

Planning and Priorities Committee October 21, 2015	Page 31	Board Services Agenda Record PPC:058A Agenda Item 9.
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Report No. 10-15-2667

TORONTO DISTRICT SCHOOL BOARD

**AMENDED LICENSE AGREEMENT FOR ARTIFICIAL OUTDOOR ICE RINK
 BETWEEN THE CITY OF TORONTO AND THE TORONTO DISTRICT SCHOOL
 BOARD AT HODGSON SENIOR PUBLIC SCHOOL**

TO Planning and Priorities Committee 21 October 2015

RECOMMENDATION **IT IS RECOMMENDED that the Board amend the existing License Agreement with the City of Toronto to Operate an Artificial Outdoor Ice Rink facility at Hodgson Senior Public School to accommodate community access during the school day as requested by the City of Toronto.**

STRATEGIC DIRECTION

- Form strong and effective relationships and partnerships.

RATIONALE In 1982, the City and the Former Toronto Board of Education entered into a Shared Use Agreement (the ‘**Agreement**’) for the installation and operation of two (2) artificial Ice Rinks at Hodgson Senior Public School (the ‘**School**’). The Agreement expired in 2002, but was renewed by the Board in 2008 to end in 2018.

In January 2013, the City approached the Board about the possibility of investing capital to upgrade the artificial ice rink at Hodgson Senior Public School. The City allocated approximately \$2 million dollars for critical upgrades required to replace the refrigerant system that became outdated and unsafe. The City was looking to extend the use of the rink, beyond the 2018 termination date, to rationalize this significant capital spending.

In April 2014, the Board approved the extension of this Agreement from 2018 to 2024. The terms of the extended Agreement are:

- **Term:** from 30 June 2014 to 30 June 2024
- **Rent:** no rent
- **Termination:** No option for notice during the 10 year lease. After this time, the Board may give 2 years termination notice.
- **Renewal:** there is an option to extend the lease beyond 10 years if the parties agree and the extensions would include the 2 year notice proviso.

Planning and Priorities Committee October 21, 2015	Page 32	Board Services Agenda Record PPC:058A Agenda Item 9.
---	-------------------	---

- **Permitted Use:** artificial rink
- **School Access:** 7:00 a.m. to 4:30 p.m. on all school operating days. This time allocation is reviewed annually to ensure all school needs are accommodated. The agreement permits the Board to change this time with proper notice to the City.
- **City/Community Access:** after 4:30 p.m. (or such time as determined by the Board with proper notice to the City) on school operating days, and from 9:00 a.m. to 11:00 p.m. on weekends and statutory holidays.
- **Capital Funding:** the City is responsible for funding all capital improvements and upgrades the ice rink, as well as all operating costs.

The season for use of the Outdoor Rink is typically from each December to the following April.

Amendment: The City of Toronto has recently requested that the Agreement be amended to permit community use of the Outdoor Ice Rink during the school day when it is not required by the School. This change would reflect the historic use of the facility prior to the Agreement of 2014.

This request was reviewed and discussed with the School Principal and the Superintendent of Education and there is support for piloting this arrangement for one year. Community Use of the Outdoor Ice Rink would be permitted by the Board, during the school day, from 11:30 a.m. onward on all school operating days in the 2015/2016 academic year. The Amendment would note that this time would need to be confirmed by the School at the beginning of each subsequent academic year. A later start to community access may be required should the School's student enrolment increase significantly.

The Amendment will require the City to take full responsibility for the Outdoor Ice Rink from 11:30 a.m. (or as otherwise determined by the School) onwards on all school operating days and the City will indemnify the Board from risk during this time when the City will operate community programs.

RESOURCES Staff time will be made available to prepare this Amendment.

IMPLEMENTATION AND REVIEW The capital upgrades to the Outdoor Ice Rink project was completed during the 2014-2015 academic year. The Amendment

Planning and Priorities Committee October 21, 2015	Page 33	Board Services Agenda Record PPC:058A Agenda Item 9.
---	-------------------	---

will be prepared and targeted to be signed prior to the commencement of the use of the Outdoor Ice Rink for the 2015-2016 winter season.

APPENDICES Appendix A: Hodgson Senior Public School Aerial View

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APPENDIX A

 **Hodgson Sr PS**
2005



Produced by:
Planning Division, Facility Services, TDSB
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Base Map - Land Information Toronto
Facility and Student Data - Facility Services, TDSB



Legend

-  Site
-  TDSB Facility
-  Road