



Committee of the Whole Agenda

CW:16A

Wednesday, May 20, 2020

4:30 p.m.

Electronic Meeting

Trustee Members

Robin Pilkey (Chair), Michelle Aarts, Alexander Brown, Rachel Chernos Lin, Stephanie Donaldson, Trixie Doyle, Harpreet Gill, Parthi Kandavel, Shelley Laskin, James Li, Alexandra Lulka, Dan MacLean, Christopher Mammoliti, Chris Moise, Patrick Nunziata, Zakir Patel, Yalini Rajakulasingam, David Smith, Anu Sriskandarajah, Jennifer Story, Chris Tonks, Manna Wong

Note: All trustees are members of the committee, quorum for which is 12 members

Pages

1. Call to Order and Acknowledgement of Traditional Lands

2. Approval of the Agenda

3. Declarations of Possible Conflict of Interest

4. Delegations

To be presented

5. Reports From Trustees Appointed to the Ontario Public School Boards' Association

5.1 Ontario Public School Boards' Association Directors' Report

To be presented

6. Staff Reports

6.1 Interim Report on the Secondary Program Review [3885]

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6.2 Basketball Nets Pilot: Update [3889]

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6.3	Service Excellence Program Overview [3886]	
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8.	Adjournment	



Interim Report on the Secondary Program Review

To: Committee of the Whole
Date: 20 May, 2020
Report No.: 05-20-3885

Strategic Directions

- Transform Student Learning
- Provide Equity of Access to Learning Opportunities for All Students

Recommendation

It is recommended that the Interim Report on the Secondary Program Review be received for information.

Executive Summary

The Toronto District School Board's vision is that all students have equitable access to stronger programs and richer opportunities – as close to home as possible. This is the driving force of the Secondary Program Review, which, for the first time ever, is reviewing all TDSB secondary schools at once to develop a plan to address the inequities and imbalances throughout our current system.

As we move forward in this work, we are guided by our commitment to create a system that:

- Has fewer but stronger schools that provide greater access, better options, and rich pathways as close to home as possible;
- Strengthens the role of the neighbourhood secondary school;
- Continues to support specialized schools and programs and increase access for all students;
- Provides schools with the flexibility to respond to student needs and interests by creating the programs they desire, supported by strong enrolment;
- Provides school choice through a revised Optional Attendance policy and procedure;
- Continues to support some small secondary schools that offer different learning environments, programs or supports; and,
- Offers the support that students want such as caring adults, flexible learning environments, and general scheduling modifications.

This interim report of the Secondary Program Review, highlights the issues, gaps, and needs facing our system that are impacting our ability to support this vision. And, while it offers some preliminary concepts for discussion, it is not a set of recommendations on school closures or a roadmap to a one size fits all approach to our schools. Using the comprehensive and data-rich information, including enrolment and population projections, this report acknowledges where we have been, where we are and where we *could* go, all

while respecting and protecting many of the successful schools and programs that exist right across our system.

This report supports our next step forward as we start to re-imagine and re-draw our system in consultation and collaboration with our communities to enhance equity and support the achievement and well-being of each and every student in the TDSB, now and in the future.

Identifying Challenges and Opportunities

Access has long been identified as a challenge in the TDSB. The Secondary Program Review Interim Report has been informed by, and builds upon, years of past consultations with our communities, reports, and system commitments including:

- **Integrated Equity Framework** (2016) – A phased, multi-year action plan that aligned operations and organizational culture with the Board's equity vision. A key component of the focus on improving achievement and well-being for all students was around access.
- **Enhancing Equity Task Force** (2016) – Its work with parents and students brought to the surface the systemic barriers many students faced in the TDSB and identified the specific areas to focus on to achieve large scale system change, including access by developing strong neighbourhood schools.
- **Director's Response to the Enhancing Equity Task Force** (2018) – This report brought forward directions in seven key areas that aligned to our principles of equity and ensuring every student has the right tools, resources, access and opportunities needed to thrive.
- **Multi-Year Strategic Plan** (2018) – Its focus is to ensure that every student has equitable access to programs and resources and increased opportunities to lead to success. Its action plans lay the groundwork for transforming student learning, creating a culture of well-being, and providing access to learning opportunities.
- **Guiding Principles of the Long Term Planning and Accommodation Strategy** (2019) – These new principles put equity, access and flexible and efficient learning space at the centre of our work.

A system-wide consultation with students in 2016 invited them to share their voice and ideas about improving the secondary school experience. This followed by another extensive consultation process this past year, where we heard directly from our communities – students, staff, Trustees, and current and future parents and families – to hear ideas, feedback and thoughts on all areas related to access. All of the groups we consulted agreed that secondary schools should provide opportunities for all students to experience a variety of stimulating choices, facilitate post-secondary or future pathways exploration, support the development of life skills and global competencies, help students make lasting relationships, and enable students to support their own well-being within a positive school climate.

Finally, this report relies heavily on data to show a comprehensive, unbiased view of our secondary school landscape, now and in the future. It demonstrates the complexity and interconnectedness of our 111 secondary schools and readily identifies that one of the primary contributing factors to the imbalances and inequities that exist today is the prevalence of surplus capacity in our system. This surplus – fuelled by decades of declining enrolment – is unevenly divided throughout the system. In some communities, there is significant competition among underutilized schools to increase enrolment, while in other areas that are at or beyond capacity, frustration for our students and communities across the city who are trying to access schools that may not have available space.

Together with data that shows the impact of our evolving city on our schools over the next decade, including residential developments, planned and existing transit, migration of

students and attendance patterns and projected enrolment, we can easily see how and where our current surplus of nearly 20,000 spaces in our system – the equivalent of 15 to 20 schools – is not expected to change.

Looking Ahead to 2029

Using all of this information, the TDSB is committed to “right-sizing” our system to improve access to strong programs and diverse course offerings, better use our schools and operate more efficiently as a system.

There is not a one-size-fits-all approach to this work. As the next logical step in the dialogue, this report has organized all secondary schools into 10 school groupings, not by existing boundaries but rather geographical adjacencies, common feeder school pathways and program relationships. Preliminary concepts, based on data, have also been identified to help guide conversations and considerations going forward.

It is important to note that no specific schools have been named for consolidation and no further steps will be taken without extensive local community consultation. While those timelines and processes will not be identified through the Secondary Program Review, all work will be done through open, inclusive and transparent reviews over the next decade and follow appropriate guidelines and policies by both the TDSB and the Ministry of Education.

Over the next five months, students, parents, staff and community members can continue to provide feedback and further insight through delegations and their local Trustee. The Secondary Program Review Final Report will be presented to the Board in October 2020.

We live in a highly dynamic and rapidly changing city and we must address the issues, gaps and needs within our system to better support and serve our students. Meaningful change will take time but the opportunity to improve access, experiences and outcomes for students is both necessary and exciting.

Action Plan and Associated Timeline

Over the next few months, parents, students, staff and community members will have the opportunity to provide feedback on the information shared in the report. Feedback can be provided to secondaryreview@tdsb.on.ca and/or to local Trustees.

If approved in the fall, the Secondary Program Review Final Report will inform the Long-Term Program and Accommodation Strategy, which identifies studies and reviews about any proposed changes, including school consolidations, boundary changes, or school reconfigurations. Regular and ongoing communication will be provided so that parents, students, staff and community members are informed of the opportunity to engage and provide feedback during the program and accommodation review processes.

Resource Implications

Not applicable

Communications Considerations

The Secondary Program Review is a significant and complex initiative. The Government, Public and Community Relations team will continue to be engaged to help support ongoing stakeholder communication and issues management.

The information and preliminary concepts identified in this Secondary Program Review Interim Report will be shared with the public and the TDSB community through our regular channels of communication including TDSB Connects, the Board website, social media, and school newsletters.

In addition, to address the complexity of this review for the public, efforts will be dedicated to making the information as accessible as possible through videos, infographics, a robust website with questions and answers, and social media. Moving forward, these materials will continue to be updated to help ensure the public is aware of ongoing timelines and opportunities for engagement. A communications plan to support the next phase of this work is underway.

Board Policy and Procedure Reference(s)

P013 - Optional Attendance

PR545 - Optional Attendance

PR612 - Admission to Specialized Schools and Programs

Appendices

(Separate Documents)

1 - Interim Report on the Secondary Program Review

Maps

2A - System map of the 10 Secondary School Groups

2B - System map of Collegiates and attendance areas

2C - System map of legacy Technical Schools and attendance areas

2D - System map of legacy Commercial Schools and attendance areas

2E - System map of Alternative Schools

2F - System map of Congregated Special Education schools

2G - System map - Greenwood SS, Heydon Park SS and Eastdale CI

2H - System map of EdVance Programs

2I - System map of Specialized Programs

2J - System map of Specialized Schools

2K - System map of Indigenous Schools

2L - System map of Caring and Safe School locations

2M - Heat Map: Secondary School Utilization rates 2019

2N - Heat Map: Secondary School Utilization rates 2029

2O – System Map of Residential Development Activity

Secondary Program Review Consultations

3 - Summary of Findings from the Secondary Program Review Consultations

Secondary Groups Appendix

Each school grouping has an appendix that includes two documents, the first is Looking Ahead 2029, which includes:

- Information on population and enrolment projections, capacity, and utilization
- Context map identifying all schools and programs
- Graph tracking the movement of students into and out of the group
- Graph identifying potential capacity targets and potential surplus space reductions to be considered over the next 10 years through future reviews
- List of high level preliminary concepts to explore over the next 10 years

The second is a detailed School Inventory for each group that includes:

- A school by school inventory of current and projected enrolment, capacity, utilization, surplus capacity
- A list of programs offered at each school
- A summary of in-district versus out-of-district attendance patterns by school

The list of Looking Ahead 2029 and School Inventory appendices is below.

4A - Secondary School Group 1 – Looking Ahead 2029

4B - Secondary School Group 1 – School Inventory

4C - Secondary School Group 2 – Looking Ahead 2029

4D - Secondary School Group 2 – School Inventory

4E - Secondary School Group 3 – Looking Ahead 2029

4F - Secondary School Group 3 – School Inventory

4G - Secondary School Group 4 – Looking Ahead 2029

4H - Secondary School Group 4 – School Inventory

4I - Secondary School Group 5 – Looking Ahead 2029

4J - Secondary School Group 5 – School Inventory

4K - Secondary School Group 6 – Looking Ahead 2029

4L - Secondary School Group 6 – School Inventory

4M - Secondary School Group 7 – Looking Ahead 2029

4N - Secondary School Group 7 – School Inventory

4O - Secondary School Group 8 – Looking Ahead 2029

4P - Secondary School Group 8 – School Inventory

4Q - Secondary School Group 9 – Looking Ahead 2029

4R - Secondary School Group 9 – School Inventory

4S - Secondary School Group 10 – Looking Ahead 2029

4T - Secondary School Group 10 – School Inventory

From

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Basketball Net Pilot Project Update

To: Committee of the Whole

Date: 20 May, 2020

Report No.: 05-20-3889

Strategic Directions

- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that:

1. Basketball Nets remain up at all locations unless the location meets the approved criteria in recommendation 2.
2. Basketball Nets be removed nightly at locations where one of the following criteria is met:
 - The basketball court is located within 7.5 meters of an adjacent home.
 - There is lighting that the TDSB cannot control, which allows play after dusk.
 - The courts are designed for children and are being used by adults (not regulation height).
3. The Appeal Protocol contained in this report for reviewing school locations not captured in recommendation number 2, be approved.
4. The Nets complaint Email address be continued and communicated via the TDSB website.

Context

In January 2020, staff brought forward a report on the Basketball Net pilot project to update the Board on the outcome. This pilot project was in response to increased demand for Basketball facilities and was intended to ensure individuals, particularly younger children, across the city would have access to these important recreational spaces beyond 6 pm, and on weekends, when nets were often taken down. The pilot

project revealed both opposition and support for Basketball net removal. Noise complaints and after hours play were the primary concerns raised. These concerns were countered with positive comments from communities about the increased access to the nets evenings and weekends.

Trustees had several questions and requested a further update on the following issues:

- A list of schools which previously had nets removed (Appendix A)
- A list of schools that fall within the 7.5 meter rule and as a result would have the nets taken down daily (Appendix B).
- A list of schools that would have nets removed if we adopted a 30.5 meter rule (Appendix C).
- How Parks, Forestry and Recreation (PFR) deals with these types of concerns at City run facilities.

Previously, nets were removed at a number of sites at the end of the school day based on a local school community decision and as a result many neighbourhoods had little to no access to nets after hours and over the weekend. The removal of nets meant that access was limited to before 6 pm on week days and not at all on weekends, at those locations.

In discussion with PFR, we learned that the issue of complaints is not as big an issue for them for several reasons. Unlike TDSB sites, most City Basketball Courts are located in park areas and homes are not close by. Where they are located close to homes, the City has staff that work over the weekend and can remove them nightly if there are concerns on weekends. Finally, PFR has access to City By-Law enforcement who can deal with concerns as they arise.

In order to deal with complaints at sites that do not meet the removal criteria, staff have developed an Appeal Protocol (Appendix D), that would permit concerned residents to have a thorough review of the concern.

Action Plan and Associated Timeline

- Basketball nets remain up at all locations unless the site meets the eligibility for removals Monday to Friday until 6 pm or until dusk if caretaking staff are available until that time.
- Staff implement the Appeal process at schools being considered for daily net removal.

Resource Implications

N/A

Communications Considerations

Staff will work to develop a communications plan to be shared with school communities.

Board Policy and Procedure Reference(s)

N/A

Appendices

- Appendix A - Schools with Basketball Nets Removal prior to the pilot project (n=67)
- Appendix B - Schools with Basketball Nets located within 7.5 meters (n=59)
- Appendix C - Schools with Basketball Nets located within 30.5 meters (n=118)
- Appendix D - Basketball Net Removal Appeal Process

From

Steve Shaw, Executive Officer, Facilities and Planning at steve.shaw@tdsb.on.ca or at 416-393-8780.

Schools with Basketball Nets Removal prior to the pilot project (n=67) **Appendix A**

School Name	Ward	LOI
Albion Heights Junior MS	1	127
Bloordale MS	2	267
Blacksmith PS	4	31
Ancaster Public School	5	164
Dennis Avenue Community School	6	41
George Anderson Public School	6	109
Humewood Community School	8	418
Whitney Junior Public School	10	472
John Fisher Junior PS	11	442
Thornccliffe Park ES	11	143
Fisherville Sr PS/NW Year Round Alt Ctr	12	257
Brian Public School	13	298
Ernest Public School	13	327
Forest Manor Public School	13	287
Shaughnessy Public School	13	288
Greenland Public School	14	309
Norman Ingram Public School	14	412
Rene Gordon Health & Wellness Academy	14	197
Victoria Village Public School	14	184
Bruce Public School	15	207
Chester Elementary School	15	236
Duke Of Connaught Jr & Sr PS	15	321
Dundas Jr PS	15	212
Earl Grey Senior Public School	15	368
Queen Alexandra Senior PS	15	169
Withrow Avenue Jr. PS	15	441
Bowmore Road Jr & Sr PS	16	403
Earl Beatty Jr. & Sr. PS	16	378
Earl Haig Public School	16	345
East York Alternative SS	16	36
Kew Beach Junior Public School	16	453
Presteign Heights ES	16	360
Victoria Park Elementary S.	16	295

Dorset Park Public School	17	139
General Crerar Public School	17	106
Glen Ravine Jr. Public School	17	80
Anson Park Public School	18	222
Clairlea Public School	18	180
Corvette Jr PS	18	76
General Brock Public School	18	199
Mason Road Junior PS	18	24
Regent Heights PS	18	241
Samuel Hearne Middle School	18	135
Walter Perry Junior PS	18	99
Cedar Drive Jr. Public School	19	61
Guildwood Jr PS	19	141
Highcastle Public School	19	219
Scarborough Village PS	19	85
Willow Park Junior PS	19	7
Bridlewood Jr. Public School	20	362
Brookmill Boulevard Jr PS	20	299
Chester Le Jr. Public School	20	77
Tam O'Shanter Junior PS	20	258
Vradenburg Junior PS	20	319
Anson S. Taylor Junior PS	21	245
Burrows Hall Jr. Public School	21	217
Chartland Jr PS/Delphi Alt SS	21	252
Macklin Public School	21	246
Percy Williams Junior PS	21	254
Port Royal PS	21	213
Tom Longboat Junior PS	21	168
Centennial Road Jr. PS	22	407
Charlottetown Jr. PS	22	435
John G. Diefenbaker PS	22	198
Meadowvale Public School	22	331
Thomas L Wells Public School	22	335
West Hill Public School	22	29

Schools with Basketball Nets located within 7.5 meters (n=59)

Appendix B

School Name	Ward	LOI
Albion Heights Junior MS	1	127
Beaumonde Heights Junior MS	1	125
North Albion CI	1	46
Islington Junior Middle School	3	194
Second Street Junior MS	3	229
Driftwood Public School	4	8
Charles H Best MS	5	188
Dellcrest Public School	5	
Brookhaven Public School	6	38
Dennis Avenue Community School	6	41
Haney Centre	6	
Maple Leaf Public School	6	5
Garden Avenue Junior PS	7	425
Howard Jr. PS	7	421
Keele Street PS	7	373
Parkdale Collegiate Institute	7	63
Queen Victoria Junior PS	7	200
Western Tech. & Comm. School	7	75
Cedarvale Community School	8	466
Cottingham Jr. Public School	8	465
Deer Park Jr. & Sr. PS	8	426
John Wanless Junior PS	8	457
Ledbury Park E & MS	8	432
Oriole Park Junior PS	8	459
Oakwood Collegiate Institute	9	45
Church Street Jr PS/Native Learning Ctr	10	280
Heydon Park SS	10	17
Jarvis Collegiate Institute	10	23
Nelson Mandela Park P.S	10	22
Whitney Junior Public School	10	472
St. Andrew's Middle School	11	434
R.J. Lang Elementary E. & M.S.	12	292
Yorkview Public School	12	344
Dallington Public School	13	338

Highland Middle School	13	334
Zion Heights Middle School	13	348
Greenland Public School	14	309
Blake Street Junior PS	15	147
Jackman Avenue Junior PS	15	449
Wilkinson Junior PS	15	316
Withrow Avenue Jr. PS	15	441
East York Alternative SS	16	36
Gledhill Jr. Public School	16	296
Gordon A. Brown Middle School	16	195
Kew Beach Junior Public School	16	453
Victoria Park Elementary S.	16	295
Williamson Road Junior PS	16	454
Terraview-Willowfield PS	17	238
Clairlea Public School	18	180
Cedar Drive Jr. Public School	19	61
Jack Miner Sr. Public School	19	303
Poplar Road Junior PS	19	156
Sir William Osler High School	20	44
Vradenburg Junior PS	20	319
Banting & Best Public School	21	201
Port Royal PS	21	213
Sir Alexander Mackenzie Sr. PS	21	260
Joseph Brant PS	22	56
Thomas L Wells Public School	22	335

Schools with Basketball Nets located within 30.5 meters (n=118)

Appendix C

School Name	Ward	LOI
Albion Heights Junior MS	1	127
Beaumonde Heights Junior MS	1	125
North Albion CI	1	46
Parkfield Junior School	1	58
Islington Junior Middle School	3	194
John English JMS	3	332
Second Street Junior MS	3	229
Driftwood Public School	4	8
Charles H Best MS	5	188
Dellcrest Public School	5	
Dublin Heights E & MS	5	369
Highview Public School	5	57
Brookhaven Public School	6	38
Cordella Junior PS	6	19
Dennis Avenue Community School	6	41
Haney Centre	6	
Maple Leaf Public School	6	5
Garden Avenue Junior PS	7	425
Howard Jr. PS	7	421
Humbercrest Public School	7	413
Indian Road Crescent Jr. PS	7	386
Keele Street PS	7	373
Parkdale Collegiate Institute	7	183
Queen Victoria Junior PS	7	200
Runnymede Collegiate Institute	7	20
Western Tech. & Comm. School	7	75
Cedarvale Community School	8	466
Cottingham Jr. Public School	8	465
Deer Park Jr. & Sr. PS	8	426
Hillcrest Community School	8	420
J.R. Wilcox Community School	8	170
John Wanless Junior PS	8	457
Ledbury Park E & MS	8	432
Oriole Park Junior PS	8	459

Brock Public School	9	253
General Mercer Jr. PS	9	79
Oakwood Collegiate Institute	9	45
Ogden Junior Public School	9	230
Rawlinson Community School	9	166
Church Street Jr PS/Native Learning Ctr	10	280
Heydon Park SS	10	17
Jarvis Collegiate Institute	10	23
King Edward Jr. & Sr. PS	10	325
Nelson Mandela Park P.S	10	22
Rosedale Jr. Public School	10	458
Sprucecourt Public School	10	65
Whitney Junior Public School	10	472
John Fisher Junior PS	11	442
Rolph Road ES	11	443
Avondale PS/Avondale Elem Alt School	12	356
Cummer Valley Middle School	12	341
Finch Public School	12	281
R.J. Lang Elementary E. & M.S.	12	292
Yorkview Public School	12	344
Brian Public School	13	298
Dallington Public School	13	338
Highland Middle School	13	334
Steelesview Public School	13	371
Zion Heights Middle School	13	348
Cassandra Public School	14	276
Greenland Public School	14	309
Ranchdale Public School	14	181
Blake Street Junior PS	15	147
Duke Of Connaught Jr & Sr PS	15	321
Jackman Avenue Junior PS	15	449
Queen Alexandra Senior PS	15	169
Riverdale Collegiate Institute	15	88
Wilkinson Junior PS	15	316
Withrow Avenue Jr. PS	15	441

Earl Beatty Jr. & Sr. PS	16	378
Earl Haig Public School	16	345
East York Alternative SS	16	36
Gledhill Jr. Public School	16	296
Gordon A. Brown Middle School	16	195
Kew Beach Junior Public School	16	453
Norway Junior Public School	16	406
Selwyn ES	16	176
Victoria Park Elementary S.	16	295
Williamson Road Junior PS	16	454
George Peck Public School	17	113
St. Andrew's Middle School	17	323
Terraview-Willowfield PS	17	238
Anson S. Taylor Junior PS	18	222
Bliss Carman Sr. Public School	18	66
Clairlea Public School	18	180
Cliffside JPS	18	83
J.G. Workman Public School	18	160
Mason Road Junior PS	18	24
Samuel Hearne Middle School	18	135
Cedar Drive Jr. Public School	19	61
Eastview Public School	19	18
Elizabeth Simcoe Jr. PS	19	339
George P Mackie Jr PS	19	277
Guildwood Jr PS	19	141
Jack Miner Sr. Public School	19	303
Poplar Road Junior PS	19	156
Willow Park Junior PS	19	7
North Bridlewood Junior PS	20	262
Sir William Osler High School	20	44
Terry Fox Public School	20	269
Vradenburg Junior PS	20	319
Agnes Macphail PS	21	261
Banting & Best Public School	21	201
Brimwood Boulevard Jr. PS	21	259
Dr Marion Hilliard Sr PS	21	190

Malvern Junior Public School	21	151
Port Royal PS	21	213
Sir Alexander Mackenzie Sr. PS	21	260
Tom Longboat Junior PS	21	168
Centennial Road Jr. PS	22	407
Emily Carr Public School	22	149
Grey Owl Public School	22	82
Joseph Brant PS	22	56
Meadowvale Public School	22	331
Thomas L Wells Public School	22	335
West Hill Public School	22	29
West Rouge Junior PS	22	405
William G Davis Jr PS	22	415

Appendix D**Basketball Net Removal Appeal Process**

The following appeal process is recommended to deal with concerns related to the inappropriate use of our Basketball Courts.

Complaint is received that the basketball spaces are not being used appropriately or for extended hours.

1. Facility Services staff, (Facility Team Leader, Security etc.) determines whether the Basketball Court is being used as intended and whether there are further steps that can be taken to address the initial complaint. These steps could include revisiting exterior lighting placement or schedules, increased security patrols, relocation of the court to another area of the paved play area, etc.
2. If there are no further steps that can be taken, we would convene a formal appeal process meeting, with an Appeal Committee consisting of the Principal, Superintendent, School Council Co-Chairs and the Facility Team Leader.
3. The Appeal committee will consider the nature of the complaint, the steps taken to address the concern and if there are any further steps that can be taken.
4. If other steps are possible, they will be reviewed for consideration and implemented, if practical.
5. Should there be no further steps available the committee will determine whether the nets need to be removed daily. Any consideration should include a review of alternative/available Basketball facilities in the community.
6. This decision will be communicated with the school community.



TDSB Service Excellence Program Overview

To: Committee of the Whole

Date: 20 May, 2020

Report No.: 05-20-3886

Strategic Directions

- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students

Recommendation

It is recommended that the report on the TDSB's Service Excellence Program be received for information.

Context

The purpose of this report is to provide an overview of the Toronto District School Board's (TDSB) Service Excellence Program.

The Service Excellence Program is designed to support the TDSB's [Vision for Service](#), aimed at fostering a culture in central departments that values excellent service to schools, and to each other. This focus on excellence allows school staff to concentrate on improving student achievement and supporting the health and well-being of students.

After 18 months of development, the Service Excellence Program was launched at the beginning of the 2018/19 school year, focusing on 14 central business and school operations departments, including Facility Services, Employee Services, IT Services and Business Services.

Within the participating departments there are over 5,300 staff directly and indirectly engaged in the program. Eleven hundred of these staff are directly engaged. They are organized into 75 smaller unit teams and are responsible for implementing service

excellence initiatives that will have an impact on the 4,200 staff who are indirectly engaged. For a description of the staff engaged, see Appendix A.

System Alignment

The TDSB's Service Excellence commitment is one of the major levers for change in the TDSB at the department and school level, together with the Leadership Capacity Plan and the School Improvement Process. This work is guided and supported at the system level by the TDSB's Multi-Year Strategic Plan.

Program Design

The Service Excellence Program is built around five focus areas that align with the TDSB's strategic priorities, and provide the direction for Service Excellence.

- a. Establishing Equity as the Foundation
- b. Fostering Leadership and Teamwork
- c. Strengthening Service Delivery
- d. Celebrating Service Excellence
- e. Developing Leadership Capacity

Within the focus areas are eleven expectations. For example, under Strengthening Service Delivery, expectation #6 asks:

Does your unit team create the foundation for strengthening service delivery by:

- a) Determining core services and aligning them within department/TDSB strategic priorities.
- b) Setting objectives with measurable targets for each of your core services to assess effectiveness.
- c) Documenting existing processes, practices and protocols for core services.
- d) Ensuring documentation required for core service delivery is accessible to all unit team members.

As shown in Appendix B, the focus areas and expectations are organized into a Unit Team worksheet. This document is the core of the program, and is used both as a reflection and assessment tool to help guide the service improvement work of the 75 unit teams.

Annual Service Improvement Cycle

All unit teams are expected to continuously build their capabilities to improve services and deliver excellence. An annual service improvement cycle was created as a road map for how teams plan, implement and assess their service excellence work. Appendix C illustrates the flow of this annual cycle.

Measuring Impact: Certification

The cornerstone of the Service Excellence program is certification – an annual assessment of each team that measures their level of achievement against the program expectations, and their attainment of the annual program target.* The four certification achievement levels are outlined in Table 1 below:

Table 1: Certification levels

Level Name	Level	Description
Explorer	Level 1	The team is beginning to attend to the task.
Implementer	Level 2	Practices and improvements are becoming established.
Specialist	Level 3	Practices and improvements are based on data, and are consistent and regularly followed.
Master	Level 4	Practices and improvements are advanced, meeting a high level of client satisfaction and demonstrate best practice.

The Service Excellence targets below are the key measurables that indicate how teams are expected to progress annually:

1. 2018/19: All teams participate in Cycle 1 - **92% of teams participated**
2. 2019/20: All teams achieve level 1 or 2*
3. 2020/21: All teams achieve level 2 or 3

*Note: Due to the pandemic, assessments are optional for teams this year.

Driving Continuous Improvement

At the end of each annual cycle, every team receives an assessment report with a certification level based on how the team's practices and processes demonstrate the 11 Service Excellence expectations. A team's certification level provides an objective, rigorous approach to measurement. Team strengths and recommendations on areas to improve are also important elements of the report. System leaders receive aggregated report data annually with recommendations to drive both department and team excellence.

Looking Ahead

Future Service Excellence initiatives include:

- Setting certification targets beyond the 2020-2021 cycle to ensure teams strive to continuously improve services that exceed clients' expectations.

Agenda Page 22

- A one day Executive retreat was scheduled in March 2020 however due to the pandemic, it was replaced by three 2 hour sessions to take place over April, May and June 2020.
- Inter-departmental collaborative approach for resolving system-wide service delivery issues.
- Formally and publicly recognizing unit teams who demonstrate excellence in their practices, processes or projects.

Action Plan and Associated Timeline

N/A

Resource Implications

Program resources are managed in the current departmental budget.

Communications Considerations

The TDSB [Service Excellence website](#) was launched in the fall of 2018 as an online information and learning resource. Further communication media and resources will be developed in 2020/21.

Board Policy and Procedure Reference(s)

N/A

Appendices

- Appendix A: Service Excellence Staff Engagement & The Cascade of Influence
- Appendix B: Service Excellence Unit Team Worksheet
- Appendix C: Service Excellence Annual Service Improvement Cycle

From

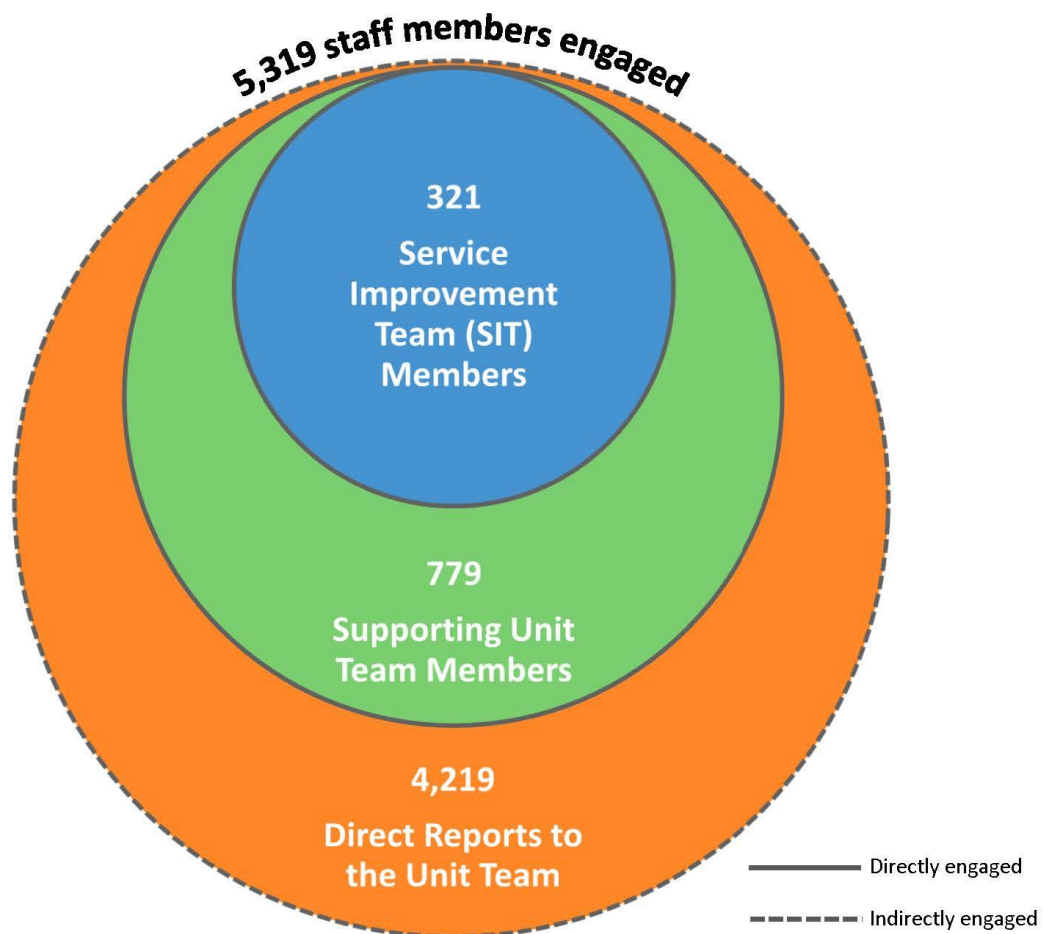
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Appendix A: Service Excellence Staff Engagement & The Cascade of Influence

The Service Excellence program currently engages 5,319 staff across Business and School Operations¹. Eleven-hundred staff are directly engaged through workshops, coaching sessions, and assessment of the unit team's work through certification. Over four-thousand staff (e.g., caretakers, skilled trades) are indirectly engaged as a result of influence by directly engaged staff.



¹ Business and School Operations is defined as departments that fall within the portfolios of the Associate Director of School Operations and Service Excellence (excluding Outdoor Education Centres, and Museum and Archives which are academic focused.), the Associate Director Business Operations and Service Excellence and the Executive Officer Government, Public and Community Relations.

Appendix A

Unpacking Levels of Staff Engagement


Group	Who are they?	How are they engaged?	Number of staff	Directly Engaged in SE
Service Improvement Team (SIT) Members	Key staff within a unit team who have committed to <i>leading</i> service improvement planning	<ul style="list-style-type: none"> Attend service excellence workshops Take stock of existing practices and identify gaps Plan and take action on initiatives Engage the whole unit team Prepare for certification visit 	321	
Supporting Unit Team Members	Unit team members, not on the SIT, who <i>implement</i> the program	<ul style="list-style-type: none"> Provide feedback on initiatives Implement the initiatives developed through the SIT Support certification process 	779	
Total Unit team members:			1,100 ²	
Group	Who are they?	How are they engaged?	Number of staff	Indirectly Engaged in SE
Direct Reports to the Unit Team	Staff that directly report to the unit team For example, Plant Operations has: <ul style="list-style-type: none"> 12 SIT members (Team Leaders) 34 supporting unit team members (Regional Managers & Team Leaders) 2,219 direct reports to the unit team (Caretakers) 	<ul style="list-style-type: none"> Support implementation of relevant initiatives developed by the unit team Provide feedback on initiatives <p>NOTE: The level of impact on these staff will increase as their respective unit attains a higher certification level.</p>	4,219	
Total additional service delivery members:			4,219 ³	
Total staff members engaged:			5,319	

² Of the 1,100 staff members directly engaged in SE, 494 are Schedule II.

³ All of these staff members would be non-schedule II staff (e.g., CUPE D, Skilled Trades).

Appendix B: Service Excellence Unit Team Worksheet

The Unit Team Worksheet outlines the five focus areas and the expectations for each (11 in total). The Worksheet is designed to be used as a checklist for teams to assess their current practices, gaps and opportunities for improvement. Teams also use it to reflect on their certification level so they can map their progress.



Establishing Equity as the Foundation *(Worth 15%)*

Equity is the foundation of service excellence. Using a critical equity lens in all that we do enables us to centre the needs of the staff, students, and communities we serve, ensuring we provide barrier-free, fair, respectful, and inclusive services that meet individual needs.

1. Does your unit team create equitable working conditions and full access to services for all by:

- ☐ a) Participating in equity learning opportunities.
- ☐ b) Reflecting on personal and team practices to identify bias and barriers that prevent full accessibility to the workplace and/or services.
- ☐ c) Using an equity lens when allocating resources for students, schools, staff, community, or external clients.
- ☐ d) Reviewing existing documents, and practices with an AODA lens and making revisions as needed to improve accessibility for unit team staff and clients.
- ☐ e) Planning and implementing service improvements designed to create equitable workplaces and services for unit team staff and clients.

Based on the expectation examples you selected, how would you assess your team?

☐ 0
No Evidence

☐ 1
Exploring

☐ 2
Implementing

☐ 3
Specializing

☐ 4
Mastering

2. Does your unit team build healthy relationships that improve the client experience by:

- ☐ a) Communicating positively using personal interactions.
- ☐ b) Responding positively to client issues in a way that enables client satisfaction.
- ☐ c) Identifying problems with your manager that could escalate, and determining strategies for a timely and satisfactory resolution.
- ☐ d) Tracking and analyzing client issues to proactively minimize re-occurrences.
- ☐ e) Collaborating consistently with another team and/or client group to review practices, resolve problems or plan and implement improvements.

Based on the expectation examples you selected, how would you assess your team?

☐ 0
No Evidence

☐ 1
Exploring

☐ 2
Implementing

☐ 3
Specializing

☐ 4
Mastering



Fostering Leadership and Teamwork (Worth 15%)

Building a service excellence culture is critical at all levels of an organization. To achieve this unit teams must demonstrate excellence in how they lead and work as a team.

3. Does your management team continuously support your unit team in achieving service improvement goals by:

- ☐ a) Ensuring a [Service Improvement Team \(SIT\)](#) is in place to lead and guide unit team staff in achieving service improvement goals.
- ☐ b) Aligning service improvement work with departmental/[TDSB strategic priorities](#).
- ☐ c) Empowering the SIT and all members of the unit team to work collaboratively to implement improvements.
- ☐ d) Ensuring unit team staff have the tools and resources needed to provide [core services](#).
- ☐ e) Checking in regularly with unit team staff engaged in service improvements to provide feedback and guide their efforts.
- ☐ f) Facilitating unit team staff reflection on practices to determine strengths and opportunities for improvements.
- ☐ g) Supporting the collection of [documentation for the service excellence portfolio](#).

Based on the expectation examples you selected, how would you assess your management team?


<input type="checkbox"/> 0 No Evidence	<input type="checkbox"/> 1 Exploring	<input type="checkbox"/> 2 Implementing	<input type="checkbox"/> 3 Specializing	<input type="checkbox"/> 4 Mastering
---	---	--	--	---

4. Does your Service Improvement Team (SIT) effectively organize to achieve service improvement goals by:

- ☐ a) Defining [SIT roles and responsibilities](#).
- ☐ b) Meeting regularly as a SIT and keeping notes.
- ☐ c) Working collaboratively with the unit team to plan and implement improvement goals for core services.
- ☐ d) Guiding the collection of documentation for the service excellence portfolio.
- ☐ e) Communicating with unit team members to ensure service excellence work and program information is shared.

Based on the expectation examples you selected, how would you assess your team?

<input type="checkbox"/> 0 No Evidence	<input type="checkbox"/> 1 Exploring	<input type="checkbox"/> 2 Implementing	<input type="checkbox"/> 3 Specializing	<input type="checkbox"/> 4 Mastering
---	---	--	--	---



Strengthening Service Delivery *(Worth 40%)*

Finding better ways to deliver services to clients must be a continuous work activity. Understanding client needs and soliciting their feedback is the foundation for ongoing service improvements

5. Does your unit team demonstrate client responsiveness by:

- ☐ a) Modelling the TDSB [Best Practices for Business Communications \(BPBC\)](#) standard.
- ☐ b) Using [client feedback](#) and/or [data](#) to measure the team's responsiveness.
- ☐ c) Developing team strategies and practices to enable all team members to demonstrate client responsiveness, including the BPBC standard.
- ☐ d) Creating client communications that provide service delivery information that is clear, up-to-date, and fully accessible.

Based on the expectation examples you selected, how would you assess your team?

☐ 0
No Evidence

☐ 1
Exploring

☐ 2
Implementing

☐ 3
Specializing

☐ 4
Mastering

6. Does your unit team create the foundation for strengthening service delivery by:

- ☐ a) Determining core services and aligning them with department/TDSB strategic priorities.
- ☐ b) Setting [objectives with measurable targets](#) for each of your core services to assess effectiveness.
- ☐ c) Documenting existing [processes](#), practices, and [protocols](#) for core services.
- ☐ d) Ensuring documentation required for core service delivery is accessible to all unit team members.

Based on the expectation examples you selected, how would you assess your team?

☐ 0
No Evidence

☐ 1
Exploring

☐ 2
Implementing

☐ 3
Specializing

☐ 4
Mastering

7. Does your unit team continuously implement simple service improvements by:

- ☐ a) Seeking [unit team staff feedback](#) to understand strengths and areas to improve.
- ☐ b) Reviewing data to inform improvements.
- ☐ c) Ensuring improvements occur annually across core services.

Based on the expectation examples you selected, how would you assess your team?

☐ 0
No Evidence

☐ 1
Exploring

☐ 2
Implementing

☐ 3
Specializing

☐ 4
Mastering

8. Does your unit team use the Plan, Do, Check, Act (PDCA) method to implement complex service improvements by:

Plan:

- ☐ a) Gathering client/staff feedback and data related to the service issue to be improved.
- ☐ b) Analyzing feedback and service data to identify the root cause(s) of service issues and resources required for the improvement.
- ☐ c) Identifying dependencies and risks that impact successful implementation.
- ☐ d) Creating a plan and setting objectives with measurable targets.

Do:

- ☐ e) Implementing a pilot or full scale roll-out of the intended improvement.
- ☐ f) Tracking objectives throughout implementation.
- ☐ g) Ensuring the client experience is proactively managed as the plan is being implemented.

Check:


- ☐ h) Continuously analyzing implementation data, including staff and client feedback, and making changes to improve implementation.

Act

- ☐ i) Conducting a post-implementation analysis to determine lessons learned and measure achievement of objectives.
- ☐ j) Implementing processes and/or practices to sustain the improvement.

Based on the expectation examples you selected, how would you assess your team?

<input type="checkbox"/> 0 No Evidence	<input type="checkbox"/> 1 Exploring	<input type="checkbox"/> 2 Implementing	<input type="checkbox"/> 3 Specializing	<input type="checkbox"/> 4 Mastering
---	---	--	--	---



Celebrating Service Excellence *(Worth 10%)*

The efforts of individuals and teams underpin the services we provide to staff, students, and communities; recognizing and celebrating these efforts confirms that staff and their work are valued.

9. Does your unit team recognize and celebrate individual and team efforts by:

- ☐ a) Ensuring [equity is central in the development of any recognition activities](#).
- ☐ b) Organizing [inclusive](#) and engaging team activities.
- ☐ c) Formally and informally recognizing and showing appreciation for individual and team efforts.
- ☐ d) Celebrating work [milestones](#) achieved by both individuals and the team.
- ☐ e) Sharing team successes with management.
- ☐ f) Recognizing excellent service by staff in your unit or other areas of Business and School Operations through the [Random Act of Service Excellence \(RASE\) program](#).

Based on the expectation examples you selected, how would you assess your team?

☐ **0**
No Evidence

☐ **1**
Exploring

☐ **2**
Implementing

☐ **3**
Specializing

☐ **4**
Mastering



Developing Leadership Capacity *(Worth 20%)*

Providing opportunities for others to build their leadership capabilities promotes team engagement and encourages new ways of working.

10. Does your unit team foster a climate of shared leadership within your unit team by:

- ☐ a) Reflecting on the way the team works together to determine strengths and challenges.
- ☐ b) Empowering unit team staff to find ways to work together effectively.
- ☐ c) Ensuring all unit team staff feel safe providing feedback and addressing issues that may disrupt how work is currently conducted.
- ☐ d) Giving all unit team staff with a stake in an issue the opportunity to actively participate in planning, decision-making and assessing service improvements so all perspectives are valued.

Based on the expectation examples you selected how would you assess your team?

<input type="checkbox"/> 0 No Evidence	<input type="checkbox"/> 1 Exploring	<input type="checkbox"/> 2 Implementing	<input type="checkbox"/> 3 Specializing	<input type="checkbox"/> 4 Mastering
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11. Does your unit team build staff's capacity to demonstrate leadership in their role by:

- ☐ a) Supporting the leadership development of all team members.
- ☐ b) Supporting each other in practicing new leadership skills and thinking.
- ☐ c) Providing opportunities for unit team staff to share their leadership knowledge with team members.
- ☐ d) Supporting new unit team staff through their onboarding.
- ☐ e) Supporting a smooth transition of working knowledge when a unit team staff member leaves a position.
- ☐ f) Encouraging unit team staff to participate in the TDSB's leadership development learning activities.
- ☐ g) Encouraging staff to attend service excellence workshops.

Based on the expectation examples you selected how would you assess your team?

<input type="checkbox"/> 0 No Evidence	<input type="checkbox"/> 1 Exploring	<input type="checkbox"/> 2 Implementing	<input type="checkbox"/> 3 Specializing	<input type="checkbox"/> 4 Mastering
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Appendix C: Service Excellence Annual Service Improvement Cycle

The annual service improvement cycle is a road map for the 75 teams of how they engage in the Service Excellence program, so they are equipped with the learning, tools and resources to conduct service improvements. The figure below highlights the key team activities needed and the timing for each.



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Toronto District School Board/Toronto Lands Corporation – Service Level Agreement Update

To: Committee of the Whole

Date: 20 May, 2020

Report No.: 05-20-3892

Strategic Directions

- Transform Student Learning
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Toronto District School Board/Toronto Lands Corporation – Service Level Agreement Update be received.

Context

In November 2018, TDSB Board of Trustees approved a revised Shareholder's Direction establishing the legal framework for granting authority to, and expanding the mandate of, its subsidiary Toronto Lands Corporation (TLC) to manage TDSB's real estate and land use planning portfolio (Appendix B). TDSB and TLC have since been working to update the existing 2014 Service Level Agreement (SLA) which details the operational roles and responsibilities of both parties. The SLA provides clarity on which organization leads certain work, supports the other organization, and when and how they collaborate and conduct joint work. While the SLA is strictly operational, the Shareholder's Direction provides guidance on governance matters.

Over recent months, TDSB and TLC staff have collaborated and shared ideas on items and possible language to be included in the SLA. In December 2019, TDSB shared a first draft of a SLA with TLC. In April 2020, TLC shared an amended draft of the SLA with TDSB for its review and comment. This amended draft SLA was shared with TLC's Board of Directors for information.

The attached draft SLA (Appendix A) is slightly different than the version that was presented to the TLC Board as staff has continued to refine some of the details of the SLA. Given that TLC's expanded mandate represents major transformation for both organizations, there will continue to be some operational details that will continue to be worked out as we find optimal ways to work together and achieve shared goals and objectives. The attached draft SLA largely represents both TDSB and TLC current thinking on the roles and responsibilities of each organization; however, this document is considered to be a living and iterative document that may evolve over time as staff continue to find effective and efficient ways to collaborate. TDSB staff continues to work with TLC staff to finalize the draft SLA.

Action Plan and Associated Timeline

TDSB and TLC staff will continue to evaluate the effectiveness and efficiency of their collaborative efforts as outlined in the draft SLA. Any significant changes to this agreement will be brought back to both the TDSB and TLC Board for information.

Resource Implications

Not applicable.

Communications Considerations

A summary of the SLA will be provided to stakeholders and partners as necessary to communicate further details of TLC's expanded mandate.

Board Policy and Procedure Reference(s)

Not applicable.

Appendices

- Appendix A: Draft Toronto District School Board/Toronto Lands Corporation Service Level Agreement
- Appendix B: November 2018 Shareholder Direction

From

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**Toronto District School Board and Toronto Lands Corporation
Service Level Agreement**

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Toronto District School Board and Toronto Lands Corporation Service Level Agreement

Background

On April 25, 2008, TDSB Board of Trustees established TLC as a separate legal corporation under the *Ontario Business Corporations Act* and delegated authority to TLC to manage an initial real estate portfolio consisting of 97 TDSB properties. Among them were non-operating schools to be leased or sold, vacant sites, Bill 30 schools and TDSB administration sites.

On March 21, 2018, TDSB Board of Trustees approved a broader mandate for TLC. Through an amended Shareholder's Direction executed between the parties in February 2019, TLC was given the authority to effectively manage TDSB's interests in all real estate, land use planning, broader sector and strategic partnerships, site and facility leasing, non-operational property and asset management, community planning and partnerships, community hubs, schools in mixed-use facilities, site redevelopment initiatives, school modernization opportunities, property acquisitions and dispositions and other responsibilities as directed by the Shareholder. In delegating new roles and responsibilities to TLC, TDSB took an important step towards streamlining the function and reducing the duplication of effort between TDSB and TLC. Under its new mandate, TLC will undertake operational workflow reviews and implement improved processes and technologies to further strengthen the deployment of limited staff resources and improve response times.

In October 2019, TDSB approved TLC's Strategic Plan and its newly minted Mission, Vision, Goals, Objectives and Core Principles which, together, provide a framework that will guide TLC's efforts to carry out its expanded mandate.

TLC's Commitment under new mandate

TLC will manage TDSB's real estate portfolio with the utmost professionalism in accordance with the Shareholder Direction. TLC will assist TDSB to provide community benefits in support of delivering positive educational experiences for students. All opportunities, strategies, solutions and outcomes recommended and/or provided by TLC will be subject to rigorous examination and viewed through a professional land use planning and real estate lens.

Workflows and authorities

Workflows and authorities will be redesigned and implemented to operationalize the SLA, and resource allocations will be made with a view to meeting or exceeding the Shareholder's expectations. At all times, TLC will comply with the *Education Act* and other legislation applicable to TDSB.

Reports

All reports prepared by TLC staff for presentation to the TLC Board will be authorized by TLC's CEO. The TLC Board provides direction and authority to the CEO and, where required, the TLC Board will make recommendations to TDSB on requests made by the Shareholder and on any matters beyond TLC's current authority. TLC Board Reports designated for TDSB consideration will normally be presented to TDSB's Committee of the Whole with final authority or direction provided by the TDSB Board. TLC's Board will also prepare a quarterly information report advising TDSB of its ongoing business activities, accomplishments and progress towards achieving the Goals and Objectives outlined in the approved Strategic Plan.

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Core Principles

TLC is responsible for protecting TDSB's and the public's interest in school board real estate and land use planning matters and for assisting in the delivery of a strong public education system in accordance with TDSB's Multi-Year Strategic Plan and Shareholder Direction. Operationally, TLC's actions are guided by four Core Principles:

1. TDSB lands will be preserved as public assets to the greatest extent possible.
2. Continuous modernization of TDSB schools strengthens the public education system.
3. Maximizing the value of TDSB lands extends beyond the financial and includes community and social value.
4. TDSB will be kept financially whole in the development of public service initiatives.

Expanded Area of TLC Responsibility

As TDSB's agent, TLC understands that all real property assets under its management as identified in the Shareholder's Direction and this SLA are owned by TDSB. The following provides an outline of TLC's responsibilities in six key areas.

1. Asset Management and Real Estate Services

TLC provides for the stewardship of the TDSB real estate portfolio. Management of the school board's assets includes all real property to which the TDSB holds a legal interest and all potential projects that could result in additional property interests. Furthermore:

- Management of real property interests is the process, negotiation and management of any real estate agreements that can include, acquisition, expropriation, disposition (full fee, strata, temporary interests, partial requirements), lease, shared-use, redevelopment, land exchange, joint ventures or property planning of a portion or all of each real property that forms the Real Estate Portfolio;
- Stewardship of the Real Estate Portfolio is to be in compliance with Ontario Regulation 444/98 of the *Education Act* and any other statutory requirements, and TDSB policies and procedures with respect to real property matters, all of which may be amended from time to time; and
- TLC is to take into consideration such items as the TDSB capital plan and long-term requirements and TLC is to make decisions, provide advice and recommendations that maintain, enhance, protect, or provide opportunities for the TDSB and its stakeholders as any prudent investor of its assets that includes both land and buildings.

2. Property Management and Leasing Services

TLC will manage specific TDSB-owned properties, by acting on its behalf, with support and recommendations, in order to preserve TDSB assets while generating an income or cost recovery, in compliance with existing applicable legislation.

Property management considers lease agreements for surplus sites as designated by

Toronto District School Board and Toronto Lands Corporation Service Level Agreement

TDSB for lease; and specific operating school sites for the negotiation and management of duties related to:

- General property maintenance and repairs;
- Leases for non-operating school sites;
- Leases in operating schools:
 - child care centres,
 - global agreement with City of Toronto: Pools, Shared-use facilities; and
- Off-site third party lease agreement

Once an operational school site lease is executed, TLC will manage all aspects of the tenant's relationship pursuant to the Shareholder Direction.

3. Land Use Planning

The TLC will provide effective leadership and will be responsible for all land use planning matters, including but not limited to:

- development review;
- review of municipal and provincial planning initiatives;
- site plan approval process for new school renovations and additions;
- managing Local Planning Appeal Tribunal (LPAT) files; and
- participating in community outreach and public consultations.

The TDSB will provide effective leadership and will be responsible for all educational planning activities including, but not limited to:

- enrolment planning;
- projections and facility utilization;
- defining and revising school boundaries;
- school capacity issues; and
- capital repairs, funding and accommodation planning.

4. Site Redevelopment Initiatives

The City of Toronto has and will continue to be focused on development and on increasing vertical density. Encouraging density in Toronto is also a provincial initiative that will have a significant impact on TDSB's ability to adequately adjust pupil accommodation. TLC will:

- take the lead with City planning and the development community in balancing TDSB's pupil accommodation strategy with opportunities for mixed-use developments;
- take the lead in reviewing TDSB land holdings and identifying strategic re-development opportunities designed to unlock the potential of TDSB properties to the benefit of students, staff and communities; and
- pursue strategic external partnerships and negotiate with the development community and authorities to identify land use planning and real estate options for the consideration and approval of TDSB's Board.

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5. Community Planning and Partnerships

TLC will be proactive in securing and helping to define the interests of external parties capable of supporting the creation or provision of support for community planning initiatives related to TLC's school modernization strategy. The following will be considered:

- TLC's strategic partnerships will align with TDSB's direction, but will take into account the City's social planning and community service provisions and jurisdictional authority.
- Partnership opportunities can be explored with public and private groups, subject to TDSB Board direction and its policies and procedures.
- Organizations must have the capacity to finance capital requirements and operational needs in order to keep TDSB financially whole as public service initiatives are developed, implemented and carried out over the long term.
- TLC will also pursue other types of partners that have the ability to provide financial support for, or contribute in other ways to, school modernization and/or other student benefits.
- Localized school or community-based partnerships consistent with the Community Planning and Partnerships Policy in operating schools will be led and administered by TLC and supported by TDSB.

6. School Modernization Opportunities

TLC will take the lead in pursuing innovative land use planning and real estate approaches to support TLC's modernization strategy to create exceptional learning spaces that contribute to serving vibrant communities. In addition:

- TLC will identify opportunities and develop strategies for TDSB's consideration with the ultimate goal of creating school-centric community destinations; and
- TLC will work with the City of Toronto to maximize the availability and use of public assets and will connect provincially, municipally and locally to develop a strategic approach to the effective deployment of financial resources.

Division of Specific Responsibilities between TDSB and TLC

The detailed division of TDSB and TLC functional roles and areas of responsibility is outlined in Appendix "A" (attached). Managed by TDSB's Associate Director Business Operations and Service Excellence and TLC's CEO, this divisional outline is to be treated as evolving and a "work in progress," and the Appendix as a working document that will be modified on an ongoing basis in an effort to further clarify the working relationship between TDSB and TLC.

Pupil Accommodation Requirements and Facility Space Planning

TDSB is responsible for evaluating pupil accommodation requirements on the basis of current and projected pupil enrolment. This evaluation of pupil enrolment and school programming needs is an essential step in the identification of available school "surplus" or "unused" facility space.

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Unused Space

When a school facility is deemed to have “unused space,” external parties can make application to TDSB for access to this space. Applications received by TDSB will be provided to TLC for review and response.

Applications for community access to unused space will be administered by TLC with oversight from the Capital Strategy and Property Management Committee (CSPMC) to ensure compatibility with school and program, the adequate provision of student benefits, and compliance with TDSB policy. CSPMC will also determine the length of time for which specific unused space is available for lease.

Once approval has been granted by TDSB’s internal committee or, where necessary, TDSB’s Board, TLC is then authorized to apply TDSB’s policy lease rates, negotiate terms and conditions and bind the parties through a formal lease arrangement.

Surplus Space

TDSB will be responsible for identifying any properties that are to be declared surplus and therefore available for sale or lease in accordance with Section 194(3) of the *Education Act*.

Following approval and referral by the TDSB Board to TLC, TLC will undertake and satisfy all regulatory requirements, negotiate the disposition, complete and finalize all legal transactions and requirements under the guidance of TLC’s legal counsel, and advise TDSB of the disposition or make further recommendations back to the TDSB Board for consideration.

Delegation of Authority/Work Flow/Reporting Relationships

The Director of Education has delegated authority for the operational oversight of the SLA to TDSB’s Associate Director Business Operations and Service Excellence. On TLC’s side, the Chief Executive Officer will have operational oversight of the SLA.

Service Transition Issues

TDSB and TLC staff agree to work cooperatively in facilitating the transition of responsibilities to TLC to ensure minimal disruption and continued work on projects currently underway. TDSB staff will bring any transition or service-related issues to the attention of their Executive Officer or System Officer, who will attempt to address it directly or bring it to the attention of the Associate Director. Similarly, TLC staff will bring issues to the attention of the CEO, who will address it with the Associate Director if he/she is unable to directly resolve.

From time to time, the Associate Director Business Operations and Service Excellence and CEO might be called upon to assess TLC’s human and financial capacity to provide its services and their impact on ongoing operational commitments.

To ensure there is no disruption in TLC’s ability to provide TDSB with the level of professional services specified in this SLA, the Associate Director Business Operations and Service Excellence and CEO, working together, will prioritize, rank, accept, decline or delay projects/requests to ensure strategic alignment and effective deployment of limited resources.

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Miscellaneous

The following points further clarify the way in which TLC will carry out its responsibilities under this Agreement:

- From time to time, and on a temporary basis, TLC will require TDSB's support to ensure its ability to provide the services and service levels covered by this Agreement. Areas in which TLC might require support include accounting, operational and financial statement preparation, legal services, information systems, and human resources;
- TLC may enlist, from time to time, the services of a third party to ensure its ability to provide certain services in a timely fashion. Should this be necessary, TLC will follow TDSB's policies, legal and contractual obligations, be aware of public accountability, and ensure costs are within approved budget limits;
- As TDSB's agent, TLC understands that all real property assets under its management as identified within the Shareholder's Direction and this SLA are owned by TDSB;
- TLC will not assign any part of this SLA without TDSB's written consent; and
- In the event of TLC being dissolved, the SLA will cease as of the effective date established by TDSB resolution.

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Appendix “A”

Division of Functional Roles and Areas of Responsibility

Purpose of the Service Level Agreement

The Service Level Agreement (SLA) defines in broad terms the guiding roles and responsibilities of the TLC and TDSB in respect of the delivery of the services. It is a work in progress and serves to provide detailed support to the SLA. In the event of a conflict between the SLA and the Shareholder Direction, the latter prevails. In the event of a conflict between the SLA and legislation, the latter prevails.

Both TLC and TDSB operations will rely on the defined roles and responsibilities understanding that further amendments will be required subject to:

1. Any changes to be made to the SLA shall be in writing and shall be signed by the parties. This SLA will remain in force until superseded, replaced or terminated. A review of the SLA will be undertaken by the parties periodically; and
2. In the event that the Shareholder’s Direction, dated November 29, 2018, as amended from time to time, is terminated, this Agreement shall also terminate.

Scope of Operational Roles and Responsibilities

Property Management Services

TLC manages TDSB owned properties, by acting on its behalf, with support and recommendations, in order to preserve the TDSB assets while generating an income or cost recovery, in compliance with existing applicable legislation. The TDSB list of specific properties under Property Management to TLC is amended from time to time, as directed by TDSB. Property Management services also includes the management of third party lease agreements of non-owned TDSB real estate for support of TDSB needs.

A substantial portion of the portfolio includes the negotiation and management of child care leases in operating schools; global agreements with public sector, City of Toronto for pools and exclusive and shared-use of operating facilities; negotiation and management of leases in non-operating school facilities declared surplus for lease; and joint lease and operational agreements for active schools situated on third party properties.

TDSB will provide the following support and information:

(1) Non-operating School Facilities and Vacant Lands:

- Support, manage or provide, where applicable the caretaking, maintenance and capital work;
- Support with TLC tenant services and issues contingent on the services the tenant is provided by TDSB;
- Provide view access to facilities condition index information;
- Advise on core holding status of each site;

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- Advise on the timing that a core holding property is to be returned to TDSB's active inventory; and
- Assist in the development of an annual renewal plan and budget for capital needs.

(2) Operating Schools and Vacant Lands:

- Provide all caretaking, maintenance and capital investment;
- For potential Community Planning and Partnerships agreements, identify schools with unused rooms, post information on the TDSB website, and lead the annual meeting advising public agencies of availability;
- Post on TDSB website the standard terms and conditions of any lease agreement prepared by TLC that a tenant will be required to adhere to as required by TDSB Policy and Ministry guidelines, as amended from time to time;
- Support and approve potential tenant applications for space through the Capital Strategy and Property Management Committee (CSPMC); and
- For potential public partners, identify and advise of any room or space available for inquiries from City of Toronto for recreational purposes.

TLC will provide the following support and information:

- Facilitates the negotiations of leased space in non-operating and operating schools and third party private sector leases;
- Retains all official real estate-related documentation and provides copies or access to copies of same to TDSB;
- Interprets lease terms and conditions and provides feedback;
- Facilitates tenant services requests and assists to resolve any issues that may arise over the term of the agreement;
- Provides the standard terms and conditions of a lease for potential community tenant partners to be posted on TDSB website; and
- Seeks approvals as required and completes lease agreements on the standard terms and conditions, unless otherwise advised by TDSB.

TLC will be responsible for the negotiation and completion of leases for:

- Third party leases in non-TDSB real estate with the use of real estate brokers;
- Child care leases in operating schools;
- Global City-use lease agreements – pools and community centres;
- Joint leased schools – operating agreements;
- All leases in operating schools; and any
- Miscellaneous lease agreements.

Detailed Property Management Services

TDSB will provide the following services:

Item	Closed Sites	Operating Schools
Caretaking	Can be either Board supplied, TLC contracted	Perform all Caretaking type work, including daily

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	<p>or tenant contracted</p> <p>This will be dependent on lease arrangements.</p>	<p>cleaning, all TDSB required daily cleanliness inspections, annual deep cleaning, creation of maintenance notifications and minor maintenance work (as per collective agreements), shipping/receiving, life safety system inspections/tests, property maintenance such as grass cutting, litter pickup and snow removal and liaise with tenants as required.</p> <p>Schedule all community use of schools.</p> <p>Provision of alarm monitoring function.</p> <p>Dispatch caretaking staff as required to respond to alarms.</p> <p>Respond to general inquiries after hours.</p> <p>Security patrols and response to intrusion/fire alarms.</p>
Utilities	<p>Typically, multi-tenant - TDSB Utility department</p> <p>Single tenant sites- tenant is responsible for utility payment</p>	<p>Monitor utility expenditures and ensure prompt payment for all TDSB operating sites. Services provided to leased properties will be dependent on lease arrangements between TLC and individual tenants.</p>
Maintenance and Repairs	<p>Historical leases vary, the rule for 50 and over years TLC or tenant can contract work, less than 50 years,</p>	<p>Perform preventative, routine and demand maintenance at all sites in accordance with</p>

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	<p>TDSB staff provides service.</p> <p>Portables owned by tenant: the tenant will conduct any repairs to the structure.</p>	<p>established priority timelines.</p> <p>Provision of grounds services including grass cutting, tree pruning, snow removal and other related grounds work.</p>
Work Orders	<p>If a tenant wishes to make improvements at the site, a tenant improvement form will be completed and submitted</p> <p>Final billing to be done by the TDSB based on approval.</p>	<p>If a tenant wishes to make improvements at the site, a tenant improvement form will be completed and submitted</p> <p>Final billing to be done by the TDSB based on approval.</p>
TLC Site Renewal Plans	<p>Where requested by TLC, TDSB will provide recommendations on the capital expenditure priorities</p> <p>Health and safety concerns receive high priority</p> <p>Maintenance of critical operating systems</p> <p>Second level priorities</p> <p>Tenant investments in capital will be considered through discussions between TLC and TDSB</p> <p>Capital Repairs-TLC takes \$1 million from rental proceeds to pay for capital improvements</p>	<p>Develop plans for capital renewal at operating sites using appropriate funding sources.</p>
Management of Staff	- Designate 1 Facilities Team Leader to be the single	

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	<p>point of contact assigned to the TLC to support operations at leased properties</p> <ul style="list-style-type: none"> - Provide appropriate supervision for caretaking and maintenance trades staff - Management and scheduling of staff vacation, sick and lieu time
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TLC and TDSB will provide the following services:

Item	TLC	TDSB
Update SAP rent information in order for billings to occur	<p>TDSB will provide SAP training to all TLC staff and provide access to appropriate staff.</p> <p>TLC will provide lease out forms and lease agreements to TDSB finance department for input into SAP system and approval of changes by Finance management staff.</p>	TDSB to maintain master lease information in SAP and review and approve changes to master data in SAP.
Update SAP building inventory system of both building and room usage by tenants	TLC to provide updates for tenant leases and room assignments for closed sites to the TDSB.	Building inventory such as square footage changes will be updated by TDSB when notified of changes.
Potential tenants in operating schools	<p>TLC to review the tenant application form and request additional information as required in order to complete a lease agreement.</p> <p>TLC to consult with principal and superintendent to review application.</p> <p>TLC to arrange and ensure appropriate TDSB staff and potential tenant have inspected and determined area to be occupied in school.</p> <p>Once TDSB approves the tenant, location and terms</p>	<p>TDSB to support the review of the application.</p> <p>CSPMC to provide oversight.</p>

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	and conditions, TLC will finalize the lease agreement for execution.	
Life, Fire Safety	<p>Leasing process for operating schools.</p> <p>TLC staff participates in preparation of lease with inside or outside legal counsel, as required.</p>	<p>Annual workplace inspections in operating schools.</p> <p>Responding to health and safety concerns involving TDSB staff.</p> <p>Regulatory requirements will be handled in operating schools by TDSB.</p>
Community Services – Internal TDSB Sites	Draft new and renewal leases for internal space.	<p>When seeking new locations, TDSB to identify operating schools in the target area and the availability of space and timeline for use.</p> <p>Provide notice if space needs to be repatriated for any reason to allow Community Services to find alternate space.</p>
Community Services – Non-TDSB Sites	TLC provide or arrange to provide legal services to review lease agreements in a timely manner and make recommendations for lease language improvement.	Continue to use its existing real estate brokers selected through a competitive procurement process for lease renewals and manage existing agreements.

Asset Management and Real Estate Services

TLC provides for the stewardship of the TDSB real estate portfolio. Management of the school board Assets includes all real property to which the TDSB holds a legal interest and all potential projects that could result in additional property interests. Management of real property interests includes, but not limited to, the process, negotiation and management of any real estate agreements that can include, acquisition, expropriation,

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disposition, (full fee, strata, temporary interests, partial requirements), lease, shared-use, redevelopment, land exchange, joint ventures or property planning of a portion or all of each real property that forms the Real Estate Portfolio.

Stewardship of the Real Estate Portfolio is to take into consideration such items as the TDSB capital plan, long-term requirements and TLC to make decisions, provide advice and recommendations that maintain, enhance, protect, or provide opportunities for the TDSB and its stakeholders as any prudent investor of its Assets that includes both land and buildings.

TDSB will provide the following support and information:

- Maintain SAP inventory systems for all TDSB properties and provide view access to all TLC staff;
- Maintain SFIS and provide view access to TLC staff;
- Provide access to all blueprints and drawings of TDSB sites;
- Provide TLC with all relevant information on demographics, program needs and other information about student accommodation needs and planning; and
- Be responsible for surplus property declarations for lease or sale.

TLC will provide the following support and information:

- Inform TDSB on timely basis of any significant property matters;
- Provide tenant requests and identified capital investment for TDSB consideration and inclusion in annual renewal plan for non-instructional sites;
- Dispose or lease of properties as prescribed by TDSB and in accordance with all relevant legislation;
- Provide land management advice to TDSB;
- Support and provide input with TDSB in developing a plan on community consultations regarding land matters, excluding TDSB Accommodation lead initiatives such as PARCs and PARTs, unused space and surplus declarations for sale or lease;
- Investigate and consult on community hubs;
- Work with the City, other public entities, colleges, universities on TDSB directed real estate projects (e.g., obtaining City approvals, liaising with City's real estate department, championship fields); and
- Lead work with developers of adjacent developments which impact on schools.

Detailed Asset Management Services

Item	TLC	TDSB
Asset Management	TLC to provide as part of their annual budget process a renewal plan for closed school sites, specifically the buildings – operations/maintenance/repairs/property management (cross reference in property management)	TDSB to provide annual status of closed school sites in order to assist TLC in determining budget renewal of closed buildings. TDSB will refer all real estate matters and inquiries to TLC, including infrastructure,

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	<p>TLC to provide advice and inform TDSB staff or bring forward to CSPM on property matters in a timely manner, as may be required.</p> <p>TLC to be the lead on potential opportunities or any discussions/negotiations with third parties, such as, but not limited to, the City of Toronto, other public entities, for land or building real property matters.</p> <p>TLC will establish guidelines and processes for real estate activities as best practices.</p> <p>TLC will dispose (lease or sale) of property as approved and directed by TDSB and in accordance with the relevant legislation.</p> <p>TLC will acquire property interests on behalf of TDSB in accordance with legislation and appropriate authorities.</p>	<p>temporary access, unsolicited proposals for land and building, temporary and permanent property interests, and assist as required to complete a property transaction.</p> <p>TDSB will request TLC to acquire properties including providing parameters for the acquisitions.</p>
	<p>TLC will use the TDSB information to assist in providing any advice, recommendations or implementation of a strategic plan for the stewardship of the asset.</p>	<p>TDSB will provide all relevant information on demographics, program needs and other information about student accommodation needs and planning.</p>
	<p>TLC will provide input/advice to TDSB on its proposed outdoor facilities master plan from a real estate perspective in terms of providing any advice on property impacts or identifying strategic opportunities which TLC could lead to benefit TDSB</p>	<p>TDSB will be responsible for developing and communicating its outdoor facilities master plan and updating it on an annual basis.</p> <p>TDSB may seek input from TLC to understand property impacts.</p>
Property Inventory Maintenance	<p>TLC will provide updates as necessary to the data owner for</p>	<p>TDSB will provide view only access to all TDSB data and</p>

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	changes to be made.	the ability to enter TLC into relevant properties.
Plans and Surveys	TLC may obtain new surveys, reference plans or other property documentation as may be required over time.	TLC will be provided with view only access on all surveys, reference plans, drawings and any school documentation in its database. TDSB to provide CADD drawings as required. TDSB to create the database over time.
Records Management	TLC to store all legal executed agreements in the TDSB "L" drive.	TDSB to provide TLC staff with access to "L" drive for document storage.
LTPAS	TLC will provide all relevant information on leases and agreements for TDSB properties to TDSB annually.	TDSB will provide this annually to TLC.
Program Area Review Team (PART) and Pupil Accommodation Review Committee (PARC) Processes	TLC will provide real estate and land use planning expertise to support student accommodations.	TDSB will lead and coordinate the efforts required of staff resources.
Community Consultations (non-PART/PARC related)	- TLC will lead and coordinate the efforts required of staff resources.	TDSB will support with relevant student planning or design and construction information. TDSB will lead complex consultations as determined by CSPMC.
Development Projects in Close Proximity or Adjacent to TDSB Properties	TLC to work with developers to understand their impact or requirement on TDSB properties and negotiate any agreements.	TDSB to forward all developers/third party inquiries to TLC for review and any appropriate action.
MPAC	Receive MPAC assessment notices. Represent TDSB on assessment appeals (MPAC).	TDSB to support any assessment appeal and provide documentation and any support, as may be required.
Site Reservation Agreements	Negotiate and manage site reservation agreements.	Provide Board authority to proceed with acquisition.

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Project Management and Consulting Services

The TDSB will provide the following support and information:

- Determine scope of such services after discussions with TLC, taking into consideration the resources available to the TLC and TDSB, the demands on those resources in providing the other services, and the impact on the Annual Budget.

TLC will provide the following support, negotiation and information:

- Provide services, as may be requested from time to time by the TDSB, such as assistance on land planning matters related to capital projects, redevelopment of properties owned by TDSB, or representation of TDSB in joint venture opportunities with other public or private sector entities. These services may be provided by the TLC as agents for and on behalf of TDSB or in the capacity of consultants. These services may relate to one or more of the properties, but may also relate to other properties, whether or not owned by TDSB, but present opportunities that may be brought forward by TLC for consideration, subject to project approvals.

Capital Projects

Capital projects are identified by TDSB and defined as new or replacement schools, additions or major renovations (does not include redevelopment projects).

Capital projects also include:

- New schools or satellite schools that may be in a mixed-use development; and
- Joint redevelopments with other public sector or private sector partners.

TDSB will provide the following support and information:

- Identify student accommodation needs; and
- Approve identified pupil accommodation solutions to be pursued

TLC will provide the following support and information:

- Investigate solutions to student accommodation needs (within available funding parameters);
- Following TDSB approval, TLC will secure all legislative requirements, negotiate, and transact all purchase/sale/ lease and redevelopment, joint-redevelopment agreements; and
- Participate in TDSB site plan approvals, including land use planning and legal review.

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Detailed Capital Project

Item	TLC	TDSB
Capital Projects		Identify student accommodation needs. Approve identified solutions to be pursued (replacement school, addition, etc.).
Capital Project (mixed-use development)	Identify potential developments that can accommodate or have interest in school in development; Lead negotiations, MOU/LOI.	Identify student accommodation needs.
Real Estate (potential) interests	Investigate and review TDSB requirements. (acquisitions, partial, sub-surface, temporary staging, parking, expropriation, etc.) Negotiate, obtain approvals, finalize agreements (if any).	Identify real estate interests that would require TLC review. Provide funding for the real estate portion of the project.
Capital Project (joint-redevelopment)	Identify potential joint redevelopment opportunities with other public or private sector partners; negotiate agreements.	Identify student accommodation needs; provide TLC with long term capital plan.
General Projects	Participate in TDSB site plan approvals, including land use planning and legal review (cross reference with Land Use Planning section).	Identify assistance required from TLC.

Land Use Planning Services

TDSB will provide the following services:

- Manage the collection, analysis and reporting of data associated with actual student enrolments, projected enrolments, programs, community demographics, facility capacities, facility use and school boundaries;
- Develop the TDSB Long-Term Program and Accommodation Strategy and Annual Planning Document to support decision making for sustainable pupil accommodation, including short and long term directions for school facilities;
- Develop short and long term strategies for pupil accommodation that address specific issues such as school closures, and the identification of facilities for revenue generation;

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- Conduct consultation with the public concerning such strategies, including making presentations to communities and acting as a representative of TDSB policies and positions;
- Coordinate the distribution, completion and submission of all Ministry reports related to enrolments and capacities;
- Provide sound data to support capital investment opportunities in school infrastructure through TLC;
- Provide advice to TLC on potential accommodation issues arising from new residential development;
- Maintain the database (GIS) for tracking and monitoring actual pupil yields emanating from residential developments, and ensure this information is updated regularly and made available to TLC;
- Maintain the TDSB Street Guide and add/change residential addresses approved by the City;
- Circulate TLC comment letters on development applications and other land use planning matters, as required, to affected TDSB staff and trustees;
- Manage the collection and reporting of space usage;
- Identify and develop strategies that address facility capacity and space management;
- Provide alternative solutions to facility planning and program expansion issues that are in accordance with TDSB policies and procedures;
- Manage the collection, analysis and reporting of enrolment data (both actual and projected);
- Lead community planning processes which includes preparation of accommodation options and cost benefit analyses;
- Liaise with internal and external partners and stakeholders on all accommodation matters; and
- Liaise with trustees, senior staff and other managers in identifying and resolving program and accommodation issues.

TLC will provide the following services:

- Serve as the first point of contact for City planning staff on all land use matters;
- Coordinate the review of all development applications and identify any issues/impacts related to TDSB school sites and/or properties;
- Work with City staff and the development community to mitigate issues with respect to intensification/development impacts on TDSB school sites and /or properties;
- Arrange and lead bi-weekly meetings with TDSB planning staff to review development applications and other lands use planning matters;
- Identify and secure opportunities for new elementary and secondary schools through the City, as required;
- Provide strategic advice regarding the identification and acquisition of lands to support future school requirements;

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- Assist and support TDSB on the site plan application process for new schools, renovations and additions;
- Participate and review City planning studies and initiatives;
- Provide expert advice and analysis with respect to land use, urban structure, active and proposed residential development in relation to pupil accommodation reviews, program area reviews, local feasibility studies and other accommodation projects;
- Attend City of Toronto Community Council meetings, Committee meetings and/or other public meetings regarding development proposals and/or studies, as required;
- Liaise with trustees, principals, senior staff and school communities with respect to the municipal planning process, development applications and associated matters;
- Respond to inquiries regarding proposed residential development and land use planning matters, as required;
- Identify partnership opportunities with developers and public agencies
- Participate in Local Planning Appeal Tribunal (LPAT) hearings as an expert witness; and
- Review provincial policies and initiatives, and upon request, draft submissions on TDSB's behalf on proposed regulatory changes.

Financial Management Services

TDSB will provide the following support and information:

- Financial and internal audit oversight of all financial policies, procedures and transactions to ensure compliance with legislation, Board policy and procedures, and GAAP;
- Recording of payroll, invoice and revenue transactions for TLC;
- All financial recording and reporting of financial information in formats required by TLC management and Board;
- Attend, as required, TLC Board and Committee meetings to present and respond to TLC's financial operations;
- Provide view access to all TLC financial information in SAP to the appropriate TLC staff;
- In consultation with TLC, prepare all financial reports required by TLC Board and staff;
- Support the development of an annual plan and budget; and
- Provide support in tendering and purchasing for services and supplies required by TLC.

TLC will provide the following support and information:

- Input all leases into the SAP system up after initial clean-up of data by both TLC and TDSB once agreement executed;
- Input all payroll timesheets as required;
- Approve all invoices and contracts; and

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- Coordinate the timely information to support the development of the annual plan and budget, within reasonable and pre-identified TDSB timelines.

Detailed Financial Management Services

TLC	TDSB
Submit annual plan in mutually agreed timeline.	Provide Financial reports to TLC including P&L, Rent roll, Bad Debt schedule.
Submit strategic plan in mutually agreed timeline.	Prepare and present the Operating reports and tier reports on a semi-annual basis to the Finance and Audit Committee and Board of TLC.
Provide relevant financial information in a timely manner in mutually agreed timeline.	Prepare and present the year-end financial statements and operating reports to Audit Committee and Board.
Provide updates on leasing, property sales, and land management issues at CSPMC of TDSB and TLC Staff or whenever as required.	Prepare and provide monthly reports to TLC – including HST reports, A/R Reports for all sites and tenants.
Provide information required by auditors during the year-end TLC audit when required.	Prepare the balance sheet schedules binder for internal purposes quarterly .
TLC will only use either TDSB approved vendors or TLC approved vendors selected using the services of the TDSB procurement process.	Provide billing and collections services all rents and property payments.
Get confirmation or consult with TDSB for any potential issue which may impact TDSB financially.	Manage all intercompany transactions between TDSB and TLC and ensure they are appropriately recorded.
Approve annual budget and monitor actual expenditures for closed sites,	Provide TLC with view access to all TLC staff to view both TLC accounts and all sites.
Manage tenant contact regarding property tax and utility issues.	Provide access to create, input and monitor TLC project expenditures (relates to Internal Order process).
	Approve TLC annual Plan.
	Provide annual budget timeline to TLC.
	Approve TLC Strategic Plan.
	Maintain all relevant banking accounts

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	<p>for TLC including managing treasury and cash flows for TLC bank accounts.</p> <p>Ensure TLC budget is loaded into the TDSB ERP system to track the TLC budget vs actuals.</p> <p>Complete all regulatory submissions and government filing such as monthly HST filing, T4 slips and summary and T2 Corporate tax returns.</p> <p>Selection of Audit firm to conduct annual audit of both TDSB and TLC.</p> <p>Provide assistance to auditors during the year end TLC audit.</p> <p>TDSB Internal Audit department will develop and implement internal audit plan annually for review by TDSB and TLC.</p> <p>Provide payroll services including government remittances, pension administration through OMERS and benefits administration through the ELHT.</p> <p>Pay TLC Vendors through TDSB accounts payable.</p> <p>Assist with property tax bill and appeal issues, water bill issues, of leased properties. Follow up with the appropriate city of Toronto department or legal department contacts.</p> <p>Determine and communicate overhead rates for financial reporting purposes.</p> <p>Escalate any lease contract wording issues to TLC.</p> <p>Liaise with TLC to ensure transactions relating to property disposals, land exchange, etc. is properly recorded in our system, and that all closing</p>
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	<p>documents are shared with the TDSB.</p> <p>Gather and provide any relevant financial data to TLC as required relating to analysis on leasing/building/buying option decisions for new schools.</p>
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Legal Services

The TDSB will provide the following support and information:

- Notify the TLC of any legal matter of significance that it becomes aware of in relation to matters relevant to the TLC's operations and mandate; and
- Provide TLC management, if requested, strategic legal advice on corporate, commercial, labour, employment, and other legal matters.

The TLC will provide the following support and information:

- Promptly give notice to the TDSB Executive Officer, Legal Services of any statement of claim, legal proceeding, demand letter, or other legal documents which provide notice of, originate, or continue any proceeding which has an impact upon the value of any Property or which establishes, claims or alleges liability of the TDSB and/or the TLC; and
- If it is not an insured claim under the TDSB's or TLC insurance policies, TLC shall retain counsel for the purpose of defending any action or other proceeding provided that (i) the estimated cost of legal fees is contained in the current Annual Plan and (ii) the action or other proceeding is a "Routine Proceeding" (as defined in the Shareholder Direction)

Detailed Legal Services

TLC	TDSB
Promptly give notice to the TDSB Executive Officer, Legal Services of any statement of claim, legal proceeding, demand letters or other legal documents which establishes, claims or alleges liability of the TDSB and/or the TLC.	<p>Provide strategic advice to TLC legal staff as required.</p> <p>Provide information and documentation to TLC as may be required to support the TLC's assumption real estate legal matters.</p>
Retain counsel for the purpose of defending any non-insured action or other proceeding provided that (i) the estimated cost of legal fees is contained in the current Annual Plan and (ii) the action or other proceeding is a "Routine Proceeding".	Provide litigation services on real estate and/or land use litigation matters if determined by TDSB Executive Officer, Legal will be handled by in-house litigation counsel.

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<p>Not commence any legal action or other proceeding until it has received the written approval of the TDSB Executive Officer, Legal Services, who may assign to in-house litigation counsel or recommend retention of external legal counsel.</p> <p>Use TDSB's approved vendors of record for legal services, or other law firms pursuant to the terms of the Legal Services Request for Proposals and procurement policies and procedures.</p> <p>Select the law firms including approval for each matter, and assignment of a file tracking number.</p>	
Implement TDSB Billing Guidelines with external legal counsel, as amended.	Act as a resource to TLC for legal recruitment if requested.
Pay invoices for all legal and consulting services engaged by TLC.	
Align where possible and where it may be effective, subject to staff and budget, with TDSB legal services procedures and technological resources on document, file, billing, matter, and contract management.	
Manage legal responsibilities for TDSB real estate and land use planning portfolios.	
Maintain all records of all agreements, tenants, correspondences, letters, documentation and pertinent information related to TDSB's real estate and land use planning portfolios.	
Provide copies of documents, legal agreements and all relevant documents within TDSB's real estate and land use planning portfolios upon request to TDSB departments and staff.	
Negotiate, draft and review policies, reports, leases, licences, and other documents related real estate matters.	

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Conduct title searches and sub-searches, rectify title issues, respond to title applications from third parties, prepare title summaries and title reports, review and provide advice on legal agreements and instruments either registered or not registered on title, and manage title notices.	
Prepare and seek registration of various instruments and documents in Teraview or other real estate software and submit title documents for registration electronically and/or by paper to the Director of Titles and/or the Land Registry Office.	
<p>Provide real estate and land use planning legal oversight of existing dome agreements and championship fields' agreements.</p> <p>Manage all operational aspects of dome agreements and championship fields' agreements in effect.</p>	-
Manage School Capital Facility declarations.	Provide TLC assistance if necessary and upon request in managing TDSB School Capital Facility declarations.
Interpret various legal documentation and prepare various legal correspondences (letters, memorandums of understandings, briefing notes, term sheets).	
Liaise with external counsel, external groups and other government bodies and school boards.	
Negotiate, prepare, review, amend, provide advice on, manage, and terminate all legal agreements within TDSB's real estate and land use planning portfolios, including but not limited to licence agreements, easement agreements, leases (TDSB is a tenant or TDSB is a landlord), lease amending agreements, shared-use agreements, shared-use agreements for City parks, tieback agreements, shared facilities agreements, space usage	

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agreements, access agreements, community centre agreements, community (public) use agreements, section 37, 42, 45 agreements, municipal agreements, site plan agreements, operating agreements, amending agreements, parking lot leases, and crane swing agreements.	
Manage legal responsibilities for all real estate acquisitions, dispositions, conveyances, transfers, land exchanges, donations of land, from start to finish, that accompany legal agreements or documents and requisite approvals.	
Manage all expropriation related matters.	
Manage all access, permission-to-enter, easement, right-of-way, severance requests and requests for placement of any structure or equipment on TDSB lands, from start to finish.	
Advise on land restrictions, real estate development matters, and permitted uses of lands.	
<p>Provide legal advice and opinions to TDSB staff with respect to planning, facilities and real estate matters, including but not limited to: site dispositions, easement agreements, access requests, leases, licences, joint-use agreements, construction agreements, child care leases, and all other matters pertaining to real estate issues.</p> <p>Advise on leasing policy and procedures – for further discussion in the Real Estate and Land Use Planning sections of the SLA.</p> <p>Construction management agreements, Ontario <i>Planning Act</i> applications and agreements.</p>	

Toronto District School Board and Toronto Lands Corporation Service Level Agreement

Human Resources

TDSB will provide the following support and information:

- Provide support related to employee services functions as required;
- Provide updates on employee services policies and procedures so that TLC administers them in a similar manner.
- Administer TLC payroll, benefits and pension for all TLC staff

TLC will provide the following support and information:

- Update and maintain all employee records.

Detailed Human Resource Services

Item	TLC	TDSB
Policies, Procedures, Protocols	TLC will follow all TDSB policies, procedures and protocols.	TDSB to provide access to Intranet site. This will enable access to Policies, Procedures and Protocols.
Terms and Conditions (T&C) Employee Services	TLC will follow the established T&C for Schedule II (non-union) of the TDSB including provisions with respect to Salary Schedules; levels, allowances, severance and vacation entitlements. For clarity, TLC staff are currently not eligible for TSTN membership.	TDSB may amend the terms and conditions from time to time and provide copies of same to TLC to to distribute to its non-union staff.
Benefit and Pension Administration and Payroll Services		Update benefit eligibility in SAP as per the Trust rules. Run HRIS interface file and provide to Cowan Insurance. Upload payroll deduction file and deduct employee premium contributions. Upload Payroll response file Benefit funding and payments to vendor with monthly remittance and reconciliation. Pension Administration (i.e., enrolment) and reporting

**Toronto District School Board and Toronto Lands Corporation
Service Level Agreement**

		(including year-end). Provide monthly remittance to pension plan.
Disability Management (WSIB and Sick Benefits)	Manage and report staff absences.	Consultative services to ensure consistency in reporting and managing injury/absences.
Job Postings/Job Evaluations Compensation Services Organizational Development Support Staff office (Sch II and Central Unit)	<p>TLC will work with external provider on job evaluation and pay equity maintenance.</p> <p>TLC will communicate evaluation results and any pay equity adjustments to TDSB.</p> <p>TLC will conduct all recruitment duties including offer letters.</p> <p>TLC will follow the TDSB's Restructuring Process as outlined in the T&C.</p>	<p>TDSB will share TDSB job description/posting information.</p> <p>TDSB will provide current T&C for Sch II staff.</p> <p>TDSB will post TLC job opportunities on Direct Line upon request.</p> <p>TDSB will provide organizational development consultative advice upon request.</p>
Inter-organization Staff Hiring	Two organizations will work together to develop common protocols with respect to Secondment Agreements.	
Absences/Vacations	TLC to record attendance in SAP.	TDSB to move TLC into SAP for attendance recording.
Performance Management		TDSB will provide consultation and recommendations, but not carry out the service/meet with the staff.
Onboarding	TLC will onboard their own employees using TDSB forms (as amended to reflect TLC) and practices and maintain all master records onsite.	TDSB will enrol the employees in the appropriate pension plans as applicable.

**Toronto District School Board and Toronto Lands Corporation
Service Level Agreement**

	TLC will send appropriate copies of employee forms to appropriate TDSB departments.	
Long Term Disability Insurance (LTDI)	<p>TLC will complete appropriate forms and provide to TDSB.</p> <p>TLC to provide LTD overview information to newly hired employees.</p>	<p>TDSB to handle LTD coverage enrolment in SAP as per T&C of Employment and contract eligibility.</p> <p>TDSB will provide expertise and support regarding claim submission and work with Disability Claims Management staff on return to work.</p>
Professional Development and Compliance Training	<p>TLC will be provided with Key to Learn access.</p> <p>TLC staff will complete all required compliance training.</p> <p>TLC will monitor compliance with training requirements and provide additional professional development opportunities for its staff.</p>	TDSB to provide Key to Learn access to TLC staff.
Health and Safety	TLC will appoint a health and safety representative	<p>TDSB to follow up to determine all requirements.</p> <p>TDSB to provide training for health and safety representative.</p>
Human Rights and Workplace Harassment	TLC will adhere to TDSB policies and procedures	<p>TDSB will provide support for this function and training for all staff.</p> <p>Services of the Human Rights Office [TBD].</p>

Toronto District School Board and Toronto Lands Corporation
Service Level Agreement

Information Technology & Information Management Services,
FOI and Privacy

TDSB will provide the following:

- Client Service Desk Support
- HRIS Support
- SAP Support and Training to perform SAP functions as outlined in this agreement
- Access to SAP to perform SAP functions as outlined in this agreement
- Software and applications support
- Hardware support for computer equipment purchased via the TDSB computer catalog
- Network access and support
- Access to Key to Learn
- Telecommunications support
- Security Investigations and Forensics
- Risk Assessment of digital initiatives
- **Assist** TLC with Freedom of Information (FOI) requests
- Security and Privacy breach incident support

Toronto District School Board and Toronto Lands Corporation Service Level Agreement

Glossary of key terms

Term	Definition
TDSB	Toronto District School Board
TLC	Toronto Lands Corporation
FS	Facility Services
ITS	Information Technology Services
SLA	Service Level Agreement
Annual Plan	A plan outlining the operation, management and maintenance of the TLC Portfolio.
Strategic Plan	A long-term plan outlining the objectives and priorities for the TLC, any major capital programmes and anticipated revenues the TLC expects to be able to contribute to the capital needs and/or operations of the TDSB. This plan is to align with any TDSB Capital Budget/Plan.

Related documents

November 2018 Shareholder Direction

SHAREHOLDER'S DIRECTION
from
TORONTO DISTRICT SCHOOL BOARD
to
TORONTO LANDS CORPORATION

Dated May 16, 2008

As Amended:

June 22, 2011

November 16, 2011

November 26, 2014

And as further amended and restated on November 28, 2018

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AMENDED AND RESTATED SHAREHOLDER'S DIRECTION

THIS AMENDED AND RESTATED SHAREHOLDER'S DIRECTION (the “**Direction**”) dated as of the 24th day of October, 2018,

FROM:

TORONTO DISTRICT SCHOOL BOARD

(hereinafter referred to as the “**TDSB**”)

OF THE FIRST PART

-to-

TORONTO LANDS CORPORATION

(hereinafter referred to as the “**TLC**”)

OF THE SECOND PART

RECITALS:

- A. The TDSB is a provider of public primary and secondary educational services and is the owner of real property located in and around the Province of Ontario, including the Real Estate Portfolio (as defined herein).
- B. The TLC is a wholly-owned subsidiary of the TDSB, incorporated under the *Business Corporations Act* (Ontario) (the “*OBCA*”).
- C. The TDSB wishes to direct the TLC to manage its Real Estate Interests (as defined herein) and Properties (as defined herein) in accordance with this Direction.
- D. The TLC and the TDSB will be considered to be a single employer for purposes of Section 1(4) of the *Labour Relations Act* (Ontario).

ARTICLE 1
INTERPRETATION

Section 1.1 Definitions.

In this Direction unless the context otherwise requires:

“**Annual Budget**” means annual financial plan in a form consistent with industry best practices and will include an annual operating budget, annual capital and renewal budget and any other such information as may be required.

“**Acquisition**” means to acquire a property or interest, either by purchase, lease or land exchange.

“**Approved List**” means a list of law firms which has been approved by the General Counsel of the

TDSB and the TLC, from time to time.

“Auditor” means the auditor of the TLC from time to time, if applicable.

“Business Day” means any day of the year, other than a Saturday, Sunday or other day on which banks are required or authorized to close in Toronto, Ontario.

“Director” means a director of the TLC.

“Director of Education” means the Director of Education of the TDSB or designated representative from time to time.

“Early Termination Clause” means any provision which gives the TDSB, as landlord under the applicable Lease, the right to terminate such Lease on notice to the Tenant.

“Education Act” means the *Education Act* (Ontario).

“Effective Date” means May 16, 2008.

“Executive Officer” means Chief Executive Officer of the TLC and an officer as defined by the OBCA.

“Financially Whole” means, when referring to the financial operating position of the TDSB Board, that any agreement should not negatively impact the TDSB or TLC financial position. Program benefits can be considered when determining financial benefits to the TDSB Board.

“Fiscal Year” means each 12 month period comprising a fiscal year of the TDSB (or, in respect of the initial Fiscal Year, the period commencing on the Effective Date and ending on August 31, 2008).

“Governmental Entity” means any (a) federal, provincial, municipal, local or other government, governmental or public department, court, commission, board, bureau, agency or instrumentality, (b) any subdivision or authority of any of the foregoing, or (c) any quasi-governmental or private body exercising any regulatory, expropriation or taxing authority under or for the account of any of the above.

“Key Performance Indicators (KPI)” means a measurable value that demonstrates how effectively a company is achieving its key business objectives.

“Lease” means any lease agreement, offer to lease, license, parking agreement or other agreement granting any right to use any part of a Property but shall exclude any permits granted by the TDSB's Permitting Department.

“Major Contracts” means contracts with a term in excess of three (3) years or with a total value, over the life of the contract, of more than \$500,000, but excludes any Lease, and any amendment or renewal of any Leases, and listing, commission and sale agreements entered into in connection with the disposition of a Disposition Property in accordance with the provisions of this Direction.

“Multi-Year Strategic Plan” means the current Multi-Year Strategic Plan approved by the TDSB which sets direction and identifies system goals to support TDSB students and schools.

“Person” means a natural person, partnership, corporation, joint stock company, trust, unincorporated association, joint venture or other entity or Governmental Entity.

“Property” or “Properties” means the interest of the TDSB in the operating and non-operating school sites including all buildings and improvements built thereon which are owned or leased by TDSB, including any space under lease in operating schools. All Disposition Properties, as defined in Section 5.4 , are also Properties for purposes of this Direction. Any Disposition Property which has been disposed of by TLC as agent for and on behalf of TDSB shall cease to be a “Property” for purposes of this Direction.

“Real Estate Interests” means the Real Estate Portfolio and the TDSB’s interest in land use and city planning, policy development, community planning and partnerships and all related matters thereto.

“Real Estate Portfolio” means all real property to which TDSB holds a legal interest.

“Regulation 444” means O.Reg.444/98 pursuant to the *Education Act* (Ontario).

“Routine Proceeding” means an action or other proceeding based on a claim or claims by the TDSB and/or TLC (i) which relates to the collection of rent under Leases or of other receivables and, (ii) in respect of which there is no expectation of a counter claim or other claim against the TDSB and/or TLC as a consequence of such action or other proceeding.

“Services” means, collectively, the management of Real Estate Interests and Properties (including negotiation of any Lease on behalf of TDSB as a tenant).

“Service Level Agreement” defines the protocol and operational roles and responsibilities between the TLC and TDSB in respect to the delivery of Services hereunder.

“TDSB Board” means the Board of Trustees of TDSB.

“Tenant” means a tenant under any Lease.

“TLC Board” means the Board of Directors of TLC.

“TLC Committee” means a committee of the TLC Board.

“Trustees” means trustees of the TDSB and may also be referred to herein where appropriate as the “TDSB Board”.

Section 1.2 Gender and Number

Any reference in this Direction to gender includes all genders and words importing the singular number only include the plural and vice versa.

Section 1.3 Currency

All references in this Direction to dollars, unless otherwise specifically indicated, are expressed in Canadian currency.

Section 1.4 Certain Phrases, etc.

In this Direction (i) the words “including” and “includes” mean “including (or includes) without limitation”, and (ii) the phrases “the aggregate of”, “the total of”, “the sum of”, or a phrase of similar meaning means “the aggregate (or total or sum), without duplication, of”.

Section 1.5 Accounting Terms

All accounting terms not specifically defined in this Direction shall be interpreted in accordance with the CPA Canada Public Sector Accounting Handbook and Ministry of Education regulations, guidelines and policies for financial reporting.

Section 1.6 Statutes

Any reference in this Direction to a statute or regulations thereunder shall be deemed to be a reference to such statute or regulations as amended, re-enacted or replaced from time to time and reference to specific parts, paragraphs or sections thereof shall include all amendments, re-enactments or replacements, unless the express provisions hereof otherwise require.

Section 1.7 Incorporation of Schedules

Any Schedules attached to this Direction shall, for the purposes of this Direction, form an integral part of it. Schedules may be varied, amended, replaced, added to or deleted in whole or in part from time to time by the parties hereto executing revisions thereto and any such revision shall from the date of execution as aforesaid become all or part of the Schedule hereto, and thereafter incorporated in this Direction and binding upon the parties hereto.

Section 1.8 Articles and Sections

The expressions “Article” and “Section” followed by a number means and refers to the specified Article or Section of this Direction.

ARTICLE 2 INTRODUCTION

Section 2.1 Relationship between TDSB and TLC.

The TDSB, as the sole shareholder of the TLC, hereby directs, the TLC to provide the Services in accordance with this Direction.

Section 2.2 Purpose of this Direction.

This Direction:

- (a) establishes objectives and principles of governance for the TLC;
- (b) establishes the Services that the TLC will provide for the TDSB;
- (c) establishes provisions for the accountability of the TLC to the TDSB; and
- (d) constitutes, in part, a declaration by the TDSB pursuant to Section 108(3) of the

OBCA that restricts in part the powers of the directors of the TLC to manage or supervise the management of the business and affairs of the TLC.

ARTICLE 3 OBJECTIVES AND PRINCIPLES

Section 3.1 Shareholder Objectives

The TDSB's objectives in entering into this Direction with the TLC are to assist the TDSB in its delivery of a strong public education system and align TLC objectives with the TDSB Multi-Year Strategic Plan by:

- (a) maximizing monetary and non-monetary value to the TDSB through strategic management and facilitating the optimal use of its Real Estate Portfolio by reconfiguring, integrating, redeveloping and/or improving the quality or modernization of the facilities located on those lands;
- (b) representing TDSB's interest in a proactive, strategic manner, and responding to development applications, municipal and provincial initiatives, land use policies and legislation, land use planning and market trends and other matters that impact TDSB's Real Estate Portfolio and pupil accommodation needs;
- (c) ensuring TDSB's interests are accounted for in establishing and maintaining community joint ventures and third party partnerships related to its Real Estate Portfolio and community interests;
- (d) providing impartial, strategic, innovative, and proactive advice, and relying on specialized expertise;
- (f) mitigating financial risks to the TDSB in connection with the delivery of Services;
- (g) being accountable to TDSB for achieving projected results, including developing Key Performance Indicators to measure TLC's performance and complying with the provisions and intent of this Direction; and,
- (h) providing effective and timely communication with TDSB along with internal teams and external stakeholders.

Section 3.2 Principles Governing the TLC.

To guide decision-making and strengthen accountability to TDSB's fiduciary responsibilities in the stewardship of its Real Estate Portfolio, the TLC will conduct its affairs in a manner consistent with the following principles:

- (a) that TDSB lands are to be preserved as public assets to the maximum extent possible;
- (b) that TDSB's delivery of a strong public education system in the future includes continuous modernization of TDSB schools;
- (c) that maximizing TDSB land value extends beyond financial value and is to include community and social value;

- (d) that TDSB must be kept Financially Whole when developing local and sustainable public service programs on TDSB Real Estate Portfolio which supports the partnerships and community hub model;
- (e) that TLC advocate for appropriate land use planning and provide for educational facilities which are sustainable and provide a secure and healthy physical environment for learning and teaching in communities throughout the City of Toronto;
- (f) that TLC be guided by the TDSB Multi-Year Strategic Plan and other applicable TDSB Plans, policies and procedures;
- (g) that TLC achieve the objectives of the TDSB, while protecting the interests of the TDSB;
- (h) that TLC conduct its affairs in a transparent and public spirited way, recognizing that, in many cases, the Real Estate Interests within the Real Estate Portfolio are important to the communities in which they are located; and,
- (i) that TLC work with communities, local politicians and stakeholder organizations to ensure they have a meaningful opportunity to comment on and participate in significant projects, initiatives or other matters being undertaken by the TLC.

The TLC will be responsible for determining the appropriate balance among the foregoing principles and causing the TLC to conduct its affairs in accordance with same, and will be accountable to the TDSB for how this balance is achieved.

ARTICLE 4

OPERATION AND CONTROL OF THE TLC

Section 4.1 TLC Board.

Subject to any matters requiring approval of the TDSB pursuant to this Direction or any other restrictions set out herein, the TLC Board will supervise the management of the business and affairs of the TLC and carry out the following specific matters:

- (a) develop and approve the Strategic Plans and the Annual Plan consistent with the provisions of this Direction and the TDSB Multi-Year Strategic Plan for approval by the TDSB Board;
- (b) evaluate its strategic direction and ensure alignment with TDSB;
- (c) set and approve the annual TLC Budget and recommend approval by the TDSB Board in accordance with the TDSB annual budget cycle;
- (d) adhere to applicable TDSB policies and procedures and develop TLC policies and procedures (subject to TDSB Board and staff approval) consistent with the provisions of this Direction, the *Education Act*, and all other relevant legislation;
- (e) negotiate and execute, on behalf of the TDSB, all business and operational affairs which are necessary or desirable in order to permit the TLC to carry out the Services as defined and identified in this Direction, save and except for those items which are or relate to Transactions Requiring Consent, in which case prior approval of the TDSB will be required

pursuant to the terms hereof;

- (f) manage and direct all TLC human resource and employee-relations matters in accordance with TDSB Employee Services policies, procedures, terms and conditions of employment and/or any collective agreements. The TLC shall consult with the TDSB concerning employees covered by all applicable collective agreements and terms and conditions of employment in order to ensure their consistent application between the TLC and the TDSB. Any exceptions to TDSB policies require TDSB Board approval. Any exceptions to TDSB procedures, and TDSB terms and conditions of employment require Director of Education approval.
- (g) establish the TLC Board committee structure, as well as associated terms of reference for each committee. The terms of reference will include, among other things, a requirement that each Committee have at least one TDSB Trustee Director as a member;
- (h) ensure that the TLC operates in a manner consistent with applicable industry best practices; and
- (i) evaluate its performance every three to five years.

The Executive Officer, TLC, will be responsible and held accountable to achieve the objectives and goals of the TLC Board.

Section 4.2 Composition of the TLC Board.

The TLC Board will be composed of ten (10) Directors. Of these, four (4) will be Trustees and six (6) will be individuals who are not Trustees ("Citizens"). The Director of Education or any person designated by the Director of Education, and the TDSB Board Chair, shall be entitled to attend all TLC Board meetings and to receive all notices of such meetings and all reports and other correspondence which are distributed to members of the TLC Board.

Section 4.3 Appointment of TLC Board Members.

- (a) The four (4) TLC Board positions to be occupied by Trustees will be appointed by the TDSB.
- (b) The six (6) TLC Board positions to be occupied by Citizens will be nominated by an approved TLC committee, approved by the TLC Board, and ratified by the TDSB. In selecting nominees to fill these positions, the TLC Committee will consider expertise of candidates in areas related to the TLC Services to be provided.
- (c) The Chair of the TLC Board will be appointed by the TDSB from the Citizen Directors of the TLC Board.
- (d) Directors of the TLC Board who are Trustees shall serve for a term ending on the earlier of the date which is two (2) years after their appointment and the end of their term of office as Trustees. Directors of the TLC Board who are Citizens shall serve for a term of three (3) years and may be appointed for a second three (3) year term. No Director of the TLC may serve more than two (2) consecutive terms unless authorized by the Trustees of TDSB. The Citizen and Trustee Director terms of office will be staggered to ensure continuity.

- (e) To be eligible to be a Director of the TLC, an individual must not be disqualified from being a director under the OBCA, and shall be a resident Canadian as defined in the OBCA.
- (f) If a Director of the TLC ceases to be a Director for any reason, the TDSB will fill the vacancy created thereby as soon as reasonably possible.

Section 4.4 Remuneration.

The remuneration of the Directors of the TLC will be as determined by the TDSB from time to time. The TLC will reimburse Directors for all reasonable and allowable expenses in accordance with TDSB and TLC expense policies and procedures. In the event of a conflict between TDSB and TLC policies, the TDSB policies shall prevail.

Section 4.5 Removal of Directors

A Director may be removed from the TLC Board in accordance with the OBCA. The reasons for such removal may include, but are not restricted to:

- (a) breach of the Director's obligations under the OBCA;
- (b) conflict of interest that cannot be resolved in any other manner satisfactory to the TLC Board;
- (c) engagement in activities that are deemed by the TLC Board to have an adverse impact on the duties of such Director as a TLC Board member;
- (d) absence from three consecutive meetings of the TLC Board without obtaining approval of the TLC Board;
- (e) ceasing to meet the eligibility criteria of a TLC Board member as described herein; and
- (f) any removal of a Director by the TDSB pursuant to Section 122 of the OBCA.

Section 4.6 Conflict of Interest

The Directors and officers of the TLC will strictly abide by the requirements of the OBCA and the *Municipal Conflict of Interest Act*, and all other applicable statutes or requirements of law in respect of conflicts of interest, as well as any related TDSB or TLC policy or procedure, including any requirements in respect of disclosure and abstention from voting. In the event of a conflict between TDSB and TLC policies, the TDSB policies shall prevail.

Section 4.7 Confidentiality

The Directors and officers of the TLC will ensure that no confidential information of the TDSB is disclosed or otherwise made available to any Person, except to the extent that:

- (a) disclosure to the TDSB or TLC or their employees or agents is necessary for the performance of any of their duties and obligations under this Direction or is otherwise required by the TDSB;

- (b) disclosure is required in the course of judicial proceedings or pursuant to law; or the confidential information becomes part of the public domain (other than through unauthorized disclosure by any party),

and the TLC will abide by all terms of all applicable statutes and requirements of law pertaining to privacy and access to information.

Section 4.8 Shareholder Matters

- (1) Authorizations of the TDSB generally.

The following will apply to any authorizations or decisions that the TDSB must provide:

- (a) where TDSB authorizations or decisions are required, the TLC will give reasonable advance notice in writing of the need for such authorization and will provide such information as is reasonably necessary for the TDSB to make an informed decision;
 - (b) where TDSB authorizations or decisions are required, such authorizations or decisions shall be made by way of written Board resolution, or by the Director of Education if approval or decision making authority has been delegated to the Director of Education by written TDSB Board resolution; and
 - (c) the TLC shall be entitled to rely upon any direction, approval or authorization provided by the Director of Education from time to time on these specific matters.
- (2) Where TDSB Authorization Required Under OBCA.

The TLC will not, without the authorization of the TDSB, enter into any transaction or take any action that requires shareholder approval pursuant to the OBCA, including without limitation, the following actions:

- (a) apply to make changes to the articles of incorporation of the TLC;
- (b) amalgamate, apply to continue as a body corporate under the laws of another jurisdiction, merge, consolidate or effect a reorganization as defined in the OBCA, or approve or effect any plan of arrangement, in each case whether statutory or otherwise;
- (c) take or institute proceedings for any winding up, arrangement or legal reorganization or dissolution;
- (d) create new classes of shares or reorganize, consolidate, subdivide or otherwise change its outstanding securities;
- (e) dispose of, by conveyance, transfer, lease, sale and leaseback, or other transaction, all or substantially all of its assets or undertaking;
- (f) change the Auditor; or
- (g) make any change to the number of Directors comprising the TLC Board.

(3) Other Matters Requiring TDSB Authorization.

Without the authorization of the TDSB, the TLC will not:

- (a) appoint new Directors to fill vacant positions on the TLC Board;
- (b) pass or amend any by-laws
 - (A) with respect to the composition or number of Directors or the term of Directors; or
 - (B) that are inconsistent with this Direction;
- (c) alter the remuneration of the Executive Officer beyond the Executive Compensation provided to an Associate Director of Education; or
- (d) enter into, or agree to enter into, any agreements that constitute a Transactions Requiring Consent referred to in Section 6.1.

Section 4.9 Other Legislation

In the event any provision of this Shareholder Direction/any other direction of the TDSB conflicts with applicable legislation and/or regulation, the latter shall prevail.

Section 4.10 Communication between TLC and the Shareholder

The TLC will ensure that there is effective and consistent communication between the TDSB and the TLC through the following means:

(1) Board to Board

- (a) TLC reports will be submitted to the TDSB through its Planning and Priorities Committee (or its successor committee), or to an appropriate Committee as determined by the TDSB Chair and/or Director of Education; and
- (b) TLC Board will report quarterly to the TDSB Board highlighting key activities and achievements.

(2) Executive Officer –Director of Education

The Director of Education may provide advice, direction and guidance, in accordance with Board resolution, on matters of significance to TDSB. The Executive Officer and Director of Education will collaborate and have open discussions and regular communication.

(3) TDSB – TLC Executive Committee

An executive committee consisting of the Chair, TDSB, Chair, TLC, Director of Education, and Executive Officer will be established to facilitate communication and collaboration.

(4) Strategic Plan

The TLC will develop its long-term plan ("TLC Strategic Plan") in accordance with the TDSB's Multi-Year Strategic Plan and its long-term programming requirements, to be submitted to the TDSB Board for approval. The TLC Strategic Plan will be updated to include changing objectives and priorities of the TDSB during the period covered by the TLC Strategic Plan or whenever the TDSB updates its strategic plan. Reporting of the TLC Strategic Plan will be within three months of the approval of TDSB's Multi-Year Plan. The TLC will review the TLC Strategic Plan every four years.

(5) Annual Plan

The TLC will submit its Annual Plan to the TDSB Board for approval. The Annual Plan will satisfactorily support all operations under the TLC's direction and will be in alignment with TDSB's budget cycle for the next Fiscal Year. A finalized Annual Plan will be adopted not later than thirty (30) days before the beginning of the Fiscal Year to which it relates (such finalized plan being hereinafter referred to as the "Annual Plan"). The TLC will also report annually on its results and achievements set out in the previous year's Annual Plan, including financial and key performance targets.

ARTICLE 5

PROVISION OF SERVICES

Section 5.1 Appointment of TLC as Agent and Advisor

Subject to the terms and conditions herein, and any subsequent services as required by the TDSB, the TDSB hereby appoints the TLC and the TLC hereby accepts such appointment, as the TDSB's agent and authorizes the TLC to exercise such powers as may be necessary or appropriate for the performance of the TLC's obligations of providing or procuring the Services.

For those matters for which TLC is not Agent, TLC will act as Advisor to consult and provide recommendations as appropriate to the TDSB.

Section 5.2 Project Management and Consulting Services

The TLC will provide such additional consulting and/or project management services (the "Project Management and Consulting Services") as may be requested from time to time by the TDSB. The Project Management and Consulting Services may include, by way of example, supervision of capital projects, redevelopment of properties owned by the TDSB, or representation of the TDSB in joint venture opportunities with other public or private sector entities. These services may be provided by the TLC as agents for and on behalf of the TDSB or in the capacity of consultants. These services may relate to one or more of the Properties, but may also relate to other properties, whether or not owned by the TDSB, which are not Properties for the purposes of this Direction.

The scope of such services shall be determined by the TDSB after discussions between the TDSB and the TLC. Such discussion shall take into consideration the resources available to the TLC, the demands on those resources in providing the other Services under this Direction, and the impact on the Annual Budget.

Section 5.3 Notice of Legal Proceedings

The TLC shall promptly give notice to the General Counsel of the TDSB of any statement of claim, legal proceeding, or other legal documents which provide notice of, originate, or continue any proceeding which has an impact upon the value of any Property or which establishes, claims or alleges liability of the TDSB and/or the TLC.

If it is not an insured claim under the TDSB's or TLC insurance policies, the TLC shall retain counsel for the purpose of defending any action or other proceeding provided that (i) the estimated cost of legal fees is contained in the current Annual Plan and (ii) the action or other proceeding is a "Routine Proceeding". The TLC shall not commence any legal action or other proceeding until it has received the written approval of the General Counsel of the TDSB.

Section 5.4 Disposition Properties

The TDSB will, from time to time, identify Properties which it has determined should be disposed of, and will, after having declared such Properties to be surplus by way of a resolution pursuant to Section 194(3) of the *Education Act*, notify the TLC that such determination has been made via a formal communication from the Executive Officer, Governance and Board Services, on behalf of the Chair of the TDSB. Properties identified in any such notice are referred to herein as "Disposition Properties". The TLC will provide such assistance as the TDSB may request to enable it to make such determination, including providing economic and statistical data, as well as market valuations and projections relating to specific Properties.

(a) Compliance with Regulation 444

The notice provided by the TDSB to the TLC pursuant to Section 5.4 will specify whether the Disposition Property has been the subject of a proposal pursuant to the procedure specified in Regulation 444 (a "Reg 444 Proposal"), and if it has, the outside date by which the TDSB is permitted to sell such Disposition Property to a third party without issuing another Reg 444 Proposal (the "Outside Sale Date"). If a Reg 444 Proposal has not been issued for such Disposition Property, or if it has been issued but the Outside Sale Date is not, in the TLC's opinion, sufficiently distant to permit the TLC to properly dispose of the Disposition Property before such Outside Sale Date, then, in either case, the TLC will issue or cause to be issued a Reg 444 Proposal for such Disposition Property.

If, as a result of a Reg 444 Proposal, a Disposition Property is to be sold to one of the bodies specified in Regulation 444, then the TLC will be responsible to negotiate, resolve, execute and deliver, as agent for and on behalf of the TDSB, such agreements and other instruments as may be necessary or desirable to sell and convey such Disposition Property and to complete all related transactions pursuant to the *Education Act* and other applicable legal requirements.

(b) Disposition Parameters

Where appropriate, the TDSB will specify disposition parameters, (the "Disposition Parameters") specific to each Disposition Property at the time of surplus declaration. Such parameters will be adhered to in the disposition of the Disposition Property to a third party purchaser (other than a

named purchaser pursuant to Regulation 444). Once the Disposition Property is declared surplus and transferred to the TLC, the TLC must comply with all regulatory disposition parameters and is authorized to negotiate and execute all agreements necessary to conclude the disposition. In disposing of a surplus property through the open market process, TLC will advance TDSB's commitment to strong and vibrant communities.

(c) Limitations on Disposition

The TLC shall not sell, transfer or otherwise dispose of any interest in any of the Properties (other than Leases as provided in this Direction) or enter into any agreement or option which would oblige the TLC or the TDSB to do so, unless the procedure outlined in this Article is followed or the approval of the TDSB has otherwise been provided.

ARTICLE 6

PROVISION OF SERVICES GENERALLY

Section 6.1 Transactions Requiring Consent

Notwithstanding the authority granted to the TLC under this Direction, there are certain transactions and agreements in respect of which the prior written approval of TDSB will be required. These are referred to herein as "**Transactions Requiring Consent**" and include the following:

- (a) Leases, or renewals or amendments of Leases which
 - (i) a current TDSB policy does not already apply;
 - (ii) do not adhere to the current Annual Plan; or
 - (iii) do not contain the Early Termination Clause;
- (b) Contracts or agreements of any sort which
 - (i) a current TDSB policy does not already apply;
 - (ii) do not adhere to the current Annual Plan; or
 - (iii) are Major Contracts; and
- (c) such other types and categories of transactions and agreements which require the approval of the TDSB under the terms of this Direction, applicable TDSB policy and procedure, including but not limited to leases in accordance with TDSB procedure relating to delegating of signing and approval authority, or which the TDSB may identify by notice in writing to the TLC from time to time.

Section 6.2 Standard of Care

The parties hereto acknowledge and agree that the standard of care to be exercised by the TLC in providing the Services pursuant to this Direction shall be the standard of care that a reasonably skillful and prudent owner of properties similar to the Properties would apply in administering such

assets.

Section 6.3 Best Practices

The TLC Board shall, as part of their duties hereunder, develop and implement policies and procedures which are reflective of the principles and objectives set out in this Direction and of applicable best practices in the industry, in various areas, including but not limited to:

- (a) conflict of interest by Directors; and
- (b) competitive bidding or tendering processes designed to procure optimal pricing, in a transparent and efficient manner, for all transactions in which TLC is engaged, including leasing of Properties, sale of Disposition Properties, and procurement of goods and services used or consumed by TLC;

Section 6.4 Service Level Agreement

TDSB staff in discussion with TLC staff shall develop an updated Service Level Agreement. The Service Level Agreement will be relied upon to delineate actual service levels relating to certain functions including but not limited to: finance, facilities, human resources, IT, payroll and benefits.

Section 6.5 Limitations Re Contributions

The TLC is not permitted to:

- (a) make any donations or contributions to any charity or charitable organization, whether registered or otherwise, other than to the TDSB; and
- (b) make any contributions to or endorse any political party, candidate, or campaign.

Section 6.6 Execution and Delivery of Instruments; Power of Attorney

Subject to Section 6.1, the TDSB hereby authorizes the TLC to execute and deliver, in its capacity as agent for and on behalf of the TDSB, all contracts, Leases, amending and extension agreements, deeds, transfers, assignments, certificates, declarations, directions, authorizations and other instruments as may be necessary or desirable, in the opinion of the TLC, from time to time to permit the TLC to provide the Services and carry out its duties as contemplated under this Direction. The TDSB will execute and deliver to the TLC from time to time as the TLC may request, any confirmation of the foregoing authorization, and of the agency relationship established hereby, and any power of attorney, in each case as the TLC may determine to be advisable.

Section 6.7 Agency Relationship; Cost and Expenses

Every action taken by the TLC in providing the Services under the provisions of this Direction shall be done as an agent of the TDSB with the authority to bind the TDSB, subject to Section 6.1 except as otherwise provided herein. Except as specifically provided herein to the contrary, all obligations and expenses incurred in providing the Services pursuant to and in accordance with the provisions of this Direction shall be for the account, on behalf, and at the expense of the TDSB.

Section 6.8 Employees

All employees of the TLC (excluding employees of the TDSB seconded to the TLC) will be employees solely of the TLC and will not be employees of the TDSB. TLC will manage, direct and execute all human resources and employee relations matters with employee remuneration to be reflected in the TLC Annual Plan.

The TDSB will provide for TLC staff the opportunity to enroll in all TDSB plans subject to provider approval.

Section 6.9 Mutual Release

Each of the TLC and the TDSB irrevocably releases and forever discharges the other and, where applicable, each of their respective directors, officers, trustees, agents and employees (collectively the “Releasees”) from all actions, causes of action, suits, debts, covenants, liabilities, damages, demands and all other claims which either party ever had, now has, or may hereafter have against the Releasees for any causes whatsoever (collectively “Claims”). Each of the TLC and the TDSB further agrees not to commence any action, proceeding, suit or claim (including any cross-claim, counterclaim, third party action or application) which respect to any Claims or against any Person who may claim contribution or indemnity against the Releasees.

Section 6.10 Indemnification of Directors and Officers

TDSB will indemnify:

- i) Any director or officer of the TLC;
- ii) Any former director or officer of the TLC;
- iii) Any individual who acts or acted at the TLC’s request as a director or officer of a body corporate of which the TLC is or was a shareholder or creditor; and
- iv) Their respective heirs and legal representatives;

to the fullest extent that such Persons may be indemnified by the TLC pursuant to the OBCA. TDSB may execute agreements in favour of any of the foregoing Persons evidencing the terms of this indemnity. Nothing in this Section limits the right of any Person entitled to indemnity to claim indemnity apart from the provisions of this Section.

ARTICLE 7

ASSIGNMENT; DELEGATION; RENEWAL

Section 7.1 Assignment by TLC; Delegation of Duties

- (a) The TLC shall not assign its interest in this Direction without the prior written consent of the TDSB. The TLC shall, at all times during the term and any renewal term under this Direction, be a wholly-owned subsidiary of the TDSB.
- (b) The TLC shall be entitled to enter into arrangements with one or more other asset managers,

advisors, professionals, consultants or other Persons for the provision of services and/or to delegate some or all of its duties and authorities under this Direction, provided the cost of same is in accordance with the current Annual Plan.

- (c) To the extent that any of the Services to be provided by the TLC hereunder are required by law to be provided by a Person with any license, permit, or authorization from any Governmental Authority, and where the TLC does not possess such license, permit or authorization, it is the intention of the TDSB and the TLC that the TLC will arrange to have such Services provided by a Person who does possess such license, permit, or authorization.

Section 7.2 Automatic Renewal

The term of this Direction shall commence on the Effective Date and shall expire on the fifth (5th) anniversary thereof, provided, however, if this Direction has not been terminated by not less than twelve (12) months' written notice from the TDSB on or before such fifth (5th) anniversary, then this Direction shall be automatically renewed for successive two (2) year periods, until terminated by the TDSB on not less than twelve (12) months written notice.

ARTICLE 8 GENERAL

Section 8.1 Notices.

All notices which may or are required to be given herein or pursuant to this Direction shall be in writing and shall be given personally by serving the same upon any officer of the party to be served or by transmitting same by facsimile or by delivering same by courier:

- (1) To the Toronto District School Board (TDSB) at:

5050 Yonge Street
Toronto, Ontario
M2N 5N8

Attention: Director of Education

Fax No.: (416) 393-8973

- (2) To the Toronto Lands Corporation at:

201 – 60 St. Clair Ave. East
Toronto, Ontario
M4T 1N5

Attention: Executive Officer

Fax No.: (416) 393-9928

or such other addresses as the Parties may advise by notice in writing and any such notice shall be deemed to have been received and effectively served, if sent by courier, the second Business Day following the day on which it is sent and if served personally or sent by facsimile, on the day of

delivery (or if such is not a Business Day, on the first Business Day following), provided that, if notice is given by way of fax, notice will be deemed to be ineffective for purposes of this Direction unless the original is delivered by courier within three (3) Business Days afterward.

Section 8.2 Governing Law

This Direction shall be governed, interpreted and enforced in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

Section 8.3 Counterparts

This Direction may be executed in any number of counterparts (including counterparts by facsimile) and all such counterparts taken together shall be deemed to constitute one and the same instrument.

Section 8.4 Amendments

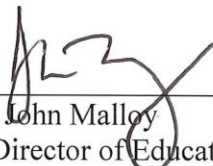
This Direction may be amended solely at the discretion of the TDSB. The TDSB will provide written notice to the TLC not less than thirty (30) days prior to making any amendment to this Direction.

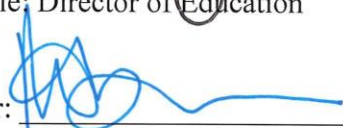
Section 8.5 Negation of Partnership or Joint Venture

Nothing in this Direction shall constitute or be construed to constitute or create a partnership, joint venture, or lease between the TDSB and the TLC.

Dated at Toronto this 8th day of, February 2019, as amended and restated.

TORONTO DISTRICT SCHOOL BOARD

Per: 
 Name: John Malloy
 Title: Director of Education

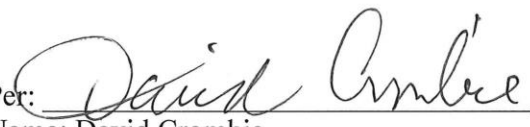
Per: 
 Name: Robin Pilkey
 Title: Chair, TDSB

The TLC acknowledges the content of this Direction and agrees to be bound by its provisions.

Dated at Toronto this 8th day of February 2019, as amended and restated.

TORONTO LANDS CORPORATION

Per: 
Name: Daryl Sage
Title: Executive Officer

Per: 
Name: David Crombie
Title: Chair

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60 St. Clair Ave E. Toronto, ON Suite 201 M4T 1N5
Tel: 416-393-0573 Fax : 416-393-9928
website : www.torontolandscorp.com

A subsidiary corporation of the TDSB



April 27, 2020

Transmittal No. 2020 – 93
(Public)

To: Robin Pilkey, Chair

This communication is to inform you that the report entitled ***Management Report to the Board, April 2020 2020-21*** was received by the TLC Board for information at its meeting of April 27, 2020 and is being forwarded to the TDSB Board for information.

On behalf of the Board of Directors of the Toronto Lands Corporation, the TLC ***Management Report to the Board, April 2020***, attached herein, is being forwarded to the TDSB Board in accordance with Section 4.10 (b) of the Shareholder's Direction, as further amended and restated November 28, 2018, as TLC's quarterly communication to the TDSB Board.

Sincerely,

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

Brenda Patterson
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. C. Snider, Executive Officer, Finance, TDSB

TORONTO LANDS CORPORATION

Management Report to the Board, April 2020

To: Chair and Members of the Toronto Lands Corporation

Date: 27 April 2020

Recommendation:

That the *Management Report to the Board, April 2020*, be accepted 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:

Real Estate projects may be categorized into a number of different areas, such as, acquisitions, dispositions, land exchange, temporary lands uses, redevelopment, joint ventures or long term ground leases. Real Estate activity in any of these areas may be undertaken due to a TDSB, City, or Provincial project that results in a property impact on TDSB real estate. TLC may also create an opportunity for the benefit of TDSB that will have an effect on a TDSB asset. Any real estate project encompasses a number of steps including Board approvals, analysis, potential third party reports, etc. prior to bringing a project to completion.

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 was under conditional agreement of sale with the Conseil Scolaire Viamonds (CSV). On February 28, 2020, the transaction was completed and the property transferred to CSV. With the Provincial government funding the acquisition for CSV, the property now remains in public ownership with the continuation of a school use in this area.

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, Madison Communities. The sale of David Mary

Thompson occurred on March 27, 2020. No date is currently available for closing for the Bendale site which includes a number of conditions to be satisfied related to the overall redevelopment for the Purchaser.

1515 Bloor Street West

Former TDSB School, Bishop Marrocco Catholic School

TDSB and the Toronto District Catholic School Board (TDCSB) have received a non-binding proposal from CHOICE Reits for the acquisition of the TDSB property at 1515 Bloor Street West that is under a 99 year lease agreement in perpetuity with the TDCSB. The TDCSB would be required to relinquish its interest in the school site and CHOICE Reits would provide an alternative school location. TLC has had preliminary discussions with TDCSB on this property matter. TLC has advised CHOICE Reits that due to the current scenario which results in pressing school matters with both boards further meetings are postponed to a later date. Any conditional terms and conditions for a proposed transaction would be brought forward for approval to both Boards and the Ministry of Education as this project is on a Bill 30 school site.

Expropriation:

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

While construction of the new Davisville school progresses, the Expropriation Plan has been registered and the appropriate expropriation documents required at this stage have been served to the property owners. Exercising the next steps in accordance with the Act will proceed to ensure protection of the use of the property. In the interim, in conjunction with legal counsel, TLC continues to work towards a full and final settlement of this matter.

Bill 171: An Act to enact the Building Transit Faster Act, 2020

The Ontario Provincial Government has now received 2nd Reading on Bill 171, which on March 3, 2020, by Order was referred to the Standing Committee on Social Policy. On March 10, 2020, there was consideration of this Bill by the Committee but no further update is currently available. This Act, if Royal Assent is passed, will impact the existing Expropriations Act.

The purpose of this proposed Act is to expedite delivery of four priority transit projects by removing barriers and streamlining the process that can currently result in delays. The projects include: The Ontario Line, The Scarborough Subway Extension, The Yonge North Subway Extension and The Eglinton Crosstown West Extension. While TLC is in communications with Metrolinx (Provincial Government) on these projects, there is no current definitive information if any of these projects will impact an individual TDSB school.

TLC has previously collaboratively worked with Metrolinx on TDSB property requirements for transit projects and TDSB has not been expropriated by this Provincial Agency. However, under this proposed Act it provides that Hearings of Necessity are not required for the expropriation of land that is at least partly on transit corridor land, and where the expropriation is for a priority transit project. The removal of this requirement is intended to avoid unnecessary delays to the expropriation process. A Hearing of Necessity under the Expropriations Act allows parties to request a Hearing that considers if the expropriation or land requirement is necessary to complete the public project. The current Expropriations Act does not obligate the expropriating authority to take action on any decision as a result of a Hearing. Therefore, under the proposed Act, the Hearing would be eliminated thus saving time in the overall process.

Acquisition:

Lower Yonge – Menkes

As a MOU has been negotiated with Menkes for the potential acquisition of a strata-ownership, subject to Ministry approval, in one of the Menkes towers at Lower Yonge, TLC is now working through satisfying the various conditions. Both Menkes and TLC have now undertaken the next

steps in resolving the terms of the MOU that includes determining market value of the site prior to seeking Ministry approval. As well, negotiations with the City of Toronto continue for the shared-use of the new Park which will be located across the street and a requirement for the new school.

Joint Redevelopment Opportunities:

Across the City both the Catholic Board and the TDSB may require new schools in potential new developments and the City may require community facilities. As a result, there is an opportunity to maximize the use of limited space cost effectively while building a centralized community space in a large redevelopment with a campus approach. TLC with the Catholic Board has had very preliminary meetings to identify potential opportunities and have identified the Golden Mile area which is still under secondary plan review as a site that could meet the needs of both Boards. As all parties explore options, multiple approvals at all levels are required.

Provincial Infrastructure Projects:

Metrolinx, GO Expansion: Scarborough Junction Grade Separation

TLC has met with all stakeholders and provided comments to Metrolinx with regards to potential property impacts and preferred options for TDSB. The environmental assessment process is to be completed in the summer of 2020 and thereafter a further update will be provided.

Eglinton-Crosslinks- LRT

For this project, there were property impacts along the corridor that were previously completed by the TDSB staff. At this time, a new tie-back agreement with Crosslinks at the Mount Pleasant station has been executed and commenced in March, 2020. Metrolinx has just exercised a renewal option on an agreement for temporary use of a land area at the York Memorial school location which will extend the occupation from June 2020 to June 2021.

Durham-Scarborough Bus Rapid Transit

TLC has reviewed this project and provided commentary to Metrolinx on the potential impact along this corridor which, according to the proposed plan, would not result in any property taking nor impact on long term access to any school. As with any road construction project, traffic congestion and restrictions may be in place during construction.

Metrolinx, Ontario Line (replaces South Relief Line)

Public meetings were scheduled early in 2020 for stakeholder engagement which TLC has attended. However, site specifics are not yet available to determine the impact to TDSB sites. TLC expects to receive detailed information in the spring which will then be discussed with TDSB staff and schools. Metrolinx will provide resources for individual meetings for any schools potentially impacted and available for ongoing discussions.

Eglinton LRT West Expansion

TLC has reviewed the preliminary project information and provided commentary to Metrolinx. There are nine schools located within a 500 metre radius of the proposed stations, with two of these schools being in very close proximity to stations. TLC has requested a meeting with Metrolinx to discuss site specific potential impacts and would include site specific stakeholders from TDSB.

Metrolinx-Smart Track

TLC is awaiting Metrolinx confirmation if any TDSB properties are impacted.

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.

Developments Adjacent or in Close Proximity to TDSB Real Estate: Crane Swings

In all high density (tall buildings) developments, cranes are required in order to complete the construction project. In order for cranes to operate, it swings back and forth on either private property or on public rights of way and carries materials that are used in the new building construction. The portion of the crane that carries materials (loads) does not swing over private property. Should a developer require that its project may result in a crane swing over TDSB property, TLC would enter into discussions and any agreement would require a board report for approval to proceed on specific terms and conditions.

Leasing:

Child Care Agreements

Child care agreements are categorized as: City Umbrella agreements; Before and After School Programs; Best Start Programs and Direct Child Care which total approximately over 3 Million square feet of space that occupies approximately 2,900 rooms in TDSB schools for a total of 617 leases. As reported for year-end September 2019, over \$4.5 Million was reported as received from the City of Toronto for child care under the Umbrella agreement at the cost recovery approved rate of \$6.50 per square foot.

Throughout the year, the school principal and child care operator request changes in room locations. The requested changes require formal lease amendments to the existing agreements to ensure an accurate reflection of the leased space and the applicable charge for the square footage occupied. In 2020, there have been 104 requested and processed amended changes to the existing agreements by TLC. In addition, any repairs (painting, installation of air conditioners, etc.) or requests for capital improvements require a process review and sign-off at TLC. In 2020, there have been 85 requisitions reviewed and approved to date. Overall, child care agreements remain very active lease arrangements over the year with continual management overview.

City Shared-Use Agreements: Outdoor Playground Areas

As a result of the review of the City shared-use agreements and the TDSB requirement for use of a new park for the potential new school at the Menkes, Lower Yonge, site, Real Estate has undertaken information gathering and a review of schoolboard requirements for outdoor playground space for JK to Grade 8 students with the appropriate TDSB staff. TDSB has established guidelines for park design, both hard and soft surface, play areas and allocated space per students in the school yard. These guideline remains flexible especially in urban centres and sites that have limited outdoor areas. Items for consideration also include transportation, pick-up and drop off, specifics for kindergarten areas and actual time required for use of a playground. TLC has arranged for City and TDSB design groups to meet and explore design guidelines at the potential Menkes site. The sharing of detailed information on playgrounds may be helpful in negotiating future agreements for shared-use of outdoor space owned by either the TDSB or the City.

Leases: Non-Operating Schools and Private Sector Tenants

As a result of COVID-19, the TDSB, by Provincial Order was required to close its schools and buildings. Private sector tenants were able to remain in operation, for a period of two days, prior to the Provincial Order extended to the closure of their operations. During this brief timeframe, the majority of tenants decided to close on their own accord. As a result of the continued closure, TLC worked closely with TDSB, and TDSB determined that the April rents would be deferred for all private sector tenants in both operating and non-operating school facilities. There will be a process through TDSB to apply for a complete waiver of rental fees at some time in the future. TLC advised the tenants of this decision and they were appreciative of the consideration during these difficult times.

City of Toronto Master Pool Agreement

The current master pool agreement between TDSB and the City was to expire June 30, 2020. Due to the current situation, the City and TLC have agreed to extend the existing agreement for a further one year term, to expire on June 30, 2021. All parties will continue to negotiate in good faith to complete a long term agreement for the City to continue to access the TDSB school pools to provide safe and healthy programs for our students and communities.

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 90 development applications from November 1, 2019 to February 29, 2020. See also *Development Application Summary Report, March 2020 Rpt. #2020-04-811*.

The review of these applications has also involved TLC staff attending pre-application consultation, 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/Activity in Proximity to School Sites

Where development projects 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. TLC's reviews of development applications have been conducted in accordance with the process set out the TLC Development Review Guideline (Appendix A to TLC Board Report 2019-09-791).

Alpha Alternative Junior School & Oasis Alternative Secondary School

Since April 2019, TLC staff have been involved with a development proposal adjacent to Alpha Alt JS and Oasis Alt SS. TLC has had several meetings with the applicant and regular correspondence with City staff to express concerns with the setbacks of balconies, vehicular site access/circulation and shadow impacts on the adjacent school site. As a result, the applicant has made several amendments to the proposal to address these concerns. Furthermore, in December 2019, City Council passed a motion to ensure that the developer works with TLC staff through site design and construction management. As a result, TLC is now part of an upcoming Site Plan Working Group to address site-specific design elements to

ensure there is minimal impact to the health and safety of the Alpha Alt JS and Oasis Alt SS school community.

Chester Le Junior Public School

In December 2019, TLC met with the developer and the principal of Chester Le Jr PS to address construction management concerns with respect to development activity occurring across the street from the school. Discussions confirmed matters including timing of development (including excavation during summer months to minimize impact on school), ongoing communication, signage to increase awareness of the school community, restricting truck movement, and educational engagement component.

Huron Street Junior Public School

In February 2020, TLC met with the developer and the principal of Huron Street Junior Public School to address construction management concerns with respect to development activity directly abutting the rear of the school site. Discussions confirmed matters including timing of development, ongoing communication, fencing and hoarding requirements and signage to increase awareness of the school community.

Construction Hub Coordination Pilot Project for the Yonge-Eglinton Area

In December 2019, the TDSB passed a motion requesting that local principals and trustees, and TLC and TDSB staff be invited to participate in the Construction Hub Coordination Pilot Project as stakeholders. Between early January 2020 and early March 2020, TLC has been attending meetings related to the Pilot, on behalf of the TDSB. The meetings, which took place every three weeks, have dealt with specific on-site construction issues such as flooding, parking, construction schedules and access to specific construction sites. TLC is in discussions with the Hub Coordinator regarding how best to communicate with the TDSB school community and ensure the health and safety of students and staff.

City Initiated Planning Studies

General

In January 2020, the City of Toronto released a staff report identifying the City Planning Division's Study Work Program, which can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-141797.pdf>

The City has identified the following types of studies and initiatives targeted for completion in 2020:

- 43 Secondary Plans and Area Studies
- 2 Environmental Assessments
- 2 Transportation Master Plans
- 21 Transportation Planning Studies
- 6 Heritage Conservation Studies
- 5 Urban Design Guidelines
- 6 City-wide City planning initiatives
- 4 Zoning By-law initiatives
- 4 Demographic, Economic, Social, Environmental Modelling Initiatives
- 2 Community Services and Facilities Strategies
- 3 Environmental Implementation Initiatives

- 15 Other Projects

TLC is conducting a preliminary review of these studies to identify which studies require monitoring or active participation to ensure that the TDSB's interests are protected.

Details of City studies with significant recent TLC involvement are provided below.

Golden Mile Secondary Plan

The Golden Mile Secondary Plan Study was initiated by the City to develop a vision and planning framework for an area that is expected to undergo significant change with the construction of the Eglinton Crosstown Light Rail Transit. The area is expected to grow to 24,000 residential units over the next 20+ years. The Golden Mile Study Area is located within a commercial/industrial area of the City that was never assigned a home school. The TDSB and subsequently TLC staff have been engaged in the study process, identifying the need for a new TDSB elementary school site within the Secondary Plan area in order to locally accommodate anticipated students.

The draft Golden Mile Secondary Plan was presented to the Scarborough Community Council on January 8, 2020 for direction to proceed with public consultation. The draft Secondary Plan reflects this need for a new elementary school and highlights the importance of providing adequate community services (including schools) and planning for complete communities. TLC staff reviewed the draft Secondary Plan and provided formal comments to the City in a letter dated February 24, 2020. The letter requested that the Secondary Plan be revised to remove policies allowing new industrial permissions in mixed used areas; include additional policies exempting schools from density calculations; and ensure consistency of terminology when referring to community services and facilities throughout the document.

TLC staff will continue to work with the City as they refine and prepare the final plan for this area in Fall 2020.

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. The land owner, First Capital, has also submitted an official plan amendment application for the site, with the intention that it be processed in tandem with the City's Secondary Plan. 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 (LPAT) Matters

TLC has been involved in or has an active interest in 14 LPAT matters:

- 8 development applications in Midtown
- 2 development applications and City-initiated official plan amendment in High Park
- 1 development application adjacent to Islington PS

- Port Lands Official Plan Modification
- City-wide Zoning By-law

Further details provided in *Local Planning Appeal Tribunal (LPAT) Matters (Rpt #2020-04-812)*

As a result of the Emergency Order (O.Reg. 73/20), the LPAT has suspended all hearing events scheduled between March 16, 2020 and June 30, 2020.

Planning for New TDSB School Sites

In November and December 2019, TLC Land Use Planning and Real Estate staff met TDSB staff to discuss operations and metrics of outdoor space, including school playgrounds and pick-up/drop off. The meetings were helpful to inform TLC's continued discussions with City staff on planning for new school sites (both stand-alone facilities and vertical schools), as well as establishing planning policies to support future school facilities.

TDSB Minor Variance Application / Toronto Local Appeal Body (TLAB) Hearing

TLC provided assistance to the TDSB with respect to a Toronto Local Appeal Body (TLAB) appeal filed by a resident with respect to TDSB's minor variance application to reduce the number of required parking spaces related to a proposed child care addition at Kingsview Village PS. TLC successfully obtained an adjournment of the TLAB hearing from November 8, 2019 until April 3, 2020. Upon further discussions with TDSB staff and their external traffic consultant, TLC recommended that the TDSB proceed with providing the full required parking, rather than pursuing a costly TLAB hearing with uncertain results. Discussions with City staff confirmed that if zoning can be met (ie all required parking is being provided), no site plan approval would be required for the small child care addition and that TDSB can proceed with a building permit application.

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: April 27, 2020

From

Agenda Page 98

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

File Path: (R:\TLC\G) Governance - Policy\G05 Board Rpts\2020 TLC Board Reports\April 27, 2020)



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A subsidiary corporation of the TDSB



April 27, 2020

Transmittal No. 2020 – 94
(Public)

2020-21 TLC Budget

To: Robin Pilkey, Chair

This communication is to inform you of a recent decision made by the TLC Board at its meeting of April 27, 2020 with respect to the report entitled **2020-21 TLC Budget**, attached herein.

The TLC Board decided that:

That the 2020-21 TLC Budget be approved and forwarded to TDSB for final approval.

On behalf of the Board of Directors of the Toronto Lands Corporation, the **2020-21 TLC Budget** is being forwarded to the TDSB Board for final approval, (attached as Appendix A to the report), in accordance with section 4.1(c) of the Shareholder's Direction as Further Amended and Restated on November 28, 2018.

Sincerely,

A handwritten signature in dark ink, appearing to read 'B. Patterson', is written in a cursive style.

Brenda Patterson
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. C. Snider, Executive Officer, Finance, TDSB

**TORONTO LANDS CORPORATION
2020-21 TLC Budget**

To: Chair and Members of the Toronto Lands Corporation

Date: 27 April 2020

Recommendation:

That the 2020-21 TLC Budget be approved and forwarded to TDSB for final approval.

Rationale

TLC began operations in 2008 as TDSB's independent real estate agency having exclusive carriage of 97 non-operational school board properties consisting primarily of closed school vacant sites. At the direction of TDSB, TLC disposed of sites or leased those sites that TDSB deemed to be core holdings. TLC's mandate at the time was to achieve maximum revenue from leased facilities and the sale of TDSB designated sites. As such, TLC's operational viability was based on a self-sustaining model and returning net proceeds back to TDSB operations. Under this former financial structure, all TLC operating expenditures were charged against non-instructional leased properties revenue including costs relating to the sale of lands such as professional fees, legal fee and other sales cost. These related property sale costs were not accrued nor netted against disposition proceeds. In addition, each year TLC would allocate \$1M from lease revenues to be invested into capital repairs and building maintenance for those non-operational properties considered to be core holdings by TDSB. The allocation of \$1 M of TLC revenues for capital repairs and maintenance has been relied upon by TDSB as non-instructional school facilities that are active for student use/programming are not eligible for government funding. Since inception, TLC has effectively carried out its mandate and annually has contributed net proceeds back to TDSB's operations.

Following the independent review of Price Waterhouse Coopers commissioned by TDSB, in 2018 TLC's mandate was significantly expanded and operations restructured to become TDSB's exclusive real-estate, land use planning and related professional services agency. This expanded mandate created TLC to be one of the largest public asset managers encompassing approximately 600 properties including more than 5,000 acres of school board land holdings in one of the most active development centres in the country. By implementing this new mandate, TLC became a new TDSB real estate agency with a corporate structure that continues to evolve as crossover operations are streamlined, duplication eliminated and roles and responsibilities clearly articulated.

Context

2020-2021 Budget Preparation:

The development of TLC's 2020-2021 budget is representative of TDSB's broaden mandate and no longer reflective of TLC's former operations or outcomes. TLC has moved from a model of revenue maximization applied to a limited portfolio of closed school facilities to now strategically managing all real estate and City land use planning matters from a value added perspective. This represents a significant change in philosophy with emphasis on providing

opportunity and benefit by leveraging public assets in support of student achievement and balanced community benefit.

Accordingly, TLC has prepared a new budget presentation, aligned to its expanded mandate. The 2020-21 TLC budget preparation, attached as Appendix A, was guided by the following:

- The primary TLC revenue sources are derived from the leasing of space within TDSB operating and non-operating facilities. Within operating schools specifically, space is leased to tenants following TDSB's designation of available space and policy compliance to access space. TDSB community access policy prescribes that leases in operating schools are revenue neutral allowing only the average annual cost of operating space per square foot to be recovered. Whereas deemed surplus space in non-operating facilities is driven by related market rates and negotiated terms and conditions. It is only non-operating leased space that provides the greatest opportunity for net revenue generation.
- Total 2020-21 budget allocation will not exceed the 2019-2020 TDSB approved budget for TLC. It is important to note, in June 2019, the TLC Board approved a 2019-20 operating budget for TLC which was routed to TDSB Board for approval at its June meeting however was deferred to fall 2019. In fall 2019, TDSB and TLC met to review updated information with respect to specific line items in the operating budget that materially impacted TLC operations. This resulted in an amended operating budget which was approved by the TDSB Board at its October 29, 2019 meeting. Attached as *Appendix B* is the TDSB approved budget revisions.
- TLC's approved management salary line represents TLC staffing complement that aligns with operational responsibilities with all positions filled.
- The \$1M "Deferred Capital Improvements" remains as a reduction in leasing revenues as a funding source for capital projects relating to non-instructional properties being retained as core holdings. The \$1M budget line has remained constant since 2009. A TLC/TDSB analysis of this budget line will be completed this year;
- Expenditures relating to Pool Agreements and Exclusive Use have been made equal to the revenue being generated as these agreements and the historical costing models that revenues are predicated on are currently under review with TDSB and the City.

Management Notes to the Budget are presented in Appendix C.

Appendices:

Appendix A: TLC 2020-21 Budget

Appendix B: 2019-20 TDSB Approved Budget Revisions for TLC

Appendix C: Management Notes to the 2020-21 TLC Budget

Routing:

TLC Board: April 27, 2020

From

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

Appendix A – TLC 2020-21 Budget

Notes No.		2019-20 TDSB Approved Budget		2020-21 Budget	
		Revenue	Expenditure	Revenues	Expenditures
	Non-Operating School Facilities				
1	Lease Revenue and Recoveries	6,136,000	\$ 2,600,000	\$ 5,536,000	\$ 2,600,000
2	Other Revenue - Land Use Planning/705 Progress	3,175,000		\$ 150,000	
3	TDSB Program and Administration	53,000		\$ 53,000	
	Deferred Capital Improvement Revenue	-1,000,000		-\$ 1,000,000	
	Provision for Rental Arrears		\$ 5,000		\$ 5,000
	Total Net Real Estate Revenue/Expense - Non-Operating Sites	8,364,000	\$ 2,605,000	\$ 4,739,000	\$ 2,605,000
	Operating School Facilities				
4	City of Toronto Childcare Umbrella Lease Agreements	\$ 4,500,000	\$ 9,200,000	\$ 4,500,000	\$ 9,200,000
5	City of Toronto Pools Agreements	\$ 5,629,413	\$ 5,629,413	\$ 5,629,413	\$ 5,629,413
6	City of Toronto Stage 1 Revenues	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000
7	City of Toronto Exclusive Use Agreements	\$ 970,632	\$ 970,632	\$ 970,632	\$ 970,632
8	Development (CSPD) and LINC Lease Administration	\$ 240,482	\$ 240,482	\$ 240,482	\$ 240,482
9	Air Conditioning Surcharge	\$ 28,100	\$ 28,100	\$ 28,100	\$ 28,100
10	Child Care and Other Agreements	\$ 3,105,592	\$ 3,105,592	\$ 3,105,592	\$ 3,105,592
11	Temporary Property Interests with Third Parties	\$ -	\$ -	\$ 250,000	\$ -
	Total Real Estate Revenue/Expense-Operating Sites	\$ 15,574,218	\$ 20,274,218	\$ 15,824,218	\$ 20,274,218
	Total Non-Operating and Operating	\$ 23,938,218	\$ 22,879,218	\$ 20,563,218	\$ 22,879,218
	TDSB Chargeback of Administrative Expenses				
	Facility Services		\$ 136,840		\$ 140,000
	Business Services		\$ 100,000		\$ 100,000
	Administrative Support Allocation		\$ 60,000		\$ 60,000
	Total TDSB Chargeback		\$ 296,840		\$ 300,000
	TLC Administrative Expenses				
	Board Remuneration		\$ 70,000		\$ 70,000
	Management Salaries		\$ 2,958,763		\$ 2,958,763
	Professional Development		\$ 3,500		\$ 3,500
	Supply and Services		\$ 51,000		\$ 51,000
	Rental expenses: TLC office		\$ 101,500		\$ 118,621
	Legal Fees		\$ 800,000		\$ 800,000
	Fees and Contractual Services		\$ 850,000		\$ 1,335,000
	Fees & Services on Redevelopment Projects (Combined with In 43)		\$ 270,000		
	Fees & Services on Land Use Planning (Combined with In 43)		\$ 215,000		
	Casual Help		\$ 7,000		\$ 10,000
	Furniture and Equipment		\$ 10,500		\$ 5,000
	Other expenditures		\$ 36,500		\$ 5,000
	Total TLC Administration Expenses		\$ 5,373,763		\$ 5,356,884
	Total TLC 2020-2021 Operations	\$ 23,938,218	\$ 28,549,821	\$ 20,563,218	\$ 28,536,102
	Property Sales	\$ 80,190,500		\$ 27,000,000	

Appendix B: 2019-20 TDSB Approved Budget Revisions for TLC

Operating Budget	Approved 2017-18 Budget	2019-2020 TLC Approved Budget	2019-20 TDSB Approved Budget Revisions
Lease Revenue and Recoveries	\$ 6,678,000	\$ 6,136,000	\$ 9,136,000
Other Revenue	\$ 125,000	\$ 175,000	\$ 175,000
Sub-total	\$ 6,803,000	\$ 6,311,000	\$ 9,311,000
TDSB Program and Administration	\$ 53,000	\$ 53,000	\$ 53,000
Deferred Capital Improvement Revenue	-\$ 1,000,000	-\$ 1,000,000	-\$ 1,000,000
Total Revenue	\$ 5,856,000	\$ 5,364,000	\$ 8,364,000
Caretaking	\$ 850,000	\$ 670,000	\$ 850,000
Maintenance	\$ 602,000	\$ 577,000	\$ 500,000
Utilities	\$ 982,000	\$ 707,000	\$ 850,000
Overhead Costs for C/T, Mtn & Util	\$ 324,000	\$ 335,000	\$ 400,000
Total Operations Expense	\$ 2,758,000	\$ 2,289,000	\$ 2,600,000
Provision for rental arrears	\$ 5,000	\$ 5,000	\$ 5,000
Total Property Management Expenditures	\$ 2,763,000	\$ 2,294,000	\$ 2,605,000
Facility Services	\$ 131,000	\$ 136,800	\$ 136,840
Business Services	\$ 102,000	\$ -	\$ 100,000
Administrative Support Allocation	\$ 60,000	\$ 60,000	\$ 60,000
Total TDSB Realty Staff and Services	\$ 293,000	\$ 196,800	\$ 296,840
Total Expenditures	\$ 3,056,000	\$ 2,490,800	\$ 2,901,840
Net Realty Lease Operations Profit / (Loss)	\$ 2,800,000	\$ 2,873,200	\$ 5,462,160
Board Remuneration	\$ 70,000	\$ 70,000	\$ 70,000
Management Salary	\$ 940,000	\$ 3,132,000	\$ 2,958,763
Professional Development	\$ 6,000	\$ 40,500	\$ 3,500
Supply and Services	\$ 48,000	\$ 51,000	\$ 51,000
Rental expenses: 60 St. Clair E.	\$ 62,000	\$ 101,500	\$ 101,500
Legal Fees	\$ 420,000	\$ 975,000	\$ 800,000
Fees and Contractual Services	\$ 417,000	\$ 1,000,000	\$ 850,000
Multi-Year Projects*	\$ 215,000	\$ 215,000	\$ 270,000
Fees and Services on Land Use Planning		\$ 270,000	\$ 215,000
Casual Help	\$ -	\$ 7,000	\$ 7,000
Furniture and Equipment	\$ 5,000	\$ 10,500	\$ 10,500
Other expen. (incl. professional memberships/association fees, meeting expenses, postage & courier)	\$ 5,000	\$ 36,500	\$ 36,500
Total TLC Administration Expenses	\$ 2,188,000	\$ 5,909,000	\$ 5,373,763
TLC Capital Planning Capacity Program			
Community Hubs Grant	\$ -	\$ -	
Community Hubs Expenses	\$ -	\$ -	
Total Community Hubs Program	\$ -	\$ -	
TLC Net Contribution Before TDSB Salary Adjustment			\$ 88,397
TDSB Transfer into TLC Salaries			\$ 1,170,737
Net Contribution			\$ 1,259,134
Property Sales	\$ 106,000,000	\$ 51,100,000	\$ 80,190,500
	\$ 106,612,000	\$ 48,064,200	

Appendix C: Management Notes to the 2020-21 TLC Budget

Note 1: Lease Revenues and Recoveries

Non-instruction facilities and sites in TLC's inventory deemed as core holding by TDSB. These properties are not used in whole or in part by TDSB for student programming. Identified properties remain in TLC's inventory until such time that TDSB requires the property returned for use or directs the property to be sold. As an interim measure, TLC seeks and secures tenants in attempt to maximize revenue for return to TDSB operations.

Lease revenue projections for 2020-21 are lower due to the sale of Greenwood PS in 2019-20, a site that was generating \$600k in rent.

Note 2: Other Revenue – Land Use Planning/705 Progress

The City of Toronto and TDSB co-own 705 Progress Ave (property and structures on the site). The joint acquisition was intended for a future construction of a new school and community park. This site is managed through a facility landlord jointly directed and co-funded by each owner.

In 2019-20, TLC budgeted \$3,000,000 in revenue derived from Land Use Planning minutes of settlement. The revenue variance shown from fiscal 2019-20 to fiscal 2020-21 is a result of no anticipated revenues from land use settlements. The revenues are received at the time of building permit so will therefore be realized in later years

Note 3: TDSB Program and Administration

TDSB rents space through TLC in properties within TLC's inventory. This space is required by TDSB for specific type of isolated student programming whereby only a classroom or limited space is required. TDSB may also lease space back for administrative use. Dependent upon TDSB needs within a facility, the entire facility maybe removed from TLC's non-instructional inventory and returned under TDSB's administration.

Note 4: City of Toronto Childcare Umbrella Lease Agreements

The City of Toronto and the TDSB have entered into an umbrella agreement whereby the City provide subsidy for three types of non-profit day care offerings

- Exclusive use of space is school space that provides uninterrupted use by the day care Mon-Fri 7:00am – 6:00pm. Exclusive use of space represents approximately 600,000 sq.ft. of TDSB facility space. The City pays a \$6.50/sq.ft. for use of this space.
- 12 month shared space is space that is shared by the school and day care. The day care operates before and after school Mon-Fri 7:00AM – to first AM bell time the from dismissal time to 6:00pm. During the summer, the day care has exclusive day time use. The City only pays for summer use. 12 month shared used of space represents approximately 545,000 sq.ft. of TDSB facility space.
- 10 month shared space is space that is shared by the school and day care. The day care operates before and after school Mon-Fri 7:00AM – to first AM bell time the from dismissal time to 6:00pm. There is no summer use. The City does not pay for any

shared use space. The 10 month shared space represents approximately 540,000 sq.ft. of TDSB facility space.

The City's pays a subsidy to TDSB for the use of space at a rate of \$6.50/sq.ft. producing revenue of approximately \$4.6M. Using the cost recovery model, TDSB's average cost of operating for 2020-2021 is \$13.32/sq.ft. Line 6 is reflective of the revenue collected in the form of a subsidy from the City and the cost to TDSB to operate the space.

Note 5: City of Toronto Pools Agreement

TDSB operates 67 swimming pools within school facilities of which 27 are under lease with the City of Toronto. The lease agreement has been extended until June 2021. The leasing rate for each pool within the lease agreement is based on a TDSB costing model that includes a flat increase of 3% year over year for the last two fiscal years.

Note 6: City of Toronto Stage 1 Revenues

The City accesses a number of TDSB facilities and currently working through a long outstanding agreement. The agreement requires the City to request permits from TDSB for facility usage after 6:00pm. To eliminate the permitting process, the City pays \$1.1M annually for after hour's usage.

Note 7: City of Toronto Exclusive Use Agreements

The City of Toronto relies on school board facilities to run cultural and recreational programs. The agreement for use of space requires the City to pay quarterly, on a square footage basis, the cost of operating rate in effect as of January 1st.

Note 8: Contract Services and Partnership Development (CSPD) and LINC Lease Administration

TDSB operates a number of government offer programs such as language programs for New Canadians. These programs and initiatives are secured by TDSB and require leased space in TDSB facilities to operate.

Note 9: Air Conditioning Surcharge

Each tenant in TDSB schools, mostly childcare operators pay \$300/AC unit/year. The fee is implemented to recover the hydro costs escalation due to AC usage for those tenants that do not pay their own utilities. A new TDSB guideline provides for a waiver of the fee for the first year, when installation is completed after June 1st of that year

Note 10: Other Agreements

This line represents all other lease revenues in operating sites.

Note 11: Temporary Property Interests with Third Party

New budget line added to reflect revenue coming from temporary access or easement agreements on TDSB lands.

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April 27, 2020

Transmittal No. 2020 – 95 (Public)

Lease: Former DB Hood PS, 2327 Dufferin Street

To: Robin Pilkey, Chair

This communication is to inform of a recent decision made by the TLC Board at its meeting of April 27, 2020 with respect to the report **Lease: Former DB Hood PS, 2327 Dufferin Street**, as attached herein.

The TLC Board decided that:

- 1) In accordance with subsection 194(3) of the Education Act, TDSB pass a resolution that the former DB Hood Middle School located at 2327 Dufferin Street is not required for the purposes of the Board; and
- 2) TLC be authorized to circulate a proposal under Regulation 444/98 for a lease having a term of 10 years with an option to extend for an additional 5 years (subject to TDSB giving notice that the property is required for its own use) on terms that require the tenant to undertake repairs described in the proposal within 18 months after commencement of the term having a cost of not less than \$3 million; and
- 3) If no lease with a public body is entered into resulting from the circulation, authority be given to TLC to enter into a lease with Lycee Francais de Toronto on the terms described in the proposal without requiring a 12 month termination clause that would allow TDSB to reclaim the facility during the ten year term and otherwise on terms and conditions satisfactory to TLC in its reasonable discretion in form and content satisfactory to TLC's legal counsel; and
- 4) This TLC Report "Lease: Former DB Hood PS, 2327 Dufferin Street" be forwarded to TDSB for approval.

On behalf of the Board of Directors of the Toronto Lands Corporation, TDSB Board approval of the report **Lease: Former DB Hood PS, 2327 Dufferin Street**, is requested.

Sincerely,

Brenda Patterson
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. C. Snider, Executive Officer, Finance, TDSB

TORONTO LANDS CORPORATION

Lease: Former DB Hood PS, 2327 Dufferin Street

To: Chair and Members of the Toronto Lands Corporation

Date: 27 April 2020

Recommendation:

It is recommended that:

- 5) In accordance with subsection 194(3) of the Education Act, TDSB pass a resolution that the former DB Hood Middle School located at 2327 Dufferin Street is not required for the purposes of the Board; and
- 6) TLC be authorized to circulate a proposal under Regulation 444/98 for a lease having a term of 10 years with an option to extend for an additional 5 years (subject to TDSB giving notice that the property is required for its own use) on terms that require the tenant to undertake repairs described in the proposal within 18 months after commencement of the term having a cost of not less than \$3 million; and
- 7) If no lease with a public body is entered into resulting from the circulation, authority be given to TLC to enter into a lease with Lycee Francais de Toronto on the terms described in the proposal without requiring a 12 month termination clause that would allow TDSB to reclaim the facility during the ten year term and otherwise on terms and conditions satisfactory to TLC in its reasonable discretion in form and content satisfactory to TLC's legal counsel; and
- 8) This TLC Report "Lease: Former DB Hood PS, 2327 Dufferin Street" be forwarded to TDSB for approval.

Rationale

The TDSB property municipally known as 2327 Dufferin Street, formerly operated as DB Hood Middle School, is under a lease agreement with Lycee Francais de Toronto. A recent facility condition engineering report has confirmed the magnitude of necessary repairs, which include the structural integrity of the building, in the amount of at least \$3Million dollars. The tenant is prepared to undertake this work at its expense and in accordance with TDSB protocols but requires a long term lease commitment in return.

Context

TLC has leased properties to third parties that have been identified by TDSB as core holdings for potential future use. At 2327 Dufferin Street, the former DB Hood school, has been leased to the Lycee Francais de Toronto which operates as a school on behalf of the French Government since June 2008. The current lease expires on July 15, 2021.

TDSB Planning undertakes reviews of all TLC's leasing portfolio to determine if a school building should be retained for potential future use. TDSB facilities that are not used as operating schools for TDSB students are not eligible for provincial funding to support capital

repairs or maintenance. As such, TLC has been allocating \$1M per year from its annual projected lease revenues to fund urgent capital repairs. Over the years, building conditions have been deteriorating across these non-instructional facilities at a faster rate than the \$1M TLC capital investment budget allows. In order to continue to retain these properties on behalf of TDSB and with no provincial funding source, TLC has been working towards negotiating the required capital investment to be made by the tenant. Understandably, tenants who are able to secure capital for facility investment require a long term lease commitment that allows for the amortization of the expenditure. In addition, the TDSB required 12 month termination notice places the tenant's capital investment at risk, thus the request that this particular condition be removed from any long term agreement.

Resulting from Lycee identifying a number of facility deficiencies and failures, TLC undertook a comprehensive building condition audit. The investigation revealed a number of necessary capital repairs including major structural deficiencies requiring at least a \$3 Million Dollar investment.

TDSB Comments:

The 2327 Dufferin Street property is immediately adjacent to an existing operating TDSB school, Fairbank Public School. The two buildings are located on one site of approximately six acres divided by an interior driveway. Fairbank PS uses the interior driveway and a lane that runs along the rear of the 2327 Dufferin Street property as the route for drop-off and pick-up of students. Fairbank PS is close to capacity. Some growth is anticipated at Fairbank PS over the next ten years; one or two portables may be required.

The Fairbank PS / 2327 Dufferin Street site is located in close proximity to the Eglinton Avenue West corridor and the Fairbank Crosstown LRT station. Over the long term (beyond ten years) the area may experience intensification. The 2327 Dufferin Street property should be retained by the TDSB to ensure that the TDSB has an adequately-sized site to support Fairbank PS and provide options for future expansion, such as building an addition, constructing a replacement school, or redeveloping the site with a partner.

Since the potential pressures are off in the future beyond ten years, TDSB staff support a long-term lease for the 2327 Dufferin Street property, subject to the tenant completing the necessary capital expenditures at no cost to the TDSB.

Given that the current lease expires July 2021, before a new lease can be entered into a formal declaration must be made by TDSB that the property remains surplus to the needs of the Board and that the Board determines that the property is to be leased not sold. Should TDSB declare DB Hood surplus for lease, TLC will undertake the requirements of Ontario Regulation 444/98. In doing so, TLC will include key business terms such as the tenant committing to a \$3 capital investment satisfactory to TDSB. After satisfactory completion of Ont Reg 444/98, TLC would finalize negotiations with Lycee.

At this time, TLC has met with the President of Lycee, Francais de Toronto who indicated their acceptance of the following key business terms:

1. Enter into a new Lease agreement for a ten (10) year term commencing July 15, 2021 with an option to extend for (5) five years subject to TDSB's right to provide notice that the property is required for its own use;
2. Lycee to complete the repairs in the estimated amount of \$3 Million dollars and a detailed list to be attached to and form part of the lease agreement;
3. There will be no early 12 month termination provision during the 10 year term;

4. The Tenant will have the right during the term and any extension to terminate at any time upon providing 12 months' advance written notice to the Landlord, and the Tenant will not receive any refund or amortized refund with regards to any capital expenditures.
5. The Tenant will adhere to the TDSB Union Collective agreement provisions with regards to the engagement of a contractor to complete the work and the tenant may determine its own construction schedule; and
6. All other reasonable terms and conditions to be negotiated by the parties to complete the transaction.

TDSB Planning has confirmed that the former DB Hood School is to be retained for the potential long term pupil accommodation needs of the Board. TDSB also understands the school is in need of major capital investment of \$3Million to maintain the building but is not in a position to complete this work on a non-instructional property. The Tenant (Lycee) has committed to invest the required capital funds to complete the necessary repairs in exchange for long term lease. This arrangement would provide a unique opportunity for TDSB to protect an asset while still receiving a rental income from the property.

It is noted that the current tenant (Lycee) was prepared to undertake capital repairs during this summer (2020). Due to the government imposed restrictions stemming from COVID-19 and overall uncertainty as to when and what business operations may resume, capital construction at DB Hood will not likely begin until later into 2021. Lycee has advised that it needs at least one full school year's notice in order to relocate its operations in case a new lease of DB Hood is not available to it. Therefore, TLC proposes to amend the existing lease with Lycee to extend the term until the earlier of (a) the commencement date of a new lease with Lycee; and (b) 15 days after the end of the first full school year following the date a lease, if any, is entered into with a public body pursuant to Regulation 444/98. TLC intends to include this information in the circulation of the proposal described above.

Routing

TLC Board: April 27, 2020

From

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

Anita Cook, Senior Manager, Real Estate, at acook.tlc@tdsb.on.ca or at 416-393-0632

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Our Mission

To enable all students to reach high levels of achievement and well-being and to acquire the knowledge, skills and values they need to become responsible, contributing members of a democratic and sustainable society.

We Value

- Each and every student's interests, strengths, passions, identities and needs
- A strong public education system
- A partnership of students, staff, family and community
- Shared leadership that builds trust, supports effective practices and enhances high expectations
- The diversity of our students, staff and our community
- The commitment and skills of our staff
- Equity, innovation, accountability and accessibility
- Learning and working spaces that are inclusive, caring, safe, respectful and environmentally sustainable

Our Goals

Transform Student Learning

We will have high expectations for all students and provide positive, supportive learning environments. On a foundation of literacy and math, students will deal with issues such as environmental sustainability, poverty and social justice to develop compassion, empathy and problem solving skills. Students will develop an understanding of technology and the ability to build healthy relationships.

Create a Culture for Student and Staff Well-Being

We will build positive school cultures and workplaces where mental health and well-being is a priority for all staff and students. Teachers will be provided with professional learning opportunities and the tools necessary to effectively support students, schools and communities.

Provide Equity of Access to Learning Opportunities for All Students

We will ensure that all schools offer a wide range of programming that reflects the voices, choices, abilities, identities and experiences of students. We will continually review policies, procedures and practices to ensure that they promote equity, inclusion and human rights practices and enhance learning opportunities for all students.

Allocate Human and Financial Resources Strategically to Support Student Needs

We will allocate resources, renew schools, improve services and remove barriers and biases to support student achievement and accommodate the different needs of students, staff and the community.

Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

We will strengthen relationships and continue to build partnerships among students, staff, families and communities that support student needs and improve learning and well-being. We will continue to create an environment where every voice is welcomed and has influence.

Acknowledgement of Traditional Lands

We acknowledge we are hosted on the lands of the Mississaugas of the Anishinaabe (A NISH NA BEE), the Haudenosaunee (HOE DENA SHOW NEE) Confederacy and the Wendat. We also recognize the enduring presence of all First Nations, Métis and Inuit peoples.

Reconnaissance des terres traditionnelles

Nous reconnaissons que nous sommes accueillis sur les terres des Mississaugas des Anichinabés (A NISH NA BAY), de la Confédération Haudenosaunee (HOE DENA SHOW NEE) et du Wendat. Nous voulons également reconnaître la pérennité de la présence des Premières Nations, des Métis et des Inuit."

Committee Mandate

Committee of the Whole's mandate will be to make recommendations to the Board on:

- a) The development and annual review of the Board's Multi-Year Strategic Plan for the Board, in consultation with the Director or designate;
- b) The Board's inter-governmental relations;
- c) The development and management of plans for senior leadership succession;
- d) Professional development for members of the Board;
- e) Facility and property matters, including property disposition, major capital projects, boundary changes;
- f) Matters related to Trustees and Trustee Services; and
- g) Other issues referred to it from time to time by the Board or the Chair of the Board.