

June 17, 2021

**Transmittal No. 2021 – 114**  
**(Public)**

To: Alexander Brown, Chair, Toronto District School Board (TDSB)

This communication is to inform you of a recent decision made by the TLC Board at its meeting of June 17, 2021 with respect to the report, *Parkside Public School and Stan Wadlow Park Shared-Use Agreement with City of Toronto*, attached herein.

**The TLC Board decided that:**

1. Authority be granted for TLC to enter into a shared-use agreement with the City of Toronto (City) for the use of the Parkside Public school parking lot, located at 401 Cedarvale Avenue, in exchange for TDSB's exclusive use of a portion of Stan Wadlow Park, located at 373 Cedarvale Avenue, as outlined in Appendix A, for a term of ten (10) years with an option to extend for five (5) years with key business terms and conditions as specified herein;
2. An agreement be in a form and content satisfactory to TLC Legal Counsel; and
3. The report be forwarded to TDSB Board for approval

On behalf of the Board of Directors of the Toronto Lands Corporation, approval of the recommendation in the report, *Parkside Public School and Stan Wadlow Park Shared-Use Agreement with City of Toronto*, is requested.

Sincerely,



Brenda Patterson  
Chair, TLC

cc. D. Sage, Executive Officer, TLC  
cc. C. Snider, Associate Director, Business Operations and Service Excellence, TDSB

## TORONTO LANDS CORPORATION

### COMMITTEE DECISION ITEM Parkside Public School and Stan Wadlow Park Shared-Use Agreement with City of Toronto

To: Chair and Members of the Toronto Lands Corporation

Date: June 8, 2021

#### Recommendations:

The Toronto Lands Corporation (TLC) recommends that:

- 1) Authority be granted for TLC to enter into a shared-use agreement with the City of Toronto (City) for the use of the Parkside Public school parking lot, located at 401 Cedarvale Avenue, in exchange for TDSB's exclusive use of a portion of Stan Wadlow Park, located at 373 Cedarvale Avenue, as outlined in Appendix A, for a term of ten (10) years with an option to extend for five (5) years with key business terms and conditions as specified herein;
- 2) An agreement be in a form and content satisfactory to TLC Legal Counsel; and
- 3) The report be forwarded to TDSB Board for approval.

#### Rationale

The City of Toronto currently has a parking lot situated at the corner of Trenton and Cedarvale Avenue. The parking area is used for the attendees of the Stan Wadlow Park and East York Memorial Arena situated directly across the street. The City of Toronto will be developing the parking area with new housing in the near future. As a result, to alleviate a future parking shortage situation at this busy location they have approached TLC requesting use of the Parkside Public School parking lot for community and recreation users of the park.

The 8.5 hectare park located near O'Connor Avenue and Woodbine Avenue has been serving this community for numerous years and features six ball diamonds with one diamond having lights for night play and a clubhouse. The park also has a multipurpose sports field, a dog off-leash area, a splash pad and a children's playground. At the south-west corner of the park is East York Memorial Arena. At the north-west corner of the park on Cedarvale Avenue is the Kiwanis Outdoor Pool. The high usage times of this City park generally correspond to when the school is closed, including evenings, weekends, and holiday periods.

Stan Wadlow Park is located directly adjacent to the Parkside Public school and the students and staff routinely use portions of this park during the school day to supplement the school playfield, including use of the multi-purpose sports field for school recess, lunch breaks, physical education, and active instruction. This arrangement was informal and did not provide the school with exclusive use of the park, meaning that the general public has the ability to use the same area of the park during school hours and creating a potential security risk.

In March 2021 discussions between the City and TLC commenced to formalize a shared-use arrangement satisfactory to both parties for a term of 10 years, plus providing for a further option to renew for five (5) years. As a portion of the City's use of the school parking lot will occur in the evenings the City has agreed to pay for the installation of new overhead lights for security purposes that will be beneficial for all stakeholders.

## **Context**

TLC has worked with City staff and engaged TDSB school officials to fully understand details of the proposed shared use. The collaborative approach with the City public partner is an excellent example of how each party can work together for the mutual benefit of the community as a whole and further strengthens the relationship.

To summarize, TDSB will provide the City with access to its parking lot when the school is not operational and in exchange, TDSB will be granted formal permission for exclusive use of a portion of Stan Wadlow Park during regular school hours, as land area highlighted in Appendix A. This agreement is being completed at nominal consideration as the value of the exchange is an equitable transaction, with exception that the City has agreed to pay for the installation of new lights within the school parking lot.

## **Key Business Terms and Conditions**

TLC has negotiated a shared-use agreement with the City of Toronto, at an equitable exchange that results in nominal consideration, for the City use of the Parkside Public school parking lot for Park patrons in exchange for TDSB exclusive use of a portion of Stan Wadlow park.

Staff recommends Board approval of the key business terms and conditions for the shared-use agreement as described herein and as further illustrated in the attached Appendix A for reference.

## **City use of Parkside Public school parking lot comprised of approximately thirty-three (33) parking spots, municipally known as 401 Cedarvale Avenue:**

- Term: Ten (10) years from August 1, 2021 to July 31, 2031.
- Option to Renew: Five (5) years, exercisable by either party, within six months expiry of initial term, if not exercised, automatic renewal.
- Time: 6:00 PM to 12:00 AM from Mondays to Fridays, and 7:00 AM to 12:00 AM on Saturdays, non-school days for Parkside Public School, which may be amended from time to time, save and except that there shall be no access on the Restricted Days (as defined below).
- Restricted Days: TDSB will require up to eight (8) days per school year (the "Restricted Days") during which the City will have no access to the Premises. The parties agree to meet periodically throughout the school year (no less than once annually) to determine the days TDSB require use of the Premises.
- Termination Notice: Both parties shall have the right to terminate the agreement, in their respective sole discretion, upon no less than one (1) year prior written notice given by the terminating party to the other party.
- Use: The Premises shall be used by the City for public parking purposes of personal vehicles of members of the public for short term use. This use will be restricted to regular vehicles (no heavy trucks) and limited to users of the Stan Wadlow Park only (not for general parking).
- Lighting: The City shall pay for the installation of lighting in the school parking lot. Number of lights and tendering and construction to be determined by TDSB. The City will reimburse the TDSB for the expenditure within 120 days of receipt of an invoice.

- Maintenance: TDSB will continue to be responsible, at its expense, for the maintenance and upkeep of the parking lot, including, all snow removal, in accordance with TDSB's standard requirements.
- Security: Both parties shall share equally the cost of additional security, if required, which shall be provided by the TDSB, acting reasonably, for the Premises, and the City shall reimburse TDSB fifty percent (50%) of such cost.

The TDSB and City agree to have a discussion on an annual basis to determine if there is any opportunity for the City to use the school parking lot at D.A. Morrison Middle School.

**TDSB use of a portion of Stan Wadlow Park, located at 373 Cedarvale Avenue, comprised of approximately fifty thousand, nine hundred and twenty-six (50,929) square feet:**

- Term: Ten (10) years from August 1, 2021 to July 31, 2031.
- Option to Renew: Five (5) years, exercisable by either party, within six months expiry of initial term, if not exercised, automatic renewal.
- Time: Exclusive use on all regular school days for Parkside Public School during the hours of 8:30 AM to 6:00 PM from Mondays to Fridays.
- Termination Notice: Both parties shall have the right to terminate the agreement, in their respective sole discretion, upon no less than one (1) year prior written notice given by the terminating party to the other party.
- Use: The Premises shall be used exclusively by TDSB during school hours from 8:00 a.m. to 6:00 p.m. for school activities such as school recess and lunch breaks, physical education and active instructional use by staff and students of Parkside Public School only, and for no other purpose.
- Supervision: TDSB will provide its own supervision of students during use of the Park.
- Maintenance: The City shall be responsible, at its expense, for the maintenance and upkeep of the Lands and the Premises, including without limitation, all lawn maintenance and grass cutting, with all green space and sporting fields to be maintained in good order and repair, in accordance with the City's standard requirements.

The City and the school board have shared-use agreements at numerous facilities across the City. The terms of settlement at this location represent a good working framework between the public agencies and demonstrates how different school and community needs can be achieved through the collaborative effort of all parties and the effective utilization of sharing public assets.

**Appendix**

Appendix A: Parkside Public School, 401 Cedarvale Avenue  
Stan Wadlow Park, 373 Cedarvale Avenue

**Routing**

TLC Board: 8 June 2021  
TDSB Board Cycle: June 23 P&P and June 30 Board

**From**

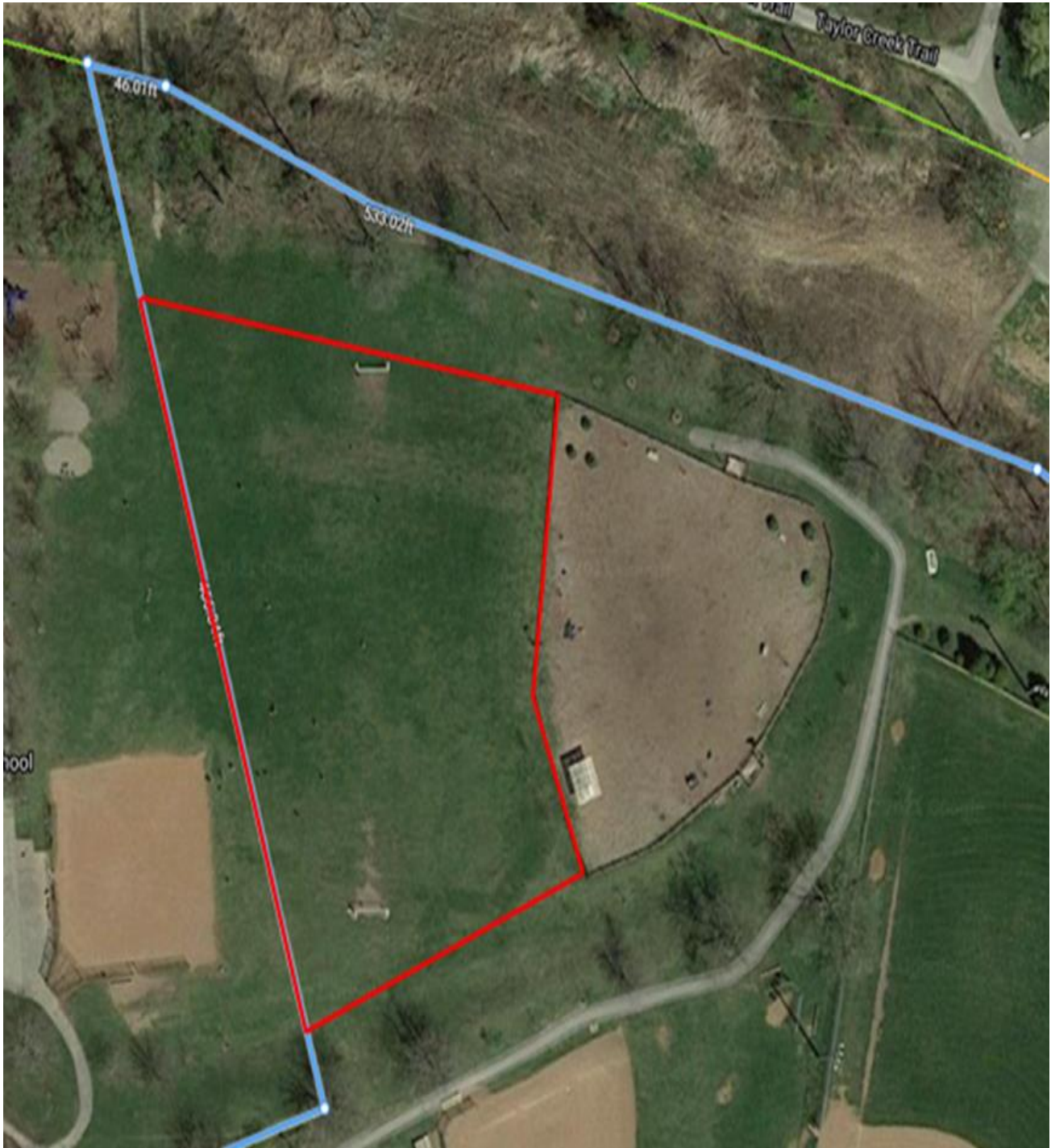
Daryl Sage, Executive Officer, Toronto Lands Corporation, at [dsage.tlc@tdsb.on.ca](mailto:dsage.tlc@tdsb.on.ca) or at 416-393-0575

**Appendix A**  
**Parkside Public School, 401 Cedarvale Avenue**  
**Portion of Stan Wadlow Park, 373 Cedarvale Avenue**





Appendix 2  
Portion of Stan Wadlow Park, 373 Cedarvale Avenue



Appendix A  
Parkside Public School, 401 Cedarvale Avenue  
Portion of Stan Wadlow Park, 373 Cedarvale Avenue



0 0.02 0.04 0.08 0.12 0.16 km

Produced by:  
Strategy and Planning, TCDSB  
April 2018

By/for:  
Basic Map- Geospatial Competency Centre  
Facility- Strategy and Planning, TCDSB  
Date- City of Toronto



Legend	
	Facility
	Toddler Site
	Licensed Site

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