

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: The Corporation of the City of London
Neighbourhood School Strategy - Evaluation and Acquisition
of Surplus School Sites

Meeting on: October 9, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions **BE TAKEN** to describe the City's approach to the evaluation and acquisition of school sites identified as surplus to School Boards' needs:

- a) That the proposed Council Policy for the Evaluation and Acquisition of Surplus School Sites by-law attached hereto as Appendix "A" **BE ADOPTED**; and,
- b) The Administrative Policy for the Evaluation and Acquisition of Surplus School Sites attached hereto as Appendix "B" **BE RECEIVED** for information.

Executive Summary

- This report and policy do not address the Pupil Accommodation Review (PAR) process which is led by the School Boards. The policy describes the City's evaluation and potential acquisition of sites declared surplus and made available for acquisition by a School Board through the PAR process.
- This report provides an update to the report presented to Planning and Environment Committee in April 2018 (see Appendix 'D' for April 2018 report).
- School Boards undertake "Pupil Accommodation Review" (PAR) processes to evaluate schools for consolidations, closures and/or new school development as a means of ensuring that the School Boards' resources are managed effectively and that students are provided appropriate and sustainable accommodations.
- In some instances, the results of a PAR may identify a school for closure. The School Boards' surplus school site disposition processes provide the City with an opportunity to acquire an identified surplus school site.
- The purpose of this report is to provide a strategy for the evaluation of school sites that have been declared surplus by the School Boards' process and determine if there is a municipal purpose for the lands.
- All sites identified by a School Board in a PAR process will be evaluated. The results of the City's evaluation will only be reported if the School Board identifies a site to be closed through the PAR process that is made available for acquisition that meets the City's criteria for acquisition.
- The City would consider acquiring an identified surplus school site for one or more of the following municipal needs:
 - Affordable housing
 - Parkland
 - Community Facility.
- If no municipal need for the site is identified, the site will not be recommended for acquisition.
- Consistent with City policies, all surplus public lands are to be evaluated for affordable housing opportunities before the consideration of other public uses.
- In all evaluations, the City shall consider the adaptive re-use potential of the existing school building in its evaluation of the surplus school site.
- Heritage considerations will be part of the Staff evaluation for acquisition of sites. School buildings that have been evaluated to be significant heritage resources will

be conserved, and may be recommended for designation under the *Ontario Heritage Act*.

- Where the site is required for municipal purposes and the surplus school building has been identified as a significant heritage resource, the site evaluation shall include the costs of the restoration and rehabilitation of the heritage structure.
- If the site evaluation identifies that the entire site is required for municipal purposes, and the surplus school building is not a heritage structure or able to be re-purposed for an identified municipal purpose, the structures on the site will be removed.
- Where a City need for the land is identified, partners for the intended future development may be sought. Any potential partnerships will be supplementary and complementary to the identified City purpose for the use of the lands. The City will not acquire surplus school sites to meet the needs of any potential partner if there is no identified municipal need for the lands.

Council Strategic Plan

Council has identified in the 2015-2019 Strategic Plan that the Strategic Focus of creating and maintaining “Vibrant, Connected, and Engaged Neighbourhoods” requires the City to “*work with our partners in Education to help keep neighbourhood schools open and use former school sites efficiently*” (Strategy 1.c).

1.0 Relevant Background

On April 3, 2018, the Planning and Environment Committee received a report regarding the City’s draft Surplus School Site Evaluation and Acquisition Policy (see Appendix ‘D’). That report noted the important role schools play in creating complete communities and how the School Boards must respond to demographic changes, the age and condition of their school buildings, the ability of older schools to accommodate changing educational instruction needs, and other operations and programming requirements. Additionally, it was recognized that School Boards undertake a difficult task through Pupil Accommodation Reviews (PARs), where groupings of schools are assessed for potential site closures, consolidations, or for new school construction.

While the City has a role in the PAR process, the purpose of the policy is to identify the City’s role and process for the evaluation of school sites that have been identified as surplus to a School Boards’ needs, not to describe the City’s role in the PAR process.

The April 3, 2018 report highlighted the three (3) possible municipal needs for which a school site could be acquired. These are: affordable housing, parkland, and community facilities.

The report also identified the City’s draft evaluation strategy, which would include a Staff review of all the school sites included in the Pupil Accommodation Review grouping, and a change to the timing of the review. The timing of the sites’ evaluations would begin at the outset of the Pupil Accommodation Review process and include a review of each property in the PAR grouping. This would be instead of waiting until after any school is determined to be closed through the PAR process, and evaluating only the school(s) that are recommended for closures. The proposed change in procedure is to allow Staff more time to sufficiently evaluate all school sites for their potential for acquisition for one of the three (3) municipal purposes identified above. Any recommendations to Council to acquire an identified surplus school site and any public processes related to the development of the site would take place after the PAR process has concluded.

The April 3, 2018 report included a draft Surplus School Site Evaluation and Acquisition Policy, addressing the reasons for acquisition, timing of Staff evaluations, as well as considerations related to Heritage resources and potential partnership opportunities.

Council directed that the report and draft policy be circulated to School Board and agency stakeholders for their consideration and feedback before a final Surplus School Site Evaluation and Acquisition Policy be considered at a future meeting of the Planning and Environment Committee.

2.0 Feedback on Draft Policy

Feedback on Draft Policy and Report

The report and draft policy were circulated to School Boards and agencies for their comment. Comments were received from the London District Catholic School Board and the Thames Valley District School Board (Appendix 'C'). Comments included recognition that the City is seeking to allow itself longer than the 180 days provided through Ministry's land disposal regulations to conduct these potentially complicated site evaluations.

However, the concern was expressed that the draft policy would become a Council policy that directs the evaluation of sites to be part of a public participation process. As such, concern was raised that the City's proposal to start site evaluations before the PAR is completed, and to evaluate sites before they are declared surplus, would interfere with the School Board's public processes for Pupil Accommodation Reviews. Concern was also expressed that the City would be actively seeking possible partnership opportunities for site re-use while those sites are still active as operating school facilities (and noting those sites may or may not be declared surplus at the end of the ongoing PAR process). These concerns are understood by City Staff to be based on an interpretation that the City's evaluation processes would be a public process and would therefore have the potential to influence or undermine the School Board's PAR process or outcome.

Through Staff's discussions with the School Boards, it was also noted that some closures are contingent upon conditions being met, and if the conditions are not met, then even schools recommended for closure would remain open and operating. For instance, some closures are contingent upon capital funding becoming available to expand another neighbouring school in order to accommodate the incoming students from the closed school. If such conditions cannot be met, then the closure could not proceed.

Also, the School Board prepares an "Initial Senior Administration Report" at the outset of the PAR. These recommendations are then presented to School Board trustees and the community as the starting point for the PAR discussions. The "Final Senior Administration Report" is produced after the public PAR process, and the final recommendations may be different than the initial report's recommendations. As such, concern was expressed that the City's evaluation of sites would be based on the initial report and its recommendations, rather than the final report, if the City's evaluation process is undertaken before the PAR has concluded.

It was also noted that the City does not have the first priority for site acquisition amongst the public agencies offered a surplus school property. Ontario Regulation 444/98, establishes both the public bodies to be notified if a surplus school site is available, and the priority of those public bodies to acquire any surplus school site to be disposed. The City is one of the public bodies who are notified of the disposition of surplus school properties. Under O. Reg. 444/98, the HDC London is also one of the identified public bodies in its role as the "Service System Manager" for the City of London and for Middlesex County. As a designated Service System Manager, HDC London would have priority over the City to purchase an identified surplus school property.

The School Boards also noted that the School Board's process includes time between when a decision is made to close a school and when the school actually closes and the site is made available before a City response is required. The timeline from the date the School Board makes the decision to close a school until the time a School Board deems it closed and issues notice to the City that the site is available for acquisition is usually a one year minimum. It is only when the notice is issued that the 180 day timeline for a City decision begins. The School Board's timeline uses this period as a transition time for students and families to adjust to new attendance area boundaries.

In summary, the comments and concerns expressed related to the timing of the City's proposed evaluation and the potential for public reporting or public participation before the School Board had completed their accommodation review process. No concerns were expressed regarding the municipal purposes for which the City would acquire a site or how the City proposed to address heritage resources or potential supplementary

partnerships to support the City's municipal need for lands.

To address these concerns, the City's "Surplus School Site Evaluation and Acquisition Policy" has been amended to more clearly note that this process is an internal, administrative City review process intended to provide the City sufficient time to evaluate sites for potential acquisition. The policy has also been clarified that the results of the evaluation would only be reported to Council after the PAR has concluded and a site (or sites) have been identified for closure and disposition by the School Board.

3.0 Response to Comments

Responses to Comments Received

It is important to recognize the concerns expressed by the School Boards to ensure that the Boards do not perceive the recommended City process as interfering with the PAR process. The following is provided to summarize and clarify the intent of the City's policy noting that the recommended policy would not influence or pre-suppose the outcome of Pupil Accommodation Reviews, as the City's process is an administrative process to evaluate potential surplus school sites as meeting municipal purposes.

Regarding the concern that the City's process would be a public participation process and that the partnerships for re-use of sites would be actively sought while the sites are still under Pupil Accommodation Review, the City's policy is for a *Staff* evaluation of the properties for their potential re-use as the three identified municipal purposes.

The City process will be as follows:

- A preliminary property evaluation and building evaluation will be undertaken by the administrative Site Evaluation Team at the outset of the PAR process;
- The Staff evaluation will be finalized after a School Board finalizes the PAR and declares a site surplus and available for potential City acquisition;
- The Site Evaluation Team's recommendations will be brought to Council only if a property that meets an identified municipal need is declared surplus and made available for sale by the School Board.
- Any site recommended to Council for acquisition will include an identified source of financing (if necessary for an acquisition), and Council will determine if a specific surplus site is acquired.

If the PAR does not recommend closure of any of the sites undergoing the accommodation review then there would not be any sites available for potential acquisition. The City would not pursue partnership opportunities that may be identified as part of the evaluation process until a site has been identified for closure and disposition at the end of the School Board process.

Waiting until the School Board's PAR process has concluded before finalizing the Staff evaluation will ensure that the City's process does not interfere or influence the School Boards' process, nor raise public expectations when school disposition is contingent upon sale conditions such as Provincial funding. This will also recognize that the City does not have first rights for acquisition amongst the public agencies to whom the School Boards' offer surplus school sites. Although the City's evaluation will include all sites identified in the PAR, any recommendation for acquisition would only apply to the final lands that are made available and meet the City's evaluation criteria.

The previous report to the Planning and Environment Committee, on April 3, 2018, included the statement that: "opportunities for public participation related to site re-use may also be explored through the parallel City process". This statement raised the School Board's concern that the City's process would include public participation prior to finalization of their PAR process. As such, the above statement, and any reference to a City public participation process prior to the School Board finishing the PAR and declaring a site surplus have been removed.

4.0 Conclusion

Summary of the Key Considerations for Staff Evaluations

As identified in the table below, the key factors and considerations for the team evaluation will include: identified needs for municipal public uses, constraints to City acquisition or public re-development, and financial planning and budget consideration.

Key Factors for City Decision	Considerations	
Municipal Need	<ul style="list-style-type: none"> • Affordable Housing • Community Facility • Parks 	<ul style="list-style-type: none"> • Land • Building(s) • Entire Site • Portion (with Severance or Partners)
Opportunities and Constraints to Re-use or Development	<ul style="list-style-type: none"> • Heritage and/or Archaeology • Urban Regeneration (Use or Intensity – Official Plan policy/planning context) • Physical attributes, access, location, and/or servicing 	
Financial Planning and Budgeting	<ul style="list-style-type: none"> • Costs (archaeology; demolitions; designated substance abatement; security, utilities, and maintenance holding costs) • Financial planning considerations (timing, availability of funding, partnership opportunities) • Land value (paying fair market value) 	<ul style="list-style-type: none"> • Sources of financing: <ul style="list-style-type: none"> ○ Approved City capital budgets; ○ Reserve funds; ○ Combination of other sources (e.g. revenues from partners); ○ HDC financing ○ Opportunities to recoup costs through the sale of a portion of the site (revenue from sale of any portion not required for municipal use)

The City's evaluation is an administrative Staff evaluation of all sites (located within the City of London) within a Pupil Accommodation Review. Until the School Board has completed its PAR and identified a site as surplus and thus available for potential municipal acquisition would Staff then finalize their evaluation for the identified surplus site and present any recommendations for acquisition to Council. This would not occur until after the School Board has concluded its process, identified a site for disposition, and made the site available for City acquisition.

Surplus school sites are important opportunities for the City to address deficiencies or needs for uses that are important for neighbourhoods and communities, such as affordable housing, parkland, and community facilities. Closed school sites also provide opportunities for non-municipal development. In most instances, this would be new residential development within established neighbourhoods.

The re-use or redevelopment of any site identified to be acquired for municipal purposes would be subject to *The London Plan* policies and Zoning on the site. If required, the City would consider the change from the former Institutional land use as a school to other land uses using policies of *The London Plan*, Zoning By-law and Site Plan. Any such changes to land use on closed school sites would require public consultations in accordance with the *Planning Act* and City's policies and practices.

Acknowledgements

This report was prepared with the assistance of Kimberly Wood, Development Manager, HDC London; and Brian Turcotte, Development Manager, HDC London.

Prepared by:	Travis Macbeth, MCIP RPP Planner II, Long Range Planning and Research
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 11, 2018

TM/GB/tm

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. CPOL.-
A by-law to introduce the "Surplus School
Site Evaluation and Acquisition Policy".

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority;

AND WHEREAS the Municipal Council of the Corporation of the City of London wishes to introduce the Council Policy attached as "Schedule A" with the new Council Policy template and applying the gender equity lens;

NOW THEREFORE the Municipal Council of the Corporation of the City of London enacts as follows:

1. The "Surplus School Site Evaluation and Acquisition Policy" attached hereto as Schedule "A" be introduced as Council Policy.
2. This by-law shall come into effect on the date it is passed.

PASSED in Open Council on October 16, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

Schedule "A"

Council Policy: Surplus School Site Evaluation and Acquisition Policy

Policy Name: Surplus School Site Evaluation and Acquisition Policy

Service Area Lead: Manager, Long Range Planning and Research

1. Policy Statement

To establish a Council policy for the evaluation and acquisition of surplus school sites.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the Corporation of the City of London for the evaluation of sites for potential municipal acquisition that have been identified by School Boards as surplus to school needs.

4. The Policy

4.1 Municipal Needs

Surplus school sites will be evaluated for acquisition for one or more of the following municipal needs:

- As a site for an affordable housing project. This will be the first need evaluated.
- As a site for a community centre
- As a site to address an identified parkland deficiency

4.2 Evaluation Process

An administrative review team representing Service Areas and Agencies responsible for affordable housing, parkland development and community centre development shall be established to evaluate sites within the City for potential acquisition that have been identified as surplus to a School Board's needs.

Criteria for the municipal acquisition of an identified surplus school site will be established.

Staff will report the results of the evaluation if the site meets one or more identified municipal needs, and prepare a recommendation to Council to acquire the site. If the site that is declared surplus does not meet an identified municipal need, it will not be recommended for acquisition.

4.3 Partnerships

The City may partner in the development of a site that has been recommended for acquisition in accordance with City policies regarding partnerships. Such partnerships may include the development of any portion of a site.

4.5 Sites Recommended for Acquisition

Sites that meet a municipal need will be recommended for acquisition, and a Source of Financing will be identified.

The City may consider the acquisition of sites that are larger than required to meet a municipal need, and may dispose of the portion not required for the municipal need to offset costs associated with the acquisition and development of the site.

Appendix B

Administrative Policy: Surplus School Site Evaluation and Acquisition Policy

Policy Name: Surplus School Site Evaluation and Acquisition Policy

Service Area Lead: Manager, Long Range Planning and Research

1. Policy Statement

To establish evaluation criteria to be used in the administrative review of sites identified by School Boards as surplus to school needs and made available for municipal acquisition. Surplus school sites will be recommended for municipal acquisition if they meet an identified municipal need.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the administrative review and evaluation of surplus schools sites for potential acquisition for identified municipal purposes.

4. The Policy

4.1 Municipal Needs

Surplus school sites will be evaluated for acquisition to meet an identified municipal need:

- As a site for an affordable housing project. This will be the first need evaluated.
- As a site for a community centre
- As a site to address an identified parkland deficiency

4.2 Timing of the Evaluation

All sites within the City that have been identified by a School Board to be considered as part of a Board-approved Pupil Accommodation Review (PAR) process will be evaluated. This municipal evaluation shall be undertaken in parallel with the School Board's process, and all sites identified in the PAR shall be evaluated by administration.

At the conclusion of the PAR, the administrative Site Evaluation Team will finalize and confirm any recommendations regarding the potential City acquisition of any site identified as surplus to the School Board's needs and made available to the City for acquisition. Results of the finalized evaluation will be reported out to Council following the identification of any site to be closed and identified for disposition by the School Board, if the identified site has been evaluated as meeting one or more of the three identified municipal needs. If the site that is declared surplus does not meet an identified municipal need, it will not be recommended for acquisition.

If a site meets the evaluation criteria, the Staff recommendation will include identification of a source of financing to acquire the site, and Council will determine if the site will be acquired.

Figure 1. illustrates both the generalized process for the closed school site evaluation and the School Board PAR process and the Building Evaluation process. The Building Evaluation process illustrates how to address any structures on the site, including re-use/re-purposing, selling, or demolishing, and where the school building has been determined to be a significant heritage resource.

4.3 Site Evaluation Team

Surplus school sites will be evaluated by a Staff Team representing the following Service Areas and Agency partners with municipal interests:

- Planning Services/Parks Planning
- Parks and Recreation
- Neighbourhood, Children and Fire Services
- Housing Services
- Finance
- Realty Services
- Facilities
- Housing Development Corporation, London

4.4 Site Evaluation Criteria

4.4.1 Affordable Housing

- The site is within the urban growth boundary;
- The site is identified as being appropriate and meets community need for Affordable Housing
- The site would support and provide for regeneration opportunities;
- The site is not constrained by built features (including gas lines, pipelines, utility corridors, etc.) or significant environmental features or functions;
- The site enjoys proximity to community amenities (including but not limited to, public facilities and services), infrastructure (including transit) and Place Types that would provide for a range of uses typically supportive of affordable housing (including, but not limited to Shopping Areas).

4.4.2 Community Centre

- Real estate criteria: takes into consideration the physical size of the site, whether currently available for sale, the existence of constraints to development, and potential for municipal ownership of land;
- Service delivery components: considers whether creation of new community facility sites will encroach on the areas served by existing facilities; and also considers the population living in proximity to the potential site that is currently under-served by community facilities (i.e. the area or population with a gap in service); and,
- Accessibility component: which takes into consideration how accessible the new site would be, including access to existing bus/bike routes, number of students, older adults and households within a 15 minute walk, and the city's total population living in proximity to the site.

4.4.3 Parkland

- City-wide parks to take advantage of prominent land forms and natural environmental features, such as riverbanks, ravines, or wetlands. Topographic variation and natural environment features may be developed for sports activities or special events;
- Urban and neighbourhood parks that are accessible to the community within a walkable service radius of 800 metres (10 minute walk), and not crossing major streets;
- Priorities for parkland acquisition will include consideration of:
 - i) existing and forecasted population densities;
 - ii) existing facilities and their accessibility to the neighbourhood residents;
 - iii) the availability of funds for acquisition;
 - iv) the suitability of lands available for sale; and,
 - v) acquisitions which will serve to create a more continuous or linked park system.

- Additional considerations for parkland use include other opportunities for parkland acquisition:
 - In the development or redevelopment of land, the City may acquire a 5% dedication of land under consideration for development for parkland purposes. For small developments, this would not provide a sufficient land base to meet parkland needs. In older parts of the City, the required dedication is not always achieved. As an alternative, the *Planning Act* provides for a dedication of 1 hectare of park space per 300 dwelling units (or 500 units for cash-in-lieu).
 - Other opportunities to meet neighbourhood parkland needs on other lands that are open and accessible to the public, such as other school sites within the neighbourhood.
 - The location of other nearby amenities and the convenience of access to park space. The service standard objective is for neighbourhood park space and play equipment to be located within an approximately 800 metre radius of every home in a residential neighbourhood.
 - If the neighbourhood is deficient in parkland and the school functions as the primary park within that immediate neighbourhood, then retention of the school site as municipal parkland will be given high priority.

4.4.4 Financial Considerations

- The cost to repurpose a school property, including the cost of demolitions and site clearance and/or designated substance abatement and building stabilization for the refurbishment of any structures to be conserved;
- Costs associated with sub-surface site assessment, including archaeological or brownfield matters; and,
- Determination of and the financial implications associated with paying Fair Market Value (FMV) for the school property.

These three factors would be considered as part of the determination of what the City would pay to acquire the site.

Additional factors to be considered include:

- Evaluation of the City's existing capital plan to determine if funding for an approved capital project can be redirected to purchase a school property that would replace that capital project or represents a higher priority than the existing approved capital project;
- Ongoing operating budget impacts associated with timing of repurposing the site, including maintenance, security and other associated holding costs of a property;
- For sites where it is recommended that all or a portion of the buildings be conserved for future municipal use, the additional capital costs associated with conserving the structure will need to be determined; and
- Evaluation of the cost of land purchase now versus future land purchase to provide the same services. In other words, the opportunity cost of not acquiring land and the Net Present Value (NPV)/financial costs of acquiring (or assembling) the same or similar land assets later.

4.5 Partnerships

The City may partner in the development of a site that has been identified for acquisition for municipal uses in accordance with City policies regarding partnerships. Such partnerships may include the development of any portion of a site not required for municipal uses.

4.6 Sites Recommended for Acquisition

Only sites that meet the evaluation criteria for an identified municipal need will be recommended for acquisition. An evaluation of the acquisition costs shall be

undertaken for any site identified to be acquired, and a Source of Financing will be identified.

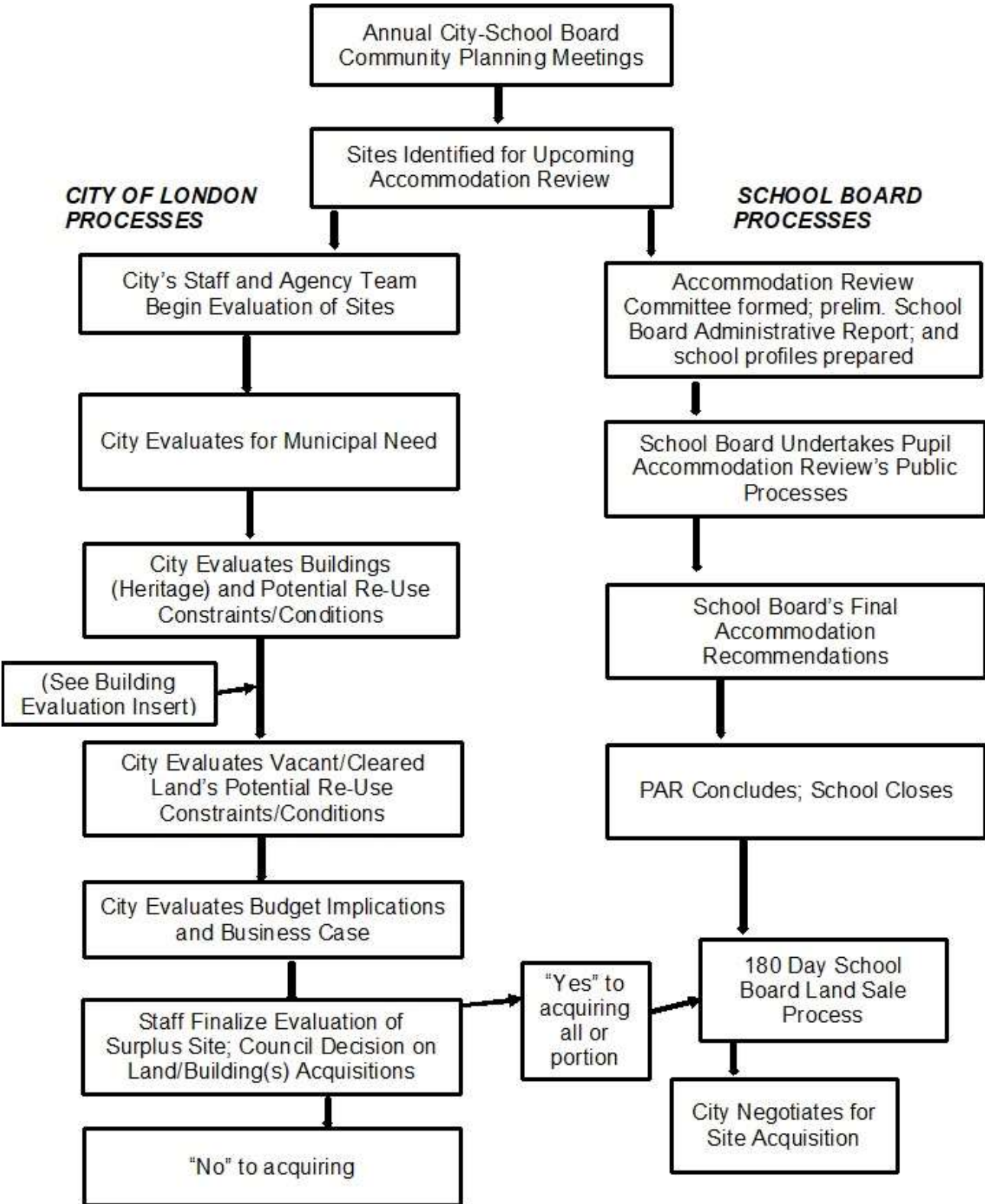
The City may consider the acquisition of sites that are larger than required to meet the identified municipal need, and may dispose of the portion not required to offset costs associated with the acquisition and development of the site.

4.7 Table of Key Factors and Considerations

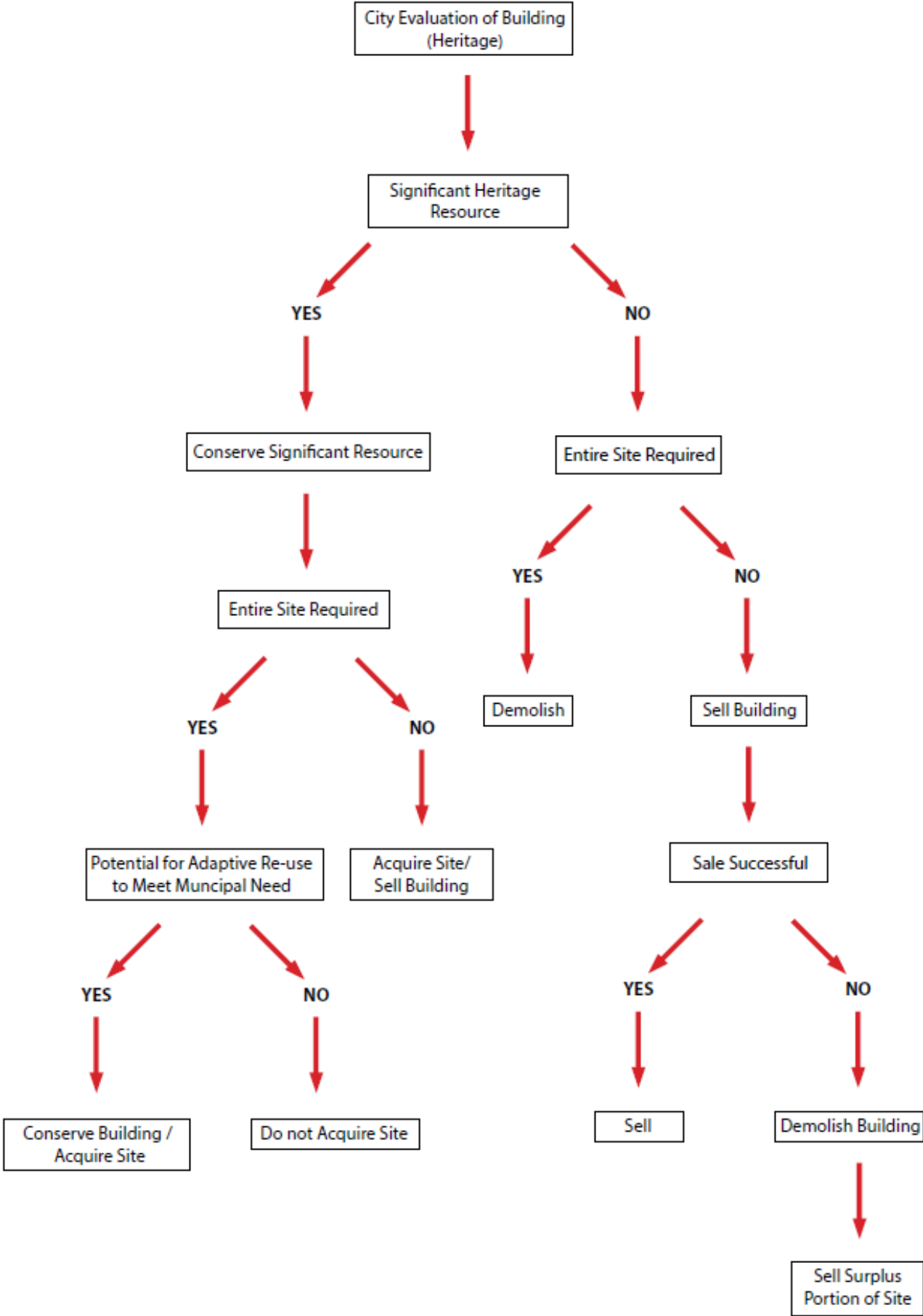
Key Factors for City Decision	Considerations	
Municipal Need	<ul style="list-style-type: none"> • Affordable Housing • Community Facility • Parks 	<ul style="list-style-type: none"> • Land • Building(s) • Entire Site • Portion (with Severance or Partners)
Opportunities and Constraints to Re-use or Development	<ul style="list-style-type: none"> • Heritage and/or Archaeology • Urban Regeneration (Use or Intensity – Official Plan policy/planning context) • Physical attributes, access, location, and/or servicing 	
Financial Planning and Budgeting	<ul style="list-style-type: none"> • Costs (archaeology; demolitions; designated substance abatement; security, utilities, and maintenance holding costs) • Financial planning considerations (timing, availability of funding, partnership opportunities) • Land value (paying fair market value) 	<ul style="list-style-type: none"> • Sources of financing: <ul style="list-style-type: none"> ○ Approved City capital budgets; ○ Reserve funds; ○ Combination of other sources (e.g. revenues from partners); ○ HDC financing ○ Opportunities to recoup costs through the sale of a portion of the site (revenue from sale of any portion not required for municipal use)

Figure 1

City's Closed School Site Evaluations: Generalized Process



Building Evaluation Process



Appendix C

Responses to Draft Policy



CATHOLIC EDUCATION CENTRE
5200 Wellington Road S. London, Ontario N6E 3X8 Canada
T 519-663-2088 F 519-663-9250

May 24, 2018

Travis Macbeth
Planner II
Long Range Planning and Research
City of London
300 Dufferin Avenue, London ON
P. O. Box 5035
N6A 4L9

Dear T. Macbeth:

**Re: Draft Surplus School Site Acquisition and Evaluation Policy
City of London**

We are in receipt of your department's circulation requesting comment regarding the City of London's *Surplus School Site Acquisition and Evaluation Policy (Draft)* which will be considered at a future Planning and Environment Committee meeting. We have reviewed the draft policy and the April 3, 2018 report, and would like to submit the following comments.

The Board recognizes that the policy takes a proactive approach to the City of London's evaluation of sites identified by the Board as surplus to its needs. The timing specified in the policy aims to allow sufficient time for the City of London to internally assess its needs and budget for the acquisition of potential school sites should they be declared surplus by the Board following a school closure review (ARC review). Appendix B outlines the generalized City's review process for school site evaluations which is intended to parallel the Board's ARC review process and the Ont. Reg. 444/98 regarding the disposition of surplus property by a School Board.

The Board has no objections to the draft policy provided that the site reviews undertaken by City of London staff are conducted internally by municipal staff having no direct or indirect influence on the Board's school closure review processes and related decisions regarding the actual disposition of surplus school sites. It is understood that the City's site review process will be undertaken independent of the Board's closure review processes and shall have no impact upon the Board's closure review process and/or disposition of surplus sites that may result from future closure reviews.

In view of these comments, we therefore request that the City's review process for potential site acquisition be limited to an internal staff policy/process and that there be no opportunity

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for public participation related to site re-use conducted by the City of London prior to any final decision(s) of future ARC reviews and Board decision(s) to declare a property surplus to its needs. This would be inappropriate and could potentially conflict with the integrity of the Board's ARC review and property disposition process.

Thank you for the opportunity to review and comment on the report and draft policy. If you require clarification of these comments, do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in cursive script, appearing to read "Jacquie Davison".

Jacquie Davison
Superintendent and Treasurer of the Board

Cc: D. Kettle, Planning Analyst, Thames Valley District School Board
G. Barrett, Manager, Long Range Planning and Research, City of London



Laura Elliott, Director of Education and Secretary

May 24th, 2018

Travis Macbeth, MCIP, RPP
Planner II
Long Range Planning and Research
City of London
300 Dufferin Avenue
P.O. Box 5035
N6A 4L9

Dear T. Macbeth,

Re: Surplus School Site Acquisition and Evaluation Policy (Draft)

Thank-you for the opportunity to comment on the City of London's (COL) *Draft Surplus School Site Acquisition and Evaluation Policy* being submitting at a future City Planning and Environment Committee meeting. The Thames Valley District School Board (TVDSB) has reviewed both the draft policy and report titled "*Neighbourhood School Strategy – Evaluation and Acquisition of Surplus School Sites*".

In the report it is indicated that "*By evaluating all of the sites that have been identified for consideration as part of the PAR process at the outset of the process, the City will have more sufficient time to more fully evaluate all sites for municipal purposes.*"

The TVDSB understands that the process to evaluate the City's potential need for a school property is extensive and requires a suitable amount of time.

In the Ontario Regulations 444/98 – Disposition of Surplus Property, boards are required to circulate notification of surplus property sale or lease simultaneously to the following prioritized list:

1. Coterminous school boards
2. Agencies accommodating Section 23 programming
3. District Social Services Administration Boards (DSSABs) or Consolidated Municipal Service Managers (CMSMs)
4. Public colleges
5. Public universities
6. Children's mental health lead agencies
7. Local Health Integration Networks (LHINs)
8. Public health boards
9. Provincial government (The Crown in Right of Ontario)
10. Lower-tier municipalities
11. Upper-tier municipalities
12. Local service boards
13. First Nation and Métis Organizations
14. Federal government (The Crown in Right of Ontario)

The listed agencies are allocated 90 days to submit their expression of interest (EOI) and an additional 90 days to submit an offer.



Laura Elliott, Director of Education and Secretary

The TVDSB recognizes that the completion of the evaluation may require more of a timeline than the 180 days allocated. With the new Community Planning and Partnerships Guideline (CPPG) the TVDSB will have the opportunity to notify the City of London of all Board decisions regarding PAR's at the June CPPG meetings. With the early notification of a Board decisions the City would have sufficient time to engage in a full evaluation. The timeline from, a decision to close a school and the circulated notification of surplus property sale or lease, can be from (1) year to (3) years. After a school is approved to be closed, the TVDSB usually allows a (1) year transition period for students and administration. This timeline could be longer if construction of additional capacity is required at the associated school(s) or if a new school is to be constructed.

With ongoing communication between the City of London and the TVDSB, the required time to evaluate the property could be completed outside of the Pupil Accommodation Review (PAR) process. The TVDSB is requesting that the *Draft Surplus School Site Acquisition and Evaluation Policy* be revised to begin the evaluation process after a final decision to close a school has been approved by our Trustees. Public consultation is a priority to the TVDSB and the basis for the PAR process. The process begins with the Initial Senior Administration Report (ISAR), which is presented to the Trustees and Community. Through the PAR public consultation process the Board's Final Senior Administration Report (FSAR) is produced from the outcome of the consultation process. Therefore the Final Report could be different than the Initial Report. If the City uses the ISAR to determine school closures, this may be viewed as a predetermination of the decision to close a school, prior to the completion of community input, public delegations and the Trustees final approval. Boards may also determine that a closed school would not be declared surplus if the building could be utilized for future school board needs.

Some aspects of evaluation discussed in the COL's report, such as the site evaluation, would be better suited to be completed after a school has closed when students are not occupying the site. The TVDSB is supportive to the steps taken with evaluation of properties and will be of assistance to provide available information suggested in the report when a school has been declared surplus with the completion of a PAR.

If further information or clarification is required, please do not hesitate to contact our office.

Regards,

A handwritten signature in cursive script that reads "Laura Elliott".

Laura Elliott
Director of Education

Appendix D

April 3, 2018 Report to Planning and Environment Committee, entitled "Neighbourhood School Strategy - Evaluation and Acquisition of Surplus School Sites"