



## STAFF REPORT ACTION REQUIRED

### Amendment to the Lease Agreement with the Toronto District School Board for the Use of the Tennis/basketball Courts at Bathurst Heights Secondary School

<b>Date:</b>	November 25, 2008
<b>To:</b>	Government Management Committee
<b>From:</b>	Brenda Patterson, General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 15 – Eglinton - Lawrence
<b>Reference Number:</b>	

#### **SUMMARY**

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The purpose of this Report is to request Council's authority to amend the use clause in the existing agreement with the Toronto District School Board (TDSB) for the use of the tennis/basketball courts at Bathurst Heights Secondary School in Ward 15 – Eglinton – Lawrence.

Parks, Forestry and Recreation Division has recommended funding in the 2009 Capital budget submission in the Partnership Opportunities Legacy (POL) Fund for the installation of portable skateboard park components, in order to use the Toronto District School Board's tennis court area as a skateboard park. This recommendation is the culmination of community consultations and consultations with local youth in the Lawrence Heights Priority Neighbourhood, who have expressed a desire for this facility. The local school board officials, including the School Trustee, have been consulted and are in agreement with this proposed use of their facilities.

As the original lease agreement stated that the leased premises would be used solely for the purpose of installing and operating tennis courts and basketball courts, the agreement must be amended to reflect the installation and operation of a skateboard park, as well.

## **RECOMMENDATIONS**

**That the General Manager of Parks, Forestry and Recreation**, in conjunction with the City Solicitor, amend the “Use” clause in the existing lease agreement with the TDSB for the use of the tennis courts at Bathurst Secondary School, to allow for the installation and operation of a skateboard park.

## **FINANCIAL IMPACT**

Parks, Forestry and Recreation has recommended in the 2009 Capital Budget submission gross funding of \$100,000 for this project, including City debt funding of \$75,000 from the Partnership Opportunity Legacy (POL) Fund. The remaining \$25,000 will be funded from external sources. Parks, Forestry and Recreation staff are actively investigating various sources of external funding, including Section 37 revenues, sponsorships and donations to implement this project in 2009.

There are no new operating budget impacts resulting from this report.

The original lease is for a nominal fee of \$2.00 per year of the agreement. The amended agreement will remain at this rate.

The lease is for a five year term commencing on June 1, 2005 and expiring on June 1, 2010. There is a five year renewal term.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

At its meeting of July 20, 21 and 22, 2004 Council adopted Clause 26 of the Policy and Finance Committee Report 6 that authorized the City to enter into a lease with the TDSB for the construction and use of the tennis/basketball courts located at Bathurst Heights Secondary School. This agreement is at a nominal fee of \$2.00 per year for a term of five years commencing on June 1, 2005 and expiring on May 31, 2010. The City also has the option to renew the agreement under the same terms for a further five year term.

<http://www.toronto.ca/legdocs/2004/agendas/council/cc040720/pof6rpt/cl026.pdf>

## **COMMENTS**

This report and recommendation is the culmination of community consultations, consultations with the local Ward Councillor and Toronto District School Board (TDSB)

officials, as well as, consultations with local youth in the Lawrence Heights Priority Neighbourhood, who have expressed a desire for this facility.

The proposed skateboard park will be located in an existing tennis court which is situated on the Bathurst Secondary School site. The tennis court area is currently being leased by the City of Toronto, Parks, Forestry and Recreation Division for tennis, basketball or other multi-purpose sports pad uses. In order to allow the tennis court to be used as a skateboard park, with the installation of portable skate board components, the current lease with the Toronto District School Board (TDSB) must be amended.

Parks, Forestry and Recreation staff and the local Ward Councillor have consulted with the local TDSB officials and they have agreed to an amendment to the lease to allow this activity at the tennis court site.

City Council authorization is requested in order to make this amendment to the terms and conditions of the current lease with TDSB at Bathurst Secondary School.

## **CONTACT**

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## **SIGNATURE**

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Brenda Patterson  
General Manager, Parks, Forestry and Recreation