



## **Surplus Declaration of a Portion of the Maplewood High School Site, 120 Galloway Road**

**To:** Planning and Priorities Committee

**Date:** 26 January, 2023

**Report No.:** 01-23-4463

### **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

### **Recommendation**

It is recommended that:

- a) The Toronto Lands Corporation be authorized to establish new property lines for the Maplewood High School site, 120 Galloway Road, to create two parcels as shown in Appendix A of this report;
- b) The small parcel created through recommendation a) on the north edge of the parking lot be declared surplus to the needs of the Toronto District School Board and referred to the Toronto Lands Corporation for sale;
- c) If none of the public agencies defined by Ontario Regulation 444/98 purchase the small parcel on the north edge of the parking lot through the regulation's circulation process, then the Toronto Lands Corporation offer the parcel for sale at fair market value to Gabriel Dumont Non-Profit Homes for the purposes of enabling the provision of Indigenous focused housing; and
- d) If the small parcel on the north edge of the parking lot is not sold to Gabriel Dumont Non-Profit Homes at fair market value, then the parcel be returned to the Toronto District School Board.

## **Context**

On September 28, 2022, the Board of Trustees approved that staff be authorized to explore the concept of either donating or selling a strip of land at the north end of the Maplewood High School parking lot to Gabriel Dumont Non-Profit Homes. This report presents the outcome of the investigation.

### **Proposal from Gabriel Dumont Non-Profit Homes**

Gabriel Dumont Non-Profit Homes Inc (GDNP) was established in 1985. It is an agency that operates a housing complex for the Indigenous communities located in southeast Scarborough at 4201 and 4203 Kingston Road at the southwest corner of Kingston Road and Galloway Road in Ward 19 (Trustee Patel). The housing complex consists of 87 affordable units of three and four bedrooms. There is great demand in the Indigenous communities for affordable housing. In response, GDNP is proposing to expand the number of units in the complex by constructing 68 units of one and two bedrooms to accommodate Elders, seniors, and single parents with one child.

GDNP will be applying for funding under the Rapid Housing Initiative (RHI) from the Canada Mortgage and Housing Corporation (CMHC) to expand the housing complex. They have already received seed funding from CMHC to support the predevelopment of this project. They expect a round of RHI funding to be released later this year and are preparing to submit their application.

GDNP's proposal to expand the housing complex requires the acquisition of land from the adjacent property, Maplewood HS. The Maplewood HS property is located immediately to the south of the GDNP housing complex. The land that GDNP would like to acquire is a narrow strip along the north edge of the school's parking lot. The strip of land is approximately 20 metres wide by 100 metres long. The area is approximately 2,000 square metres or 0.5 acres, approximately 4% of the Maplewood HS site. The land is grassed and contains a small number of trees.

GDNP has requested that the land be donated to them as a gesture in support of Truth and Reconciliation if possible, and otherwise will apply for funding to purchase the land through the RHI process.

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

### **Impact on Maplewood High School of the Proposed Conveyance of Land**

Maplewood HS is one of the six congregated Special Education secondary schools. It serves the southeast part of the city. The school serves students with Mild Intellectual Disabilities and Developmental Disabilities. As a result, the class sizes and total enrolment are small. There are approximately 150 students attending the school. The enrolment has been at this level for a number of years and is projected to remain so.

The land proposed to be conveyed to GDNP is on the periphery of the parking lot of Maplewood HS. The land is not used by the school. The land has little potential for future use by the school given its location on the property, small area, and narrow dimensions.

The Maplewood HS site is 12.6 acres in area. If the land is conveyed to GDNP, the Maplewood HS site size will decrease to 12.1 acres. This will have no impact on current school operations. It will not impact the ability of the site to accommodate changes to programming, nor will it impact the expansion or replacement of the building or the addition of portables to the school site. The integrity of the school site is maintained; it will continue to be able to function as a school and accommodate changes over time.

### **Support from the City of Toronto**

The City of Toronto is highly supportive of the proposal from GDNP to expand the affordable housing for the Indigenous communities at this location. In June 2022, the City Council passed a motion requesting that the TDSB prioritize the review of this request from GDNP and consider conveying the land at lower than market value or nominal cost. Further, the City Council is requesting that the Province of Ontario request the TDSB to review its surplus sites to determine if there are other opportunities to convey land to Indigenous housing developers at lower than market value or nominal cost for the purpose of building permanently affordable rental housing for Indigenous communities and exempt the sites from the requirements of Ontario Regulation 444/98. Appendix D contains the decision of the City Council.

### **Support from the Urban Indigenous Community Advisory Committee**

The Urban Indigenous Community Advisory Committee strongly endorses the proposal from GDNP. The Advisory Committee recommended that GDNP's request for the transfer of the land on the Maplewood HS site and related technical studies be expedited to allow GDNP to meet deadlines for grant applications. On December 7, 2022, the Board of Trustees approved these recommendations. Appendix E contains the decision of the Board of Trustees.

### **Discussions with the Ministry of Education**

Staff have met with the staff of the Ministry of Education on several occasions to discuss the proposal. The Ministry staff have advised that when school boards dispose

of land they must follow Ontario Regulation 444/98 and dispose of it at fair market value. Currently there is no provision in provincial legislation to allow a school board to donate land. The Ministry staff will continue to explore the concept of a land donation but have not been able to provide a timeline for response given the unprecedented nature of this proposal.

### **Survey and Technical Studies**

To support GDNP in their application for funding for their project, staff commissioned a survey and technical studies through the TDSB procurement process. The survey will be completed by the end of January and the technical studies will be completed by mid-February. GDNP will reimburse the TDSB for the costs of the survey and studies.

### **Severance Process**

To transfer the strip of land to GDNP, it must be severed into a separate parcel. To do this, a consent to sever application must be submitted to the City of Toronto's Committee of Adjustment. This process can take over 12 months but, because of the strong support from the City of Toronto, GDNP believes the process may be shorter for this application. The Toronto Lands Corporation implements consent application submissions on behalf of the TDSB.

### **Proceeding with Sale of the Land Rather Than Donation**

GDNP is keen to move forward with their project at the earliest opportunity. Because there is no provision in current provincial legislation to allow a school board to donate land and it is unknown if or when provision will ever be made, GDNP has advised that they would like to proceed with purchasing the land in order to make the timelines associated with the RHI process. GDNP will include the land acquisition costs in their application.

### **Sale Process**

When selling a property, school boards in Ontario must follow the process outlined in Ontario Regulation 444/98. This process requires that the property be offered to a ranked list of public agencies for them to consider for purchase. The list includes the coterminous school boards, local colleges and universities, the Local Health Integration Networks, several Indigenous organizations, the local municipal government, the provincial government, and the federal government.

The public agencies have 90 days to express interest in purchasing the property and a further 90 days to make an offer. If no expression of interest is received or sale achieved, then the property can be offered to the private sector.

GDNP is not on the list of ranked public agencies. The property can be offered to GDNP after the circulation of the property to the list of public agencies has concluded without a sale being finalized. It is highly unlikely that one of the ranked public agencies will express interest in purchasing the property because of its small area and narrow dimensions.

All sale of property to public agencies or private organizations must occur at fair market value. The Toronto Lands Corporation implements the sale process on behalf of the TDSB.

### **Community Consultation**

A notice describing the proposed severance and sale of the strip of land on the Maplewood HS site was sent to the parents, students and staff of Maplewood HS and the surrounding community.

A virtual public meeting was held on January 9, 2023, to share information and gather community feedback. The meeting was attended by four people. The participants expressed no concerns for severing and selling the land.

An online survey was available for members of the public to submit comments and questions. No survey responses were received.

The low participation in the consultation is most likely due to the lack of concern about the proposed sale to GDNP. It is a very small piece of unused land that does not have a significant presence within the community and it is proposed to be used to support an essential service.

Staff have concluded that there is general support for the severance and sale of the land.

### **Action Plan and Associated Timeline**

If approved, the Toronto Lands Corporation will submit a consent to sever application to the Committee of Adjustment to create new property lines for the Maplewood HS site.

Concurrently, the Toronto Lands Corporation will circulate the small parcel on the north edge of the parking lot to public agencies as per Ontario Regulation 444/98. The public agencies will have 90 days to express interest in purchasing the property and a further 90 days to make an offer.

If no public agency expresses interest, then the Toronto Lands Corporation will offer the property to GDNP for sale as per the conditions of Ontario Regulation 444/98. This could occur in late Spring 2023.

If approval from the Committee of Adjustment is expedited, the land could be severed and the purchase and sale agreement finalized by late 2023.

## **Resource Implications**

Costs incurred in the sale of the property will be offset by the revenue generated.

## **Communications Considerations**

Information and results of this report will be posted on the TDSB's Accommodation Reviews website. An update letter will be sent to the parents, students and staff of Maplewood HS.

## **Board Policy and Procedure Reference(s)**

Not applicable.

## **Appendices**

- Appendix A: Aerial Photos Showing Existing and Proposed Property Lines
- Appendix B: Photos of the Strip of Land Proposed to be Conveyed to GDNP
- Appendix C: Site Plan and Sketch of GDNP's Proposed Development
- Appendix D: Support from the City Council of Toronto
- Appendix E: Support from the Urban Indigenous Community Advisory Committee

## **From**

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