:

1. Community-Centered Care: The development will bring high-quality, community-oriented long-term care services to the residents of Scarborough. The LTC facility will be ideally situated within the community to prevent residents from feeling isolated. By creating a mixed-use



campus alongside a school, the partnership will offer mutual benefits to both seniors and students.

2. Modern Infrastructure: Our designs will ensure optimal living conditions, offering residents familiar, intimate spaces with access to outdoor areas.

3. Collaborative Growth: This initiative strengthens the relationship between SHN and TLC, creating opportunities for future collaborative projects.

Next Steps:

We propose forming a joint project team to work on setting out a structure to advance the detailed planning and implementation of this initiative. Together, we can ensure that this project is executed efficiently, meeting the requirements of both organizations and benefiting the community.

Sincerely,

A handwritten signature in black ink, appearing to read "David Graham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David Graham
President and CEO
Scarborough Health Network
3030 Lawrence Avenue East
Scarborough, ON M1P 2T7