

October 26, 2021

Transmittal No. 2021 – 120
(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 October 25, 2021 with respect to the report, *Shared Facilities Agreement: Brookside Public School and Blessed Pier Giorgio Frassati Catholic School*, attached herein.

The TLC Board decided that:

- 1) Authority be granted to TLC, on behalf of TDSB, to enter into a Shared Facilities Agreement with the Toronto Catholic District School Board on the key terms and conditions stated herein for the jointly owned property municipally known as 75 Oasis Boulevard, Brookside Public School and 8 Seasons Drive, Blessed Pier Giorgio Frassati, Catholic School, Toronto;
- 2) The Shared Facilities Agreement is to be in a form and content satisfactory to TLC legal counsel; and
- 3) This report be forwarded to TDSB for approval.

On behalf of the Board of Directors of the Toronto Lands Corporation, approval of the recommendation in the report, *Shared Facilities Agreement: Brookside Public School and Blessed Pier Giorgio Frassati Catholic School*, is requested.

Sincerely,



Brenda Patterson
Chair, TLC

cc. D. Sage, Executive Officer, TLC

cc. C. Snider, Associate Director, Business Operations and Service Excellence, TDSB

Committee Decision Item
Shared Facilities Agreement: Brookside Public School And
Blessed Pier Giorgio Frassati Catholic School

To: Policy & Planning Committee
Date: 18 October 2021

Committee Action Requested: ☒ **Decision** ☐ **Discussion** ☐ **Information**

RECOMMENDATION:

It is recommended that:

- 4) Authority be granted to TLC, on behalf of TDSB, to enter into a Shared Facilities Agreement with the Toronto Catholic District School Board on the key terms and conditions stated herein for the jointly owned property municipally known as 75 Oasis Boulevard, Brookside Public School and 8 Seasons Drive, Blessed Pier Giorgio Frassati, Catholic School, Toronto;
- 5) The Shared Facilities Agreement is to be in a form and content satisfactory to TLC legal counsel; and
- 6) This report be forwarded to TDSB for approval.

BACKGROUND

In April of 2006 TDSB and TCDSB jointly acquired a property with an equal 50% interest in the entire site. The site is approximately 6.0 acres and was jointly acquired for the purpose of sharing the land with each having a stand-alone school building. TDSB and TCDSB have each constructed their elementary schools on the property and share the use of certain outdoor facilities necessary for their programs. TDSB erected Brookside Public School in 2007 with the municipal address of the school being 75 Oasis Boulevard with TCDSB opening Blessed Pier Giorgio Frassati in September of 2013.

Since the inception of the joint operations there was no formal arrangement with respect to the sharing and maintenance of the shared outdoor space consisting primarily of a soccer field and the remaining areas as hard cover surface. Most important, TDSB advised that the design and layout of the outdoor areas have resulted in numerous safety concerns for the students with on-going slip and fall injuries. In addition, TDSB advises that due to inclement weather throughout the school season the soccer field is not useable. The total 6A site constrained by two traditional schools provide limited options for improved design and functionality although attempts have been made to create an improved Master Plan

With both Boards in full operations on the site the TCDSB and TDSB have indicated the urgent need to finalize a shared facilities agreement prior to the creation and implementation of any redesign or renovation of the existing outdoor areas. As a result, TLC commenced negotiations with the TCDSB to develop an agreement that would govern the outdoor areas for the school boards.

The Shared Facilities Agreement will provide for (1) the mutual use, enjoyment and operation of the Shared Use Areas, (2) the ongoing maintenance, repair, cleaning and replacement of the Shared Use Areas and (3) the payment of each Party's Proportionate Share of the Operating Costs.

RATIONALE

Through a collaborative approach, TLC has negotiated terms and conditions of a Shared-Use Agreement that provides for a structured governance model for the long-term operation of the site and fair and reasonable approach for operations by both parties. The TCDSB has obtained its requisite authority and subsequently executed the negotiated agreement.

The key business terms of the Shared-Use Agreement are detailed herein:

- The creation of a Management Committee comprised of the Principal of each school and one Facility Manager from each school.
- The Committee will provide direction with respect to the operation of the Shared Use Areas and any alterations that will affect the overall site.
- The Shared-Use Areas are the soccer field, outdoor play areas and childcare parking lot as identified in the Site Plan attached as Appendix A to this report.
- The Shared Facilities Agreement sets out the sharing of the costs, budgets, reconciliation of expenditures with payments to be settled within 30 days.
- At a minimum, bi-annual meetings will be held to discuss scheduling of outdoor playtimes, recesses and soccer field use.
- TDSB will maintain the soccer field and bill back 50% of the costs to TCDSB.
- If there is a decision to permit the soccer field, the permitting of the field to third parties will alternate every 3 years with each party keeping the revenue for their respective periods starting with TDSB.
- A structured dispute resolution process will resolve any disputes with the ability to go to arbitration within a specified time frame.

Authority to execute the Shared-Use Agreement will allow TDSB staff to commence discussions on a new Master Plan with the TCDSB to address the safety concerns of the students at both schools and provide ongoing governance over the shared property. The agreement represents two public agencies working collaboratively to benefit the school communities.

RISK ASSESSMENT: Low Risk

IMPLICATIONS: N/A

COMMUNICATIONS APPROACH: N/A

Appendix A: Site Plan

Routing

TLC Board: October 25, 2021

From

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

Anita Cook, Director of Real Estate & Leasing, at acook.tlc@tdsb.on.ca or at 416-573-2716

APPENDIX A BROOKSIDE PS AND BLESSED PEIR GIORGIO FRASSITI CATHOLIC SHOOL SITE PLAN

