

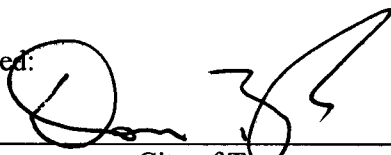
**Letter of Understanding  
Between the City of Toronto and the Toronto District School Board  
For School Pools, Parking Lots and Inflationary Factors  
Dated October 2, 2003**

The City of Toronto and the Toronto District School Board (TDSB) agree to the following conditions regarding the City use of TDSB swimming pools:

1. That the TDSB covenant to keep the pools set out in the attached list open and operating for the duration of the term.
2. The TDSB, or a designated and qualified third party on their behalf, will continue to be the designated Owner and Operator of all Pools in accordance with the Ontario Health Protection and Promotions Act—Public Pools Regulation 565 and other pertinent legislation.
3. The City may utilize swimming pools in TDSB schools (refer to attached list of 41 pools and associated operating costs) to conduct their Parks and Recreation programs.
4. This agreement will expire on December 31, 2004. Upon consent of both parties, the agreement could be extended to December 31, 2006 based on the same terms and conditions set out in this agreement. Parties agree to begin discussions/negotiations on the extensions of the contract beyond December 31, 2004 and the related terms and conditions no later than June 30, 2004.
5. In 2003, the City will contribute to operational costs of up to \$ 6.3 million for the use of pools used by the City from January 01, 2003 until December 31, 2003. It is expressly understood that there shall be no other costs assessed to the City of Toronto for the use of these pools including additional charges for caretaking, maintenance, utilities, supplies or safety and recreational equipment
6. The TDSB shall be responsible for all costs associated with routine maintenance, replacement of swimming pool building and mechanical components, custodial services, security and utilities in order to maintain the pools in a state of good repair and to provide a safe aquatic environment to all users throughout the duration of this agreement
7. Current practice on accessing school facilities will continue. City staff shall show a copy of the permit on demand during program time to TDSB staff.
8. The TDSB shall be responsible for any capital maintenance (renewal) project costs, associated with the pools
9. No charges shall apply for the bona-fide TDSB student use of the pools, during school hours (7:00 a.m. – 6:00 p.m.). The City of Toronto will have first right of refusal to access school pool time during the day should space be available.
10. The City will have exclusive access to the pool facility from September 1, 2003 to June 30, 2004 and September 1, 2004 to December 31, 2004, from 6 p.m. to 10 p.m. Monday to Friday and 8 a.m. to 10 p.m. on Saturday and Sunday. This will include mutually agreed to times during March Break and Christmas breaks.
11. The City will have exclusive access to the pool facility from July 1, 2004 to August 31, 2004 from 8 a.m. to 10 p.m. Monday to Friday and 8 a.m. to 10 p.m. on Saturday and Sunday.

12. City and TDSB permit staff shall meet annually to agree on specified times for maintenance of the pool facility and determine permit schedules to meet limitations placed on space due to holidays such as March Break, Christmas Break, school pool tournaments and/or school special events as identified by the parties.
13. The City of Toronto will, on 4 months written notice to the TDSB, be able to make decisions on deletions or additions to the number of pools which are utilized for programs.
14. The City shall provide fully qualified program staff (instructors and life guards) to conduct Parks and Recreation programs.
15. The TDSB will provide fully qualified program staff (instructors and life guards) to conduct TDSB aquatic programs.
16. All permits for the use of the pools in 2003 shall be handled in the way that they were handled on January 01, 2003, by the City's Permits Office in those areas of the City of Toronto they permit, and by the TDSB in those areas of the City that the TDSB permits. In 2003, any revenue obtained from pool permits in TDSB pools would be remitted to the TDSB.
17. Commencing January 1, 2004 the City would permit all school pools in which City programs will be run (see attached list) and retain any revenue associated with these pools. The City will provide a schedule (process to be determined) of permit activity to the 41 schools and will advise a week in advance of any changes to the schedule. Remaining pools not utilized by the City of Toronto would be permitted by the TDSB permit office.
18. The TDSB will provide all pool inspection, testing, and pool safety audits as required under the Regulations of the Ontario Health Protection and Promotion Act to ensure safe operation of the pool, and shall maintain all required operational records.
19. The TDSB shall provide advance notice to the City of Toronto of any closures due to planned maintenance and repair work.
20. School pools not on the primary list of pools to be utilized by the City or operated by a third party operator, shall be made available (where possible) should demand increase and the City shall be charged hourly rates in keeping with the TDSB's Permit Policy G.06.
21. The TDSB, in accordance with the specific direction of the Council of the City of Toronto, shall not levy any additional fees to the City of Toronto for the use of its facilities by the City, other than those authorized and approved fees that the TDSB provide proper notification to the City of Toronto, prior to the date of the Council resolution of the City of Toronto Council.
22. The City and TDSB will meet to discuss and negotiate inflationary costs related to the operating costs of pools, waste management, childcare, etc. There will be no inflationary costs applied to the 2003 year. Any agreed to costs would be applied at January 1, 2004.
23. The TDSB agrees not to levy charges to parking lots utilized by staff and participants of programs (recreation and daycare) delivered by the City of Toronto.

Signed:



City of Toronto



Toronto District School Board

Date: October 2/2003

Date: October 3/03

October 2, 2003

**POOL USAGE BY CITY OF TORONTO PARKS AND RECREATION  
SEPTEMBER 1, 2003 TO DECEMBER 31, 2004**

# of Sites	School Name	Area (Sq. Ft.)	Operating Costs
1	ALBERT CAMPBELL CI *	12,630	\$ 131,334.00
2	AY JACKSON *	7,597	\$ 93,231.00
3	BEDFORD PK *	8,133	\$ 110,788.00
4	BENDALE BTI *	13,480	\$ 151,856.00
5	BICKFORD CENTRE *	18,477	\$ 199,127.00
6	BOWMORE *	15,424	\$ 163,455.00
7	BROWN *	7,468	\$ 110,259.00
8	CEDARBRAE *	10,630	\$ 165,434.00
9	CW JEFFERYS *	6,578	\$ 92,298.00
10	DA MORRISON *	17,500	\$ 174,025.00
11	DON MILLS CI *	7,969	\$ 165,190.00
12	DUKE OF CONNAUGHT *(179 hou	9,668	\$ 92,489.00
13	EARL BEATTY *	16,244	\$ 140,544.00
14	EMERY *	6,294	\$ 82,946.00
15	FOREST HILL *	20,872	\$ 170,394.00
16	FRANKLAND *	6,932	\$ 107,741.00
17	GEORGE VANIER *	6,911	\$ 88,806.00
18	GEORGE HARVEY CI *(372hours)	15,624	\$ 155,345.00
19	GLEN AMES *	19,944	\$ 195,429.00
20	GORDON A BROWN *	15,552	\$ 173,680.00
21	HILLCREST *	7,723	\$ 110,963.00
22	KEELE ST *	15,685	\$ 181,118.00
23	L'AMOREAUX *	13,130	\$ 170,279.00
24	LB PEARSON CI *	13,430	\$ 155,294.00
25	NELSON A BOYLEN *	7,410	\$ 85,445.00
26	NEWTONBROOK SS *	7,593	\$ 88,505.00
27	NORTHVIEW HTS*	6,328	\$ 130,166.00
28	PARKDALE PS *	19,450	\$ 198,823.00
29	RH KING *	11,530	\$ 120,479.00
30	RUNNYMEDE CI *	12,925	\$ 128,536.00
31	SIR OLIVER MOWAT *	12,980	\$ 147,691.00
32	SIR WILFRID LAURIER *	13,630	\$ 166,924.00
33	SWANSEA *	13,179	\$ 152,735.00
34	VAUGHAN ROAD *	10,913	\$ 103,339.00
35	VICTORIA PARK SS *	9,429	\$ 119,147.00
36	WA PORTER *	12,330	\$ 132,219.00
37	WEST HILL CI *	11,255	\$ 114,945.00
38	WESTON CI *	12,177	\$ 123,712.00
39	WEXFORD CI	13,780	\$ 146,271.00
40	YORK MEMORIAL *	12,409	\$ 148,708.00
41	YORK MILLS CI *	9,063	\$ 108,326.00
	<b>Annual Operating Costs</b>		<b>\$ 5,597,996.00</b>