

REVISED



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A subsidiary corporation of the TDSB



November 20, 2019

Transmittal No. 2020 – 90
(Public)

Management Report to the Board, November 2019

To: Robin Pilkey, Chair

This communication is to inform you that the report entitled *Management Report to the Board; November 2019* was received by the TLC Board at its meeting of 12, 2019.

On behalf of the Board of Directors of the Toronto Lands Corporation, the report is being forwarded to the TDSB Board for information.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Crombie', written in a cursive style.

David Crombie
Chair, TLC

cc. D. Sage, Executive Officer, TLC
cc. J. Malloy, Director of Education, TDSB
cc. C. Jackson, Associate Director, Business Operations and Service Excellence, TDSB
cc. S. Shaw, Executive Officer, Facility & Planning, TDSB

TORONTO LANDS CORPORATION**Management Report to the Board, November 2019**

To: Chair and Members of the Toronto Lands Corporation

Date: 12 November 2019

Recommendation:

That the report, *Management Report to the Board, November 2019*, be received and forwarded to TDSB for information.

Rationale

This report serves to inform the Shareholder on matters of interest and work in progress on specific project files within the TLC portfolio as directed by TDSB. This report serves as the quarterly communication link between TLC and Trustees in compliance with the Shareholder's Direction.

Context**TLC Real Estate Portfolio:**

TLC Real Estate continues to evaluate real estate projects where new Guidelines can be undertaken in order to increase efficiencies and reduce costs. Private individuals that are situated adjacent to TDSB properties, at times, require access to TDSB sites in order to complete work on their own property. The timeline for access is usually less than three months and has minimum requirements in order to provide for insurance, indemnity, costs and overall protection of TDSB property and any related staffing requirements. A Guideline has now been developed as well as a standard agreement for this type of short term use to ensure protection for the TDSB asset while supporting a request with adjoining neighbours. An individual report is provided for the implementation of the Guideline: Temporary Access Agreements.

Specific project updates are detailed below that provide a current overview of the status or recent completion of a real estate matter.

Disposition;**Greenwood Secondary School****24 Mount Joy Avenue (Danforth Avenue and Greenwood Avenue)**

This disposition remains under conditional agreement of sale with the Conseil Scolaire Viamonds (CSV) with a Ministry of Education approval required on or before November 30, 2019. TLC continues to monitor the transaction with CSV with the sale of this property; the site will remain as a public educational facility in the long term.

Expropriation:**68 Davisville Avenue abutting TDSB Property at 43 Millwood Road (one block east of Yonge Street)**

As construction continues for the new Davisville School, the executed agreement for the Permission to Enter the adjoining property, 68 Davisville, TLC has secured TDSB access to the right-of-way and with the ability to install tiebacks. However, the Permission to Enter is a temporary agreement and TLC, through Counsel, continues to negotiate for a full and final settlement on this property matter. In the interim and to ensure progress and access remains with the TDSB, as a precautionary measure, at the request of TLC, TDSB has approved the Expropriation at its September Board meeting.

Acquisition;**Lower Yonge – Menkes**

TLC has negotiated the terms and conditions for the potential acquisition of a strata-ownership, subject to Ministry approval, in one of the Menkes towers, which if approved, is anticipated to be constructed in 2026, and will also be conditional upon the entering of a shared-use agreement with the City on the parkland. The TLC has now commenced preliminary negotiations with the City of Toronto in order to understand the City position and requirements on providing exclusive access to the new City Park and a new pedestrian bridge for the students to cross to access the park. Upon finalization of an agreement with the City in conjunction with the Menkes agreement, seeking Ministry approval will be the next step in this process.

Provincial Infrastructure Projects:

Most recently, TLC has been contacted with regards to another Metrolinx project, GO Expansion program, Scarborough Junction Grade Separation and Huntingwood Drive Road Underpass. The project would impact two schools as a result of a grade separation and a pedestrian crossing. TLC has undertaken a review of the property requests and site visits with appropriate staff from TDSB, City and Metrolinx to understand potential property impacts. TLC will be providing general comments to Metrolinx on this property matter as requested by Metrolinx for the environmental assessment process which is expected to be completed in the summer of 2020.

The Durham-Scarborough Bus Rapid Transit project has also commenced public meetings. While there has been no specific request for property, it appears one high school may be impacted along this corridor and TLC will continue to monitor the project.

Any site specific property requirement will be treated on an individual basis with a separate report recommending approval to proceed with an agreement under specific terms and conditions.

Leasing and Partnerships:**Baycrest Public School**

The sale of Baycrest Public School to TCDSB closed on September 25, 2019. TDSB will lease the building back until December 31, 2020 allowing time for renovations to be completed at Sir Sandford Fleming. In addition to the Baycrest students, the private day care operator currently located at the school is expected to relocate as well.

Lawrence-Midland Lands:**1555 Midland Avenue & 2740 Lawrence Avenue East**

The sale of lands associated with both Bendale Technical School (“BTI”) and David Mary Thompson SS are being sold to a single buyer. The closing date for the sale will occur following the occupancy of the single new replacement school. Occupancy is anticipated as of November 19, 2019.

The closing of BTI sale requires the demolition of the building which is expected to be completed within approximately two months following the opening of the new school. Closing will occur 20 business following TLC notice that demolition has been completed.

Upon opening of the new school David Mary Thompson will take about 6-8 weeks to empty of surplus furniture and the sale will occur following 20 business days notice to the buyer.

Leasing and Partnerships:

City Child Care Umbrella Agreement

TLC has completed the 2018-19 reconciliation of the eligible child care leases covered by the “City-pay umbrella agreement. On a year over year basis, exclusive use space dropped by 566 square feet and shared space rose by 93,253 square feet. Exclusive use space is primarily used for all day child care programs serving pre-school children while shared space is used for before and after school programs serving school age children, which excludes junior and senior kindergarten children.

2019-20 Yr/Yr Change in Sf.				
	Exclusive	12 Mo. Shared	10 Mo. Shared	Total
SUMMARY	-472	38,839	54,980	93,347
+ 20% COMMON:	-94			-94
Total	-566	38,839	54,980	93,253

Shared space comprises 10 Month space which excludes the summer school break and is provided rent-free and 12 Month Space where the tenant is also given exclusive use during the summer. In the case of both categories of shared space the operator is given access before and after the school day during the 10 month school operating year on a rent free basis.

As of September 1, 2019 the total square footage covered by the City umbrella agreement totaled 1,658,530 square feet. Reflective of the forgoing changes in occupied space and stated financial terms, on a year over year basis in the amount payable the City increased by approximately \$38,000 and totaled approximately \$4,554,000 per years as detailed in the table below.

TDSB Umbrella Agreement Data Base as of September 1, 2019				
	Sf.	\$/sf.	Total \$'s	Yr/Yr Change
Exclusive Use	607,858	\$6.50	\$3,951,076	-\$3,680
12 Mo. Shared	557,133	\$6.50	\$603,560	\$42,075
10 Mo. Shared	493,539	n/a	\$0	\$0
Annual Total	1,658,530		\$4,554,636	\$38,395

In 2017 the Education Act was amended to extend TDSB responsibility for delivering before- and after-school programs to school age children in addition to kindergarten aged children. ~~All of these programs are delivered by third party operators holding lease agreement with TDSB.~~ These before- and after-school programs are delivered by both third party operators and TDSB staff depending upon location. The statistics for shared space shown here only include third party operated revenues and square footage.

Land Use Planning:

City Circulation of Development Applications

The City of Toronto circulates development applications (official plan amendments (OPA), zoning by-law amendments (ZBA), site plan approvals, and draft plans of subdivision) to TLC Land Use Planning for their review and comment. TLC has responded to 72 development applications from August 1, 2019 to October 31, 2019. See also separate TLC Board Report 2019-11-800.

The review of these applications has also involved TLC staff attending public open houses and statutory public meetings, as needed, in order to represent the TDSB’s interests in areas where issues related to school accommodation are anticipated, as well as where there are potential land use planning impacts on existing TDSB sites.

Review of Development Applications in Proximity to School Sites

Where developments are proposed in proximity to TDSB sites, TLC has assessed the impacts of the proposed development on TDSB operations and assets, including issues such as traffic, shadowing, setbacks, and construction management by reviewing application submissions and conducting site visits.

TLC continues to meet with developers, their consulting team and/or City staff early in the planning approval process to discuss land use planning and construction management concerns with the proposed developments. TLC staff have met with developers and/or their consulting teams for proposed applications on 540-544 King Street West, and 40-44 Broadway Avenue.

City Initiated Planning Studies

A. General

The City of Toronto is currently undertaking over 50 planning studies in the City. TLC has conducted a preliminary review of these studies and has identified approximately 20

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studies that require monitoring or active participation to ensure that the TDSB's interests are protected.

TLC has assisted in developing City-initiated Community Services and Facilities Strategies by providing information on various areas of the City. Recently, TLC and TDSB staff met with City staff to review their Housing Now Initiative, which is intended to accelerate affordable housing in the City. The opportunity to discuss this initiative at an early stage allows for TLC and TDSB to anticipate growth and identify potential opportunities and constraints in the early stages of the planning process. Details of other City studies with significant TLC involvement are provided below.

B. Golden Mile Secondary Plan

The Golden Mile Secondary Plan Study was initiated by the City with the goal of developing a vision and comprehensive planning framework in the study area to facilitate and support appropriate residential and non-residential growth while protecting and encouraging new employment and office development.

The Golden Mile Study Area is located within a commercial/industrial area of the City that was never assigned a home school. In December 2018, TLC and TDSB staff attended a school sector meeting on the Golden Mile Secondary Plan and informed the City that the TDSB requires a new elementary school in the area due to anticipated residential growth in the area.

On October 25, 2019, City staff shared with TLC the Golden Mile Draft Secondary Plan policies for review. The draft policies identify a new elementary school within the Secondary Plan Area as a priority and also speak to the importance of development being sequenced to ensure the adequate provision of community services and facilities (which include schools) to service development. TLC Staff have reviewed the draft policies and provided written comments back to the City in early November 2019.

TLC staff will continue to work with the City as they refine and prepare the final plan for this area, which is targeted to go to City Council in Winter 2019/2020.

C. Laird in Focus

Launched in November 2016, the purpose of the Laird in Focus Study was to focus and shape anticipated growth around the intersection of Eglinton Avenue East and Laird Drive and along the west side of Laird Drive, anchored by the transit infrastructure being constructed as part of the Eglinton Crosstown Light Rail Transit (LRT).

Although the focus of the study is around transportation and built form policies, TLC and TDSB staff have actively participated in the Laird in Focus Study, attending technical

and public meetings, as well as providing formal comments at various stages of the study, including a letter dated July 26, 2019 which outlined TLC/TDSB's main interests in the study.

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On September 18, 2019, City staff shared with TLC the Laird in Focus Draft Site and Area Specific Policy (SASP) for review. The draft SASP contemplated policies that facilitate significant population increase in this area, including approximately 3,700 new units. TLC staff reviewed the draft SASP and provided formal comments to the City on a letter dated October 11, 2019. The letter requested that the SASP be revised to include additional policies to help ensure that future development is phased to align with the adequate provision of school accommodation in the area.

A final staff report recommending Council adoption of the city-initiated official plan and the SASP was considered by North York Community Council at its November 5, 2019 meeting. TLC staff met with City planning policy staff on October 29, 2019 and submitted a formal letter to Community Council on November 1, 2019 asking Council to put forward a motion amending the SASP to include policies to help ensure that future development is phased to align with the adequate provision of school accommodation to serve the Laird in Focus Study Area. Through further discussion with City staff and Ward 11 Trustee Chernos Lin, TLC was successful in advocating for stronger language to address TLC's concerns around the pace of development, school capacity, and effective coordination, as put forward in the following motion by Councillor Robinson's office:

"The City will monitor development applications in the Laird in Focus Area on an ongoing basis, taking into consideration the relevant service and facility plans of City divisions, public agencies, boards and commissions, including school capacity as part of ongoing conversations, to evaluate the evolving needs of the area's population and inform the delivery of new and enhanced community services and facilities."

The above motion was included in the SASP as a new implementation policy, and was adopted by Community Council. This matter will be considered by City Council on November 26, 2019.

D. Christie Planning Study

The City is conducting a City-initiated Christie Secondary Plan for an area located at the northeast corner of Parklawn Road and Lake Shore Boulevard West. On October 21, 2019, First Capital submitted an application to amend the City's Official Plan to introduce a new Park Lawn GO Station, substantive new employment and residential uses including retail, entertainment and open space uses. The City is estimating a range of 9,185 to 13,125 new residents in this area, where local elementary schools are already experiencing accommodation pressures. TLC is engaging with the City and developer early in the process to potentially secure an elementary school site to ensure future accommodation needs are met in this area.

Local Planning Appeal Tribunal Matters**A. Midtown**

The Midtown area of the City of Toronto is experiencing significant residential intensification and population growth, with a large number of development applications at various stages of approval. The TDSB is facing serious challenges in accommodating students locally in the area. The TDSB is currently undertaking a Program Area Review in this area. The TDSB projects a shortage of 800 elementary pupil spaces in the Midtown Area over the long term.

In June 2019, TLC Board approved the strategy set out in report 2019-06-779.

TLC continues to work with City staff (policy, development review and legal) to discuss the TDSB's accommodation challenges in the area and strategies to align the timing of development with the provision of education facilities. TLC staff are currently arranging a meeting with City staff before the end of the year to continue having these discussions.

B. Port Lands

The Port Lands occupy an area of 325 hectares (800 acres) to the southeast of Downtown. The Port Lands planning framework and Official Plan Amendment (OPA) establish that this area is planned to accommodate a new mixed use community, including up to 21,000 residents, with a potential for up to an additional 10,000 residents. The TDSB has identified the need for two new elementary schools and one secondary school in the Port Lands.

The TDSB is an appellant to the Port Lands OPA. The first phase of the hearing with respect to land use planning and transportation issues is scheduled to commence August 31, 2020. TLC has met with City staff and legal counsel to discuss TDSB's issues, including the need for a future secondary school within the Port Lands. TDSB accommodation staff are undertaking an analysis of the projected future enrollment in the broader area, in order to support the need for a new secondary school. After completion of this work, TLC and TDSB staff will meet again with City to further discuss this issue..

C. High Park (OPA 419/SASP 551)

Official Plan Amendment 419 (OPA 419) and Site and Area Specific Study 551 (SASP 551) is the culmination of a character area study located north of High Park, in TDSB Ward 7. The study was undertaken as a result two large scale residential development applications that were received by the City of Toronto in December 2016. .. The policies of OPA 419 are intended to provide locally based policy direction to both manage and remedy the impacts of future growth through a more comprehensive planning process, as opposed to addressing the impacts of growth on an application-by-application basis.

The TDSB advised the City of the critical shortage of capacity in the local elementary schools and the inability to accommodate population growth associated with future intensification in the area. OPA 419 was appealed by the TDSB and other parties to the LPAT.

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The two site-specific applications in this area have also been appealed to the LPAT by the applicants. The TDSB is a party to those matters, which will be proceeding to a hearing in January 2020. TLC is working with external legal counsel TDSB accommodation planning staff and an external land use planning witness to prepare for the hearing.

TDSB Site Plan Applications

TLC has provided land use planning support and advice to the TDSB Design and Construction team on a number of school site plan applications. To assist with a proposed addition for a daycare at George Syme Community School located near a rail corridor, TLC reviewed the City's Official Plan and other relevant policy documents and has consulted with Metrolinx to assist in processing the application.

TDSB Minor Variance Application

TLC is providing assistance to the TDSB with respect to a Toronto Local Appeal Body (TLAB) appeal filed by a resident with respect to a minor variance application required by the TDSB for a proposed child care addition at Kingsview Village PS. TLC is providing assistance to the TDSB with respect to a Toronto Local Appeal Body (TLAB) appeal filed by a resident with respect to a minor variance application required by the TDSB for a proposed child care addition at Kingsview Village PS. The TLAB hearing was initially scheduled for November 8, 2019, but TLC assisted the TDSB in getting the hearing adjourned to February, 2020.

Corporate Communications:

Since the last Board Report TLC Corporate Communication has undertaken the following:

- Issuing of an *Invitation to Bidders* for the redevelopment of the corporate website and the execution of a branding/identity project.
- In line with our recently approved Annual Plan, work has commenced to establish the core membership of a Public Asset Working Group.
- As suggested by the Board at a previous meeting, communication/education materials have been developed on the Midtown Toronto accommodation pressures and strategy to address growth and intensification. This material has been posted to our website. Other methods of making this material available will be considered.

Routing

TLC Board: November 12, 2019

TDSB Board Cycle: February 2020

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Daryl Sage, Executive Officer, Toronto Lands Corporation, at dsage.tlc@tdsb.on.ca or at 416-393-0575

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Last update: November 7, 2019

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