Finance, Budget and Enrolment Committee October 14, 2020

Written Notice of Motion for Consideration (Trustees Laskin and Donaldson)

From: Denise Joseph-Dowers, Manager, Board Services, Governance and Board Services

In accordance with Board Bylaw 5.15.2, notice of the following motion was provided at the regular Board meeting on September 23 2020 and is therefore submitted for consideration at this time.

> 5.15.2 A notice of motion will be introduced by a member who is present as an advance notification of a matter to be considered at a subsequent Board or Committee meeting. A notice of motion will not be debated at the meeting at which it is introduced…
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> 5.15.2 (c) A notice of motion submitted prior to, or at a Board meeting, will be considered at a subsequent Board meeting or will be referred to the appropriate committee…

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Exemptions From P076, Community Planning and Partnerships to Allow for a Capital Improvement to the Former Vaughan Road Academy School Building at 529 Vaughan Road

Whereas, the Board makes decisions about partnerships through the approval of partnership agreements in the form of leases according to Policy 076, Community Planning and Partnerships; and

Whereas, in the fall of 2018, the Board voted to retain the school building at 529 Vaughan Road in its property portfolio as a "holding site" for public education for children and youth from other communities whose schools were in transition (housing Davisville Public School/Spectrum Alternative Senior School from September 2018 to June 2021 during construction of the new build); and

Whereas, for the last number of years, local residents, community organizations, local city councillors and school trustees have discussed the need for social and economic development in the Oakwood-Vaughan neighbourhood with a particular concern about the lack of health and community services in the area, especially with respect to certain populations such as low income families, children and youth, seniors and newcomers; and

Whereas, the Oakwood Vaughan Community Organization (OVCO), a non-profit organization incorporated on October 20, 2017 (#1976377) and registered as a charitable organization has assumed the responsibility for collaboration with the TDSB to pursue the goal of initiating community services in space reserved for it at the former VRA, which OVCO has characterized at this time as the "nub of a hub"; and

Whereas, over the last several years, the TDSB has advertised two adjacent rooms on the third floor of 529 Vaughan Road are reserved for community use; and

Whereas, the rooms reserved for community use are not being used as accessibility for program participants with physical and mobility challenges is a barrier; and

Whereas, OVCO has identified a funding opportunity with the Ontario Trillium Foundation (OTF) which has a capital projects policy and has a funding stream that is available to community organizations for capital improvements to community sites serving community groups in OTF's priority outcome areas (eligible community organizations can apply for capital grants up to $150,000); and

Whereas, OVCO leadership has discussed with an OTF capital grants program officer whether a project to install an elevator in a school facility for creating access to community programming space would be considered eligible for an OTF capital grant and the consistent response in three consultations since October 2019 is that such a proposal on its face would qualify as a capital grant application (success would depend on satisfying the criteria of the OTF adjudication process for all submissions); and

Whereas, OVCO would like to apply for an OTF capital grant to install an upgraded Disability Lift or a LULA elevator in the location of the current elevator as a capital improvement to the school facility at 529 Vaughan Road; and

Whereas, a critical requirement for an OTF capital grant application is as follows: "Proof of ownership or a five-year lease agreement is required for all renovations or improvements to land or property" and this is contrary to the TDSB's current policy requirement that lease agreements with community partners be subject to termination notice of six months should a school require the community space for educational purposes; and

Whereas, in the Guiding Principles for Community Use of Board Facilities it states "Neighbourhood schools must be hubs of the community. These facilities are the product of long-term public investment in neighbourhood and community infrastructure. Their value must be broadly recognized, not narrowly defined, and the use of these assets should be maximized to further both educational and community objectives."; and

Whereas, in procedure PR713, Community Planning and Partnership, under 6.6 it states "Opportunities for Co-Building with Community Partners - a) The Board shall evaluate capital projects such as the construction of a new school, a major addition or renovation on a case-by-case basis to determine whether partnerships may be appropriate or beneficial."; and

Whereas, the community sees this partnership with OVCO as beneficial and whereas the Board would benefit from a capital improvement to 529 Vaughan Road;

Therefore, be it resolved:

(a) That an exemption be made under clause 6.6 of policy P076, Community Planning and Partnerships to allow for a five-year lease to Oakwood Vaughan Community Organization, without a six-month termination notice, as the former Vaughan Road Academy facility has enough space to designate two classrooms for community use[1];
(b) That under clause 6.4, Partnership Compatibility of policy P076, Oakwood Vaughan Community Organization be allowed to facilitate the use of the leased rooms with other community partnerships but that the provisions of clause 6.4 would still apply;

[1] Current policy - facility partnerships shall include a provision that the partnership agreement may be terminated by the Director or designate with six months' notice. The Board shall consider longer-term leases when partners make significant capital upgrades to their space

(c) That the Director write to the Minister of Education to request an exemption from their Fund Raising Guidelines (2012) "Examples of Unacceptable Uses of Fundraising Proceeds - Facility renewal, maintenance, or upgrades funded through provincial grants such as structural repairs, sanitation, emergency repairs, or replacing flooring due to wear and tear"[1].

[1] The rationale – Ontario Trillium Grants come from government – and if used for capital improvement would be in service to community access to space for youth programming not directly operated by the school board, which would seem to be a reasonable exception to usual restrictions. The additional accessibility benefits that students with mobility challenges whose classrooms are on the second and third floors are welcome, but ancillary, to OVCO's main purpose.