

Toronto District School Board

Policy P.010 FAC:

Leasing of Surplus School Properties

Statement

It is the policy of the Toronto District School Board to lease¹ school properties, which have been declared surplus to the educational needs of the Board.

When considering the lease of its property, the Toronto District School Board will have regard to the following principles:

- TDSB leased facilities shall be operated and maintained to the standards of the Board.
- TDSB facilities shall be leased, where feasible, at fair market value.
- The local community will be informed regarding potential alternative uses for those school facilities which have been declared surplus to the educational needs of the Toronto District School Board.
- The TDSB will endeavour, where possible, to provide public access to leased facilities subject to the requirements of the future tenant(s).

¹ A lease is a contract by which the Board, in consideration of rent, conveys land or tenement to a lessee for a specified time.

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Administrative Procedures

1. Upon the closure of school facilities, the Board will declare the sites surplus to the educational needs of the Toronto District School Board.
2. That when a property is declared surplus a communication be issued to (the community) all residents within a 500-metre radius of the perimeter of the property explaining the process in clear language.
3. Facility Services will undertake a demographic analysis of the surrounding community in which the closed school is located and determine the long-term requirements for student accommodation in the community. This analysis will form the basis for establishing the term of the lease agreement.
4. The Toronto District School Board will issue a proposal to lease, or otherwise dispose of the property(s), as required by Regulation 444/98, Disposition of Surplus Real Property.
5. In the event an offer is made to the Toronto District School Board in response to the proposal, the property will be leased, or otherwise disposed of, as per the conditions established in Sections 6 to 9 of Regulation 444/98, Disposition of Surplus Real Property.
6. Facility Services, along with the local trustee, will hold a community meeting and notify all residents within a 500-metre radius of the perimeter of the property no later than ten (10) days before the meeting in order to:
 - Discuss possible use(s) for the closed school;
 - Receive input regarding the proposed use(s) and tenant(s) for the closed school(s)
7. Facilities Services will recommend to the Board a suitable use(s) and tenant(s), based on the following criteria:
 - Compatibility with the surrounding neighbourhoods in which the closed schools are located;
 - Respect for the fabric and built form of the neighbourhoods in which the closed schools are located;
 - Representation of good planning principles;
 - Support of the intent of the City of Toronto's Official Plan policies.
8. In the event an offer is not made to the Toronto District School Board in response to the proposal, Facility Services will procure a tenant(s) for the closed school property(s) having regard to principles attached

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9. Facility Services will forward a report to the Board recommending a tenant(s) for the closed school facility(s) for its consideration.
10. Upon Board approval of a tenant for the closed school facility, Facility Services will begin negotiations with the tenant and do all things necessary to secure the tenant(s) in the closed school facility.
11. In instances whereby a future tenant will coexist with an operating school, a Property Management Committee (PMC) will be established to table, discuss and resolve matters in connection with the operations of the operating school and leased space. The Property Management Committee shall consist of the following members:
 - TDSB Real Estate staff;
 - The principal of the affected operating school;
 - The TDSB 's head custodian;
 - The tenant and his/her representatives
 - Facility Services staff, as required from time to time.
12. The Property Management Committee will meet each September and establish an appropriate meeting schedule for each academic calendar year

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Guiding Principles for the Consideration of Tenants in TDSB School Facilities.

The Toronto District School Board will have regard to the following principles when considering the lease, or otherwise disposition, of its surplus school space.

1. As a general principle, it is the intent of the Toronto District School Board (TDSB) to retain ownership of its surplus school sites, however in the event that school sites are offered for sale, such sales will be governed by the relevant regulations of the Ministry of Education.
2. The TDSB will aggressively pursue the lease of its surplus space in order to generate revenue that will support a strong capital program and provide quality learning environments for TDSB students and staff.
3. The TDSB, when considering the long-term lease of surplus school sites, will endeavour to retain public access to the open space, subject to the requirements of the future tenant(s).
4. The TDSB will endeavour to give priority to child care programs when considering the long-term use of surplus space in operating schools.
5. The local community will be informed regarding potential alternative uses for those school facilities that have been declared surplus to the educational needs of the Toronto District School Board.
6. The TDSB, when considering alternative uses for its surplus school sites, will seek uses which are in accordance with the intent of the City's Official Plan policies.
7. The TDSB will endeavour to relocate existing community programs and services housed in schools approved for closure subject to the availability of school space and the requirements of the relevant regulations of the Ministry of Education.
8. In the event leased school sites are available for public use, all costs associated with such uses will be in accordance with the Board's permit fee structure.
9. All changes to the terms and conditions of shared-use agreements, resulting from the closure of school facilities, will be subject to negotiations between the Board and the City.
10. The Board will work co-operatively with City of Toronto officials to provide early notification regarding the lease, or otherwise disposition, of school sites declared surplus to the educational needs of the Toronto District School Board.