

## Francophone School Land Request (Ken Jenkins)

<b>Date</b>	February 3, 2021
<b>To</b>	Executive Committee
<b>From</b>	Financial Strategy & Sustainability
<b>Service Area</b>	Land, Real Estate & Facilities
<b>Item No.</b>	EX21-9

### RECOMMENDATION

---

The Executive Committee recommends that City Council:

1. Approve the lease of the City-owned parcel of land (former Ken Jenkins school site) to the Ministry of Education as outlined in this report.
2. Authorize Administration to finalize any other commercially relevant terms and conditions of the lease documents.
3. Instruct the City Clerk to execute the Lease Agreement documents as prepared by the City Solicitor.
4. Approve these recommendations at its meeting on February 10, 2021.

### ISSUE

---

In Fall 2020, the Ministry of Education announced a new Francophone Elementary School in North Regina. The Ministry has identified the location of the former Ken Jenkins School at 5382 2<sup>nd</sup> Avenue North as an ideal location (see Appendix A). This parcel of land consists of 1.57 hectares (3.9 acres). They have requested to lease the property from the City of Regina (City) in order to build and operate the new Francophone school.

As the proposed lease is below fair market value and the leased area will not be made publicly available, City Council approval is required pursuant to Section 4 of *The Regina Administration Bylaw 2003-69*.

## IMPACTS

---

### Financial

The recommended lease would utilize the City-owned property, the former Ken Jenkins School site, for up to 80 years. The initial lease term would be 40 years with the option to renew the lease for four additional terms of 10 years each, which could be cancelled by the Conseil des écoles fransaskoises by providing 365 days advance notice should the property no longer be required.

The annual lease rate would be \$1.00, but the City would be compensated \$600,000 for sunken costs which include the original purchase, demolition and other related costs associated with this property. The lease would include a requirement that at the expiration of the lease, the site is to be returned to its original condition.

### Policy/Strategic Impact

Section 195 subsections (1) and (2) of *The Planning and Development Act, 2007* regulates the Ministry's ability to utilize dedicated municipal reserve property for school purposes.

"195(1) In accordance with the municipality's official community plan statement of policy described in clause 32(2)(j), any municipality and a school division may enter into an agreement providing for the joint use and maintenance of all or any part of:

- (a) a municipal reserve;
- (b) a public reserve that has been leased to a municipality or a school division; or
- (c) any buildings or improvements located on land mentioned in clause (a) or (b)

(2) Notwithstanding subsection (1), a municipality and a school division shall enter into an agreement mentioned in subsection (1) if required to do so by the minister responsible for the administration of *The Education Act, 1995*."

*The Dedicated Lands Regulations, 2009* stipulates in Section (7) (a) the price to be paid for dedicated lands when leased for the purpose of a school is to be \$1 annually.

*Design Regina: The Official Community Plan Bylaw No. 2013-48* indicates several guidelines regarding the development of new schools. In a review of the property:

- a) New school sites should:
  - Be located on a collector roadway;
  - Not front, flank or back an arterial or higher classification roadway;
  - Be located connected to pedestrian networks that provide safe connectivity to adjacent neighbourhoods; and
  - Accommodate a school and a contiguously located recreational open space;
- b) High school sites should be located adjacent, or in close proximity, to transit routes or future transit routes.
- c) New school sites shall be in substantial compliance with any applicable guidelines or standards pertaining to school site design adopted or endorsed by the City.

In a review of this property it is does not meet the guideline of being located on a collector roadway. However, as it is a former school site, the School Siting and Re-Use Guidelines indicate that a school site can be reused for a new school if consideration is given to the level of traffic generation.

## **OTHER OPTIONS**

---

City Council could decide not to lease the property and direct administration to work with the Ministry and the School Division to find an alternate location that meets their needs. This would allow the City to pursue a sale, alternate lease or utilize the land as it sees fit.

## **COMMUNICATIONS**

---

Public notice is required for City Council to approve the lease of City-owned property without a public offering and below market value. Notice regarding this proposal was advertised on January 30, 2021 in the CityPage section of the Leaderpost in accordance with the public notice requirements. The decision of City Council will be provided to the Ministry of Education.

## **DISCUSSION**

---

The subject property is the former the Ken Jenkins School site. The Regina Public Board of Education decommissioned the school in 2010 and the City purchased the land and building in 2014. The building was a target of repeated vandalism and graffiti and was ultimately demolished in 2020 due to its deterioration and potential safety concerns. The total sunken costs the City has incurred to date is \$600,000.

An appraisal conducted in 2015 placed a value of \$3,100,000 on the property as bare land. The property has been offered for sale since 2015, over those years there has been interest in the property including two conditional offers, but neither offer resulted in a sale.

The City has previously provided land to The Regina Public Board of Education and The Regina Catholic School Division for four schools under similar terms and conditions which include returning the site to its original condition when the lease ends or is terminated. These include:

- 1) Ecole Wascana Plains School and St. Elizabeth School located at 5125 E Green Brooks Way (2018)
- 2) Ecole Harbour Landing School and St. Kateri Tekakwitha School located at 4415 James Hill Road (2018)
- 3) Plainsview School and St. Nicholas School located at 7651 Mapleford Boulevard (2018)
- 4) Jack Mackenzie School and St. Gabriel School located at 3860 E Buckingham Drive (2000)

The school to be constructed on the proposed site will be a Francophone school.

All costs to operate and maintain the property will be the responsibility of the Conseil des écoles fransaskoises school division.

**DECISION HISTORY**

---

This property has not been before City Council previously.

The recommendations in this report require City Council approval.

Respectfully Submitted,

Respectfully Submitted,



Shauna Zedel, A. Exec. Dir., Financial Strategy & Sustainability

1/21/2021



Barry Lacey, Exec. Director, Financial Strategy & Sustainability

1/28/2021

Prepared by: Keith Krawczyk, Manager, Real Estate

**ATTACHMENTS**

Appendix A - 5382 2nd Ave. N