

TCDSB Policy Register – Current Policy

Sharing R.01

Policy

The TCDSB may lease a distinct viable unit of a school - a floor or a wing - on a shared basis where student accommodation needs are beyond those which can be provided by the Board and where an entire school building is not available for purchase or lease.

Regulations:

1. The lease for the sharing arrangement shall be for a minimum of five years, renewable for an additional five years.
2. The shared school shall have a separate entrance with the Catholic school name on the exterior of the school easily visible from the street.
3. The rental fee as determined by the lease/rental formula of the MET shall apply to the shared facility.
4. The sharing of the facility shall allow for the preservation of the milieu and integrity of the Catholic school.
5. A long term plan shall be worked out which will lead to a permanent solution to remove the landlord-tenant arrangement.

BM p 126, 19 Jun 86; BM, May 72.

Site Acquisition R.04

Policy

The Toronto Catholic District School Board shall develop annually a site acquisition program.

Regulations:

1. The site acquisition program will be developed annually through the Capital Expenditure Forecast process which is submitted to the Ontario Ministry of Education in the fall of each year.
2. Size of Sites:
 - a) Elementary school sites will be:
 - 1) a minimum of five acres in size, or
 - 2) a minimum of three acres where it is adjacent to a public park and there is municipal agreement to use the park as a playing campus.

3) a minimum of four acres if adjacent to a proposed church where part of the site will be severed and sold.

b) Secondary school sites will be:

1) a minimum of ten acres in size, or

2) a minimum of six acres where it is adjacent to a public park and there is municipal agreement to use the park as a playing campus.

c) where a school site in a suitable location becomes available which is less than the sizes referred to in a) and b), prior Board of Trustees approval is required before acquisition may be initiated.

3. The Toronto Catholic District School Board will cooperate with the Roman Catholic Episcopal Corporation in locating potential combined school/church sites.

4. The location and suitability of a site will be approved by the Board of Trustees.

5. The Toronto Catholic District School Board will proceed in accordance with the Education Act and the appropriate regulations of the Ontario Ministry of Education.

6. The cost of a school site will be approved by the Toronto Catholic District School Board before a purchase is finalized.

7. The Toronto Catholic District School Board may also acquire school sites through the process of expropriation if required.

BM p 34, 22 Jan 87; BM p 964, Jun 71.

School Sites Expansion R.05

SITE ACQUISITION AND EXPANSION - PLAY AREAS 1403

Policy

It is the policy of the Toronto Catholic District School Board that all schools have adequate play area to service the needs of the school community.

SITES - SIZE 1701

Policy

School sites owned by the Board, whether occupied by a school or not, shall not be reduced to less than five acres.

URBAN SITES - MINIMUM PLAY AREAS AND EXPANSION 1702

Policy

All schools located in the urban areas of the City of Toronto shall be expanded, where feasible, to a minimum standard of 65 square feet of playable area per pupil, provided the total footage does not exceed 1-1/2 acres.

SUBURBAN SITES - AREAS AND EXPANSION 1703

Policy

(1) The Deputy Director, Business Services, in accordance with the site purchasing policy of the Toronto Catholic District School Board shall acquire on the open market, properties offered to the Toronto Catholic District School Board provided:

- (a) the property will increase the playable area to the minimum of 175 square feet per pupil and/or,
- (b) the property will enhance the shape and/or condition of the Board's site and/or,
- (c) if an addition to the existing school is contemplated within two years and the said addition will reduce the playable area below the minimum of 175 square feet per pupil,
- (d) each site will not exceed four acres of playable area.

2. Where a school site is less than 175 square feet per pupil playable area, before an addition is placed on the site, additional property shall be obtained where possible, so that the site shall contain no less than the existing playable area.

BM p 1145, Sept 68., BM p 1028, Aug 68., BM p 165, Feb 68.

Expropriation of Real Property R.07

Site Acquisition- By Expropriation 1501

Policy

(1) The Administrative and Corporate Services Committee shall submit to the Board for approval:

- (a) the Committee's choice of site location, size and boundaries, number of rooms and other facilities to be provided;
- (b) an estimate of the cost to be incurred;
- (c) the name of the surveyor proposed, in accordance with the memorandum of policy related to appointment;
- (d) the name of the Appraiser, Agent and/or Consultants to be retained, and alternates, in accordance with the memorandum of policy related to appointment;
- (e) after consultation with the Administrative and Corporate Services Committee in respect of demolition and site clearance, plan preparation and construction time, the date upon which possession of all properties on the site will be required.

(2) Upon the receipt of all appraisal reports in respect of the properties on the site, the Deputy Director, shall report to the Administrative and Corporate Services Committee the anticipated

total budget requirements for the site, by adding to the aggregate of the appraisal figures an amount of not less than 10%. The figure approved by the Board for the site shall be known as the total budget.

(3) The Deputy Director, upon receipt of the appraisal reports, shall send one copy to the Solicitor, instructing the Solicitor to give the required notice under the Expropriation Procedures Act offering to pay compensation to the owners in an amount equal to the appraisal price for the individual property.

(4) The Deputy Director shall be authorized to settle the amount of compensation to be paid to the individual owners of expropriated properties

(a) without any prior approval or consent, if the settled amount does not exceed 110% of the appraised value of the property;

(b) with the approval of the Administrative and Corporate Services Committee if the settled amount, although exceeding 110% of the appraised value of the property, will not cause the total budget to be exceeded;

(c) with the approval of the Ad Hoc Committee if the settled amount, although exceeding 110% of the appraised value of the property will not cause the total budget to be exceeded by more than 5% provided the claim for compensation for the property has, at that time, been referred to the Board of Negotiation;

The Ad Hoc Committee shall be composed of the Chair of the Board, the Chair of the Administrative and Corporate Services Committee, and one member of the Administrative and Corporate Services Committee.

(d) with the approval of the Ad Hoc Committee if the settled amount, although exceeding 110% of the appraised value of the property will not cause the total budget to be exceeded by more than 8% (in addition to the 5% increase set out in paragraph 4(c) of this memorandum), provided the claim for compensation for the property has, at that time, been submitted to arbitration; and to pay the owner's legal and appraisal fees where requested.

(5) The Board, irrespective of settlement of compensation, shall offer to the owners, prior to taking possession, an amount equal to 75% of his/her equity based on the value established by the Board's appraisal, and further offer to discharge encumbrances.

(6) Upon settlement of compensation by the Ad Hoc Committee at Board of Negotiation or Arbitration, the Board shall receive a full report of the settlement, setting out the appraisal report, the number of offers and counter offers submitted by the Agent, a report from the Coordinator of Facilities Management and/or the Deputy Director, and the Solicitor for the Board.

(7) Where compensation has not been settled but vacant possession has been delivered to the Board, the Deputy Director may order an inspection by any accredited appraiser for the purpose of obtaining evidence for arbitration.

(8) No specific procedure can be laid down in respect of possession where no agreement is made with the owner in this regard. The Board is required to give ten days' notice of possession, but in practice in the past has usually given more. The Board is entitled to take possession after the time set out in the notice.

The act provides that where resistance or opposition is encountered by the Board in taking possession, the Board may apply to a Judge for a warrant to put down the resistance, i.e., put the owner on the street. Since there could be a great deal of unfavourable publicity involved, each situation should be dealt with on its own merits.

BM p 908, July 68.

Expropriation- Payment of Legal and/or Appraisal Fees 1502

Policy

With Respect to properties in which the Board indicates an interest and wishes to acquire through expropriation:

- (1) the Board may pay the legal fees of the vendor for the transfer of said property, reserving the Board's right to have any solicitor's bill taxed;
- (2) the Board shall produce an initial objective appraisal of the property which should be made available to the vendor, and the vendor shall be apprised of his/her right to an independent appraisal;
- (3) the Board may pay for an appraisal where requested by the vendor, and staff shall be empowered to settle any expropriation action within the limits of the Board's initial objective appraisal plus 10% for forceful taking, and all other offers outside these figures shall be presented to the Committee for a recommendation to the Board.

BM p 1564, Nov 67.

Expropriation- Use of Real Estate Agents 1503

Policy

Qualified real estate persons shall be retained to negotiate the compensation to be paid to expropriated owners of properties for the Board; except those properties which will be negotiated by the Board or its own staff. Where the negotiations of expropriated properties are to be carried out by staff personnel, the properties shall be appraised by qualified appraisers on the basis of "Market Value".

- (1) The brokers and/or agents of the Board shall be designated appropriate brokers of property to be suitably appraised at no cost to the Board, and thereby enter into negotiations with the principals in view of successfully concluding sales that are satisfactory to the Board.
- (2) The appraisal fee on individual property negotiations (including a written appraisal) shall be \$500, based on an acceptable purchase price.

(3) If, for any reason, a negotiation to the ending property by the agent or broker is unsuccessful, only the payment of a fee of \$150 per property will be paid for a qualified written appraisal.

(4) The broker and/or agent shall be subject to appearance at any official Board of Arbitration to substantiate his/her appraisal at no cost to the Board.

(5) The appointment of retaining broker-agents in these negotiations shall be the consideration of the Administrative and Corporate Services Committee to be approved by the Board. The broker-agents shall be appointed, with Board approval, by letter with suitable solicitor's terms of reference.

All appraisals shall be submitted within 14 days to the responsible staff official for deliberation. The appraisals, with suitable staff comment, shall be presented to the committee for procedural approval. Secondary negotiations, subject to staff and committee appraisals, shall be fully completed by October 31st, 1967. An extension period of not more than two weeks shall be allowable for properties requiring special attention.

BM p 980-1, Aug 67.

Expropriation- Appraisals 1504

Policy

Appraisals shall not be presented to expropriated owners at the time of the initial presentation of an offer by the Board's agent.

BM p 206 Feb 69.

Expropriation- Payment 1505

Policy

The Board shall offer 75% of the equity of expropriated owners as payment prior to taking possession of the property, as recommended by the Deputy Director, Business Services.

BM p 814, Jun 68.

Disposal of Surplus Real Property R.08

Policy

1. The Toronto Catholic District School Board shall dispose of surplus real properties after having been previously declared surplus by public offering and in such a manner as to obtain the maximum benefit to the Board in terms of financial benefit, or other equally significant consideration.

2. The disposal of all surplus real properties shall be in accordance with all relevant Statutes, Regulations and Ontario Ministry of Education Memoranda.

3. The Toronto Catholic District School Board shall utilize the most appropriate method, usually by sale, to dispose of surplus real properties in order to give due consideration to the unique nature of the specific real property.

4. The Toronto Catholic District School Board shall approve the method of sale to be used for the disposal of each specific real property prior to marketing, usually one of the following:

- a) Buyer Proposal Call;
- b) Negotiated Sale Call;
- c) Listed Sale Call

5. Where:

- a) a trustee of the Toronto Catholic District School Board has, and
- b) an employee of the Toronto Catholic District School Board, if a trustee, would have an obligation pursuant to the Municipal Conflict of Interest Act to disclose an interest in any offer, proposal, contract or other type of disposition of surplus real property of the Toronto Catholic District School Board, every such trustee, in addition to the statutory obligations, and employee, shall give written notice upon becoming aware of such interest, to the Secretary of the Toronto Catholic District School Board.

6. Where the Board established and approves a confidential reserve bid, as required by the Listed Sale Call Method of Disposal, the Deputy Director of Education shall have the authority to accept an offer to purchase provided that the offer to purchase is no less than the confidential reserve bid.

7. In the event of any conflict between the provision of this policy and the provisions of any other Board Policy, this Policy shall supersede.

Regulations:

1. Definition of Terms

a) **A Sale** shall mean any of the following:

- i) Transfer of freehold title upon payment of the total purchase price on closing;
- ii) Transfer of title with part payment in cash and the balance by mortgage;
- iii) By agreement, with part payment in cash and the balance due at a later date prior to transfer of freehold title;
- iv) Conveyance of real property by long term lease with, or without, an option to obtain freehold title upon payment of a price previously established, or to be negotiated;
- v) Exchange of real property.

b) **Real Property** shall mean block land, building lots, relocatable schools, administration buildings and all other forms of real estate, and shall include all rights which flow from its ownership.

c) **Public Offering** shall mean a public offering of real properties which shall be advertised in:

i) A local public newspaper (i.e., one or more of the Toronto Star, the Sun, or the Globe and Mail); and ii) A daily newspaper of the Canadian Construction Industry (i.e., the Daily Commercial News); iii) Other appropriate advertising media.

d) **Buyer Proposal Call** shall mean a publicly advertised indication of the Board's intent to sell, soliciting submissions for the purchase of specific real properties at prices and terms to be negotiated.

e) **Negotiated Sale Call** shall mean a publicly advertised offer requesting submissions to purchase specific real properties. An asking price and terms shall be stipulated, which may be negotiated.

f) **Listed Sale Call** shall mean a publicly advertised listing, either open or exclusive, of a specific property through a Real Estate Board Multiple Listing Service, or an individual registered real estate broker. The asking price and terms shall be specified and may be negotiated, subject to a confidential reserve price previously established by the Board.

g) **Other** shall mean any other method of disposing of real properties which the Board may choose to use from time to time upon the recommendation of the Administrative and Corporate Services Committee.

2. The Board's solicitor shall prepare a title search of the subject lands to verify the legal description and site dimensions, and to ensure that the title is free from any restrictions and to confirm that the Board is able to convey clear marketable title.

3. All Ontario Ministry of Education disposal procedures shall be initiated.

4. Where deemed appropriate, the Board may appoint a planning consultant to determine the development potential of the surplus property.

5. The Board shall appoint an accredited appraiser to determine the fair market value of the property. The appraisal report shall take into account the planning consultant's report, if applicable.

6. The Board may appoint other specialized consultants, if deemed necessary. These may include, but not be limited to, surveyors, financial consultants and engineers.

7. The Board shall request the approval of the Ministry of Education to dispose of surplus real property.

8. The Board shall request the Ministry of Education to waive the negative grant on the proceeds of the sale. In the event that the Ministry of Education does not waive the negative grant, a report shall be submitted to the Board prior to any further action being taken respecting the surplus real property.

9. Regulations 2 through 8 shall be completed prior to the Board entering into an agreement to dispose of the real property.

10. The method of sale to be used in the disposition of the surplus real property shall be recommended by staff and approved by the Board.

11. If the method of sale is to be other than a Listed Sale Call, Negotiated Sale Call, or a Buyer Proposal Call, staff will prepare a report for the Administrative and Corporate Services Committee detailing the alternative method and requesting approval for such. The method employed will give due consideration to the nature of the asset and the existing, as well as anticipated, market conditions.

12. Where the Listed Sale Call method is used to dispose of surplus real property, the Board shall establish a confidential reserve bid based on information contained in the appropriate consultant's reports.

13. A prospectus shall be prepared on each real property offered for sale. The prospectus shall be forwarded to each trustee and made available to all interested persons. The prospectus shall contain:

- a) Location and description of the real property concerned;
- b) An area map and site plan of the real property concerned;
- c) Instructions to potential purchasers on the procedures to be followed;
- d) Terms and conditions which may be acceptable to the Board;
- e) Current zoning;
- f) Current official plan designation;
- g) Potential development schemes based on a planner's analysis, if applicable, and dates for the last day for receipt of offer;
- h) The following statements:
 - i) that the real property shall be accepted in its present condition, which implies a knowledge of contours and subsoil conditions,
 - ii) that the onus is on the prospective purchaser to verify the accuracy of information provided,
 - iii) that the Board is not required to provide a survey,
 - iv) that when offers are received through registered real estate brokers, the Board will not pay real estate commissions until such time as the transaction is closed, or an agreement for sale is completed,
 - v) that the deposit amount of the successful proponent shall be forfeited to the Board if, through the fault of the bidder, the transaction is not completed,
 - vi) that the highest, or any, offer shall not necessarily be accepted,

vii) that a disclosure of principals shall be required to be submitted with the offer.

14. When the Board is utilizing a local newspaper for marketing a property, the advertisement shall be published not less than fifteen working days prior to the closing date, if any, and shall include:

- a) The method of sale;
- b) Location of the real property;
- c) A general description of the real property being offered for sale;
- d) The location and person to whom the proponent must submit his/her offer;
- e) The closing date and time, if applicable;
- f) Instructions for obtaining further information and/or a prospectus.

15. Where the Board specifies the closing date and time for the receipt of offers, all offers received shall be opened in public in the presence of no less than two of the following persons:

- a) Director of Education;
- b) Deputy Director of Business Services;
- c) Deputy Director of Education;
- d) The Chair of the Administrative and Corporate Services Committee, or delegate;
- e) Superintendent of Planning and Facilities;
- f) Coordinator of Planning and Facilities.

16. All offers received shall be reviewed by the Board's solicitor.

17. Prior to the presentation of offers to the Board, circulation of offers and reports thereon shall be limited to:

- a) Director of Education;
- b) Deputy Director of Business Services;
- c) Deputy Director of Education;
- d) Superintendent of Planning and Facilities;
- e) Coordinator of Planning and Facilities;
- f) Recording Secretary of the Board;
- g) Consultants as required.

18. Reports presented to the Board for consideration will contain a detailed analysis of each offer including the following information:

- a) Purchaser's Name;
- b) Agent;
- c) Terms and Conditions of Offer;
- d) Financial Considerations.

19. Original copies of each offer will only be available for inspection, upon request by individual trustees, as follows:

- a) At the Administrative and Corporate Services Committee meeting;
- b) In the Director of Education's office after the Administrative and Corporate Services Committee meeting and prior to the Board meeting.

20. Reports dealing with the sale of surplus real property will be dealt with at a special meeting of the Administrative and Corporate Services Committee which is no more than four days prior to any special or regular meeting of the Board at which the sale is to be considered.

21. Where the Board has established a date and time for the final receipt of offers, that date and time shall be a minimum of two days and a maximum of four days prior to the forty-eight-hour requirement for the receipt of agendas by trustees.

22. Procedures Governing Disposal by Buyer Proposal Call

a) Real properties, which have been declared surplus by the Board shall be advertised in appropriate newspapers at an appropriate date which shall be no later than fifteen working days prior to the final date for the receipt of offers.

b) In addition to the general information, the advertisement shall include:

- i) The closing date, time, location and person to whom the proponent must submit his/her sealed offer to purchase;
- ii) The date, time and location for the opening of offers to purchase;
- iii) A statement that all offers shall remain irrevocable until 12:00 midnight the day following the regular or special meeting of the Board at which all offers will be considered.

iv) Directions for obtaining further information;

23. Procedures Governing Disposal By Negotiated Sale Call

a) Real properties, which have been declared surplus by the Board, shall be advertised in appropriate newspapers at an appropriate date which shall be no later than fifteen working days prior to the final date for receipt of offers to purchase.

b) In addition to the general information, the prospectus shall contain:

- i) The asking price for the property concerned;

- ii) The closing date, time, location and person to whom the proponent must submit his/her sealed offer to purchase;
- iii) The date, time and location for the opening of offers to purchase;
- iv) A statement that all offers shall remain irrevocable until 12:00 midnight the day following the regular or special meeting of the Board at which all offers will be considered;
- v) Directions for obtaining further information.

24. Procedures Governing Disposal By Listed Sale Call

a) Real properties which have been declared surplus by the Board shall be offered for sale directly through the Real Estate Board Multiple Listing Service with the Board performing the functions of the listing broker or through a registered real estate broker.

b) When the Board utilizes the services of a registered real estate broker, the listing agreement can be either:

- i) Multiple Listing Agreement;
- ii) Exclusive Listing Agreement.

c) In addition to marketing the property through the Multiple Listing Service, the following methods of advertising can be used, when considered appropriate, to market the property:

- i) Real Estate News newspaper;
- ii) Local newspapers;
- iii) Direct Mail Solicitation;
- iv) Any other means of advertising considered appropriate.

d) Sufficient copies of the prospectus shall be supplied to real estate brokers and in addition to the general information, the prospectus shall include:

- i) The asking price for the property concerned;
- ii) Availability of possession in the case of a tenanted property;
- iii) Directions for obtaining further information.

25. Procedures For Disposal By Other Means

a) The Board may wish to dispose of real property in a manner other than

- i) Buyer Proposal Call;
- ii) Negotiated Sale Call;
- iii) Listed Sale Call;

b) A detailed report shall be submitted through the Administrative and Corporate Services Committee to the Board for approval. The detailed report shall contain:

- i) The reason(s) for recommending the particular method of sale;
- ii) The procedures to be followed.

BM, 18 Oct 84; BM p 108, Jan 80.

Alternative Arrangements for School Facilities R.09

Date Approved: January 20, 2000 – Board Meeting	Dates of Amendment:
Cross Reference:	

Background

(1) A number of legislative provisions encourage school boards to consider alternate arrangements for the accommodation of elementary and secondary school pupils to the usual arrangement under which a school site is acquired and a stand-alone school is built on it.

(2) Ontario Regulation 20/98 provides that the education development charge background study contain:

6. A statement of the board’s policy concerning possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or co-operative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils estimated under paragraph 3 of section 7, without imposing education development charges, or with a reduction in such charges.

7. If a previous education development charge background study completed by the board included a statement under paragraph 6, a statement of how the policy referred to in the statement was implemented and, if it was not implemented, an explanation of why it was not implemented.

(3) Regulation 446/98 (Reserve Funds) permits a school board to utilize proceeds in the Pupil Accommodation Allocation Reserve Fund for the acquisition of “school sites that are acquired as part of transactions under which the board also acquires school buildings on the school sites”.

(4) Section 210.1 of the *Municipal Act* authorizes municipalities and school boards to enter into arrangements under which they can provide for exemptions from taxation for municipal and school purposes of land or a portion of it that is “entirely occupied and used or intended for use for a service or function that may be provided by a “school board” or municipality”. It also authorizes an exemption to be given from municipal and education development charges in certain circumstances.

(5) The TCDSB recognizes that alternative arrangements can provide an opportunity to improve service delivery and peak enrolment capacity, reduce duplication of public facilities, maximize the effective use of available dollars, and reduce site size requirements. These include a variety of acquisition strategies such as forward buying, options, purchases, lease buy-back, sites exchanges and joint venture partnerships.

(6) The TCDSB’s record demonstrates this commitment:

	<u>AGENCIES INVOLVED</u>
· Humberwood Centre	- TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (community centre) - Library Board (library branch)
· Mary Ward Catholic Secondary School	- TCDSB (secondary school) - City of Toronto (community centre)
· Lakeshore Grounds Campus (future school(s)/recreation centre/park campus)	- TCDSB (secondary & if necessary, elementary school) - Humber College (Lakeshore Campus) - City of Toronto (recreation centre and park)
· Railway Lands (future schools/park/community centre campus)	- TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (community centre and park)
· Port Union Village (future schools/park campus)	- TCDSB (elementary school) - TDSB (elementary school) - City of Toronto (park)

Policy

The TCDSB will consider possible arrangements with municipalities, school boards or other persons or bodies in the public or private sector, including arrangements of a long-term or cooperative nature, which would provide accommodation for the new elementary school pupils and new secondary school pupils who are resident pupils of the Board, subject to the Regulations set out below.

Regulations

- (1) The arrangement must be cost effective and advantageous for the TCDSB compared to other possible arrangements including an acquisition of a school site and the construction of a free standing building.
- (2) The arrangement shall comply with any guidelines issued by the Ministry of Education and Training.
- (3) The TCDSB may enter into lease arrangements respecting school facilities intended to be used to accommodate peak enrolment, but shall not enter into such arrangements respecting school facilities that are necessary to accommodate long-term enrolment unless the arrangements could result in ownership at the Board's discretion.
- (4) The TCDSB shall retain sufficient governance authority over the facility to ensure that it is able to deliver the appropriate educational program to its pupils, and to ensure that its identity, ambience and integrity are preserved.
- (5) The facility shall have a separate entrance with the school name on the exterior of the school easily visible from the street."

School Sites - Operating Budget Surplus R.10

Background

- (1) Section 9(1) paragraph 8 of O. Reg 20/98 (Education Development Charges - General) provides that an education development background charge study must contain:
 8. A statement from the board stating that it has reviewed its operating budget for savings that could be applied to reduce growth-related net education land costs, and the amount of any savings which it proposes to apply, if any.
- (2) It is therefore necessary that the review referred to in section 9(1) paragraph 8 be conducted annually as part of the process of setting the estimates.
- (3) Under the General Legislative Grant Regulation, only a surplus from the non-classroom part of the estimates is eligible to be used to acquire school sites, thereby reducing the "growth related net education land cost" and the education development charge that may be levied by the TCDSB.

Policy

Where there has been or it appears that there will be surplus in the non-classroom part of the estimates of the TCDSB in a fiscal year, the Board shall determine whether all, part, or none of the surplus will be designated as available for the purpose of acquiring school sites by purchase, lease or otherwise.

Regulations

(1) If there is, or it appears that there will be a surplus in the operating budget, the Board shall pass a motion substantially as follows:

Whereas it appears that there has been or that there will be a surplus in the non-classroom part of the budget;

Moved that:

(i) The Board may designate an amount as available for the purpose of acquiring school sites by purchase, lease or otherwise;

(ii) The Board's reasons for so deciding are as follows:

[The Board may choose to direct some funds to the purchase of school sites or may decline to do so. Reasons for the decision should be included which indicate where the board will be directing the funds and its basic reasons for doing so. The purpose for this part of the motion is to ensure that a clear record of the board's decision and its reasons are available as part of the public record for inclusion in the education development charge background study. This is particularly necessary as evidence for the Ontario Municipal Board in the event of an appeal of the by-law.]

(2) If there is no surplus, or it appears that there will not be a surplus in the operating budget, no further action is required with respect to this Policy."

BM p. 20 Jan 2000