



SUBJECT: Update on a Real Estate Matter – Robert Bateman High School Property Acquisition – Direct to Council

TO: Mayor and Members of Council

FROM: Legal Services Department

Report Number: L-22-22

Wards Affected: All

File Numbers: 575-03-N.64

Date to Council: May 17, 2022

Recommendation:

Approve the motion set out in Appendix 'A' to L-22-22;

Direct the City Manager to proceed with a process of public consultation regarding: (1) the proposed disposition to the Halton District School Board of approximately 4.92 acres of City owned land described as Part 2, Plan 20R-19654, located adjacent to Burlington Central High School by way of land exchange and; (2) the proposed long-term leaseback and lease of portions of the Robert Bateman High School site to the Halton District School Board and Brock University, all of which are proposed in connection with the planned acquisition of the Robert Bateman High School site by the City of Burlington; and

Direct that the City Manager report back on status of public consultation at the Corporate Services, Strategy, Risk and Accountability meeting of June 6, 2022, with a further detailed report and recommendations to Council at the Regular Meeting of Council on June 21, 2022.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
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Background and Discussion:

The City's procedure regarding disposition of real property prescribes a two-stage public process in situations where the City intends to dispose of City owned land or enter into long term leases with respect to City land.

This report is being brought forward in relation to the planned acquisition of the Robert Bateman High School site (the "Bateman Campus") from the Halton District School Board ("HDSB"). In connection with that planned acquisition, the City proposes to convey, by way of land exchange, certain City owned lands to the HDSB as furthermore described in this report. The City also proposes to enter into a long-term leaseback and lease of portions of the Bateman Campus to HDSB and Brock University.

Approval of the recommendations in this report will allow staff to initiate a formal process of public consultation, inviting public input and comments on the proposed disposition of City land through land exchange and leaseback of a portion of the Bateman Campus. Staff would report back with a status update on public consultation at the June 6, 2022 Corporate Services, Strategy, Risk and Accountability meeting, with a formal report and recommendations to follow at the regular meeting of Council on June 21, 2022.

Bateman Campus and Land Exchange Proposal

As previously reported to Committee and Council, the Bateman Campus is an approximately 12.79 acre site, with a two-story brick building comprising approximately 212,270 square feet. Until 2020, the site was the location of Robert Bateman High School. The site is also the location of Centennial Pool, a City operated facility. The school was declared surplus by the HDSB in June 2021. The City of Burlington subsequently submitted a conditional offer to purchase the Bateman Campus, which has been accepted by HDSB subject to ongoing efforts by both parties to satisfy conditions of the transaction.

In connection with the City's offer to purchase the Bateman Campus, Council has endorsed next steps related to the proposed conveyance to the HDSB, by way of land exchange, of approximately 4.92 acres of City owned land, at the location of Central High School in Burlington (the "Central Field"). The portion of the City owned Central Field that is subject of this proposed land exchange is currently improved with facilities supporting the Central High School property including a football field, running track, driveway and a small portion of the school buildings. The portion of the lands described as the Central Field and that are subject of the proposed land exchange are identified in the sketch on Appendix "B".

With regard to the future of the Burlington Central High School, the Board has assured the City that it has no plans to cease operating the facility for the foreseeable future. Since the implementation of the 2017 Burlington Secondary School Pupil Accommodation Review, the Board has invested approximately \$7.8 million dollars in the facility through various renewal and accessibility initiatives, which is further evidence that the Board intends to continue operating the facility for the foreseeable future.

Moreover, in the 2020/21 Long-term Accommodation Plan, the Board has identified as a future Capital Priority Consideration reconstructing the Burlington Central High School and potentially Central Public School, while considering other public uses as part of the rebuild (e.g. childcares).

Upon completion of a transaction to acquire the Bateman Campus, the City would lease back a portion of the Bateman Campus to the HDSB, for an initial duration not to exceed 25 years, with opportunity for future renewals. Additionally, the City proposes to lease a portion of the Bateman Campus to Brock University to support its post-secondary educational use planned for the site.

The acquisition of the Bateman Campus and long term leaseback and lease of a portion of that facility will secure this valued community asset in City ownership, ensuring continued opportunities for community and educational uses at the Bateman Campus. The proposed exchange of the Central Field in connection with this transaction will secure in HDSB ownership an important component of the Central High School property, consistent with the long term intention of the HDSB for the continuing operation of the Central High School property as a school.

Financial Matters:

Financial matters related to this real property transaction have been previously reported to Council through separate earlier confidential reports.

Engagement Matters:

This matter has been the subject of previous public process including the following:

- June 23, 2021: HDSB announcement declaring Robert Bateman High School facility surplus to its need and to circulate it for purchase;
- June 24, 2021: City of Burlington announcement regarding intention to submit expression of interest for purchase of the Bateman Campus;

- November 15, 2021 – Report CM-26-21 providing an update on the proposed acquisition of the Bateman Campus;
- December 14, 2021 – Report EICS 20-21: Robert Bateman Building – Preliminary Design, Environmental, Architectural and Engineering Services
- February 7, 2022 – City of Burlington announcement regarding Council approval of next steps for the potential purchase of the Robert Bateman High School site.

Following approval of the recommendations in L-22-22, community engagement will be invited through formal written public notice of this proposed land exchange and leaseback transaction. The following are the steps will be taken following consideration and approval of L-22-22:

1. Publication of the approved resolution arising out of L-22-22 in the Council minutes;
2. Publication of the approved resolution on the City’s website;
3. A City of Burlington media release inviting public comments and input; and
4. City Manager to report back on status of public consultation at the Corporate Services, Strategy, Risk and Accountability meeting of June 6, 2022, with a further detailed report and recommendations to Council at the Regular Meeting of Council on June 21, 2022.

Conclusion:

Approval of the recommendations contained in this report will endorse next steps to advance the proposed acquisition of the Bateman Campus, including notice of intention to convey City owned lands to the HDSB as a land exchange component, and intention to enter into long-term lease arrangements for the Bateman Campus.

Approval of these recommendations will also initiate a formal process of public input and consultation with a reporting back to Committee and Council during the upcoming cycle of meetings in June 2022.

Respectfully submitted,

Ron Steinginga
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Appendices:

- a. Motion re Exchange Lands and Long-Term Lease Declaration of Intent and Public Process
- b. Central Field – Proposed Land Exchange Parcel

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.

Appendix 'A'

Language for motion recommended to be approved by Council:

Whereas the City of Burlington owns 4.92 acres of the Central High School site including the football field, running track, driveway and a small portion of the school buildings (the "Central Field"); and

Whereas the Halton District School Board desires to own the Central Field to ensure continued use of the land by the Halton District School Board for school purposes; and

Whereas the Halton District School Board is disposing of the 14.6 acre Robert Bateman High School site consisting of a high school site together with a city pool (the "Bateman Campus") declared surplus by the Halton District School Board in 2021; and

Whereas the City desires to acquire ownership of the Bateman Campus for City purposes including a pool, library, and community centre, as well as housing academic programming for a satellite campus of Brock University; and

Whereas the Halton District School Board wishes to enter into a long-term lease for leaseback of a portion of the Bateman Campus to accommodate educational uses and uses ancillary thereto; and

Whereas Brock University wishes to pursue a long-term lease for a portion of the Bateman Campus to accommodate post-secondary educational uses and uses ancillary thereto; and

Whereas the City and HDSB desire to exchange lands and enter into a long-term leaseback lease subject to various conditions including public input;

Therefore be it resolved that:

In connection with the City's proposed acquisition of the Bateman Campus, 5151 New Street from the Halton District School Board, declare the City's intention to convey to the Halton District School Board, by way of land exchange, the Central Field, being an approximately 4.92 acre parcel of City owned land described as Part 2, Plan 20R-19654 with a municipal address of 1371 Baldwin Street; and

Declare the City's intention to enter into a long-term leaseback lease with the Halton District School Board for a portion of the Bateman Campus;

Declare the City's intention to enter into a long-term lease with Brock University for a portion of the Bateman Campus;

Consider this matter at the at the Community Services, Strategy, Risk and Accountability meeting of June 6, 2022 and at the Regular Council meeting of June 21, 2022; and;

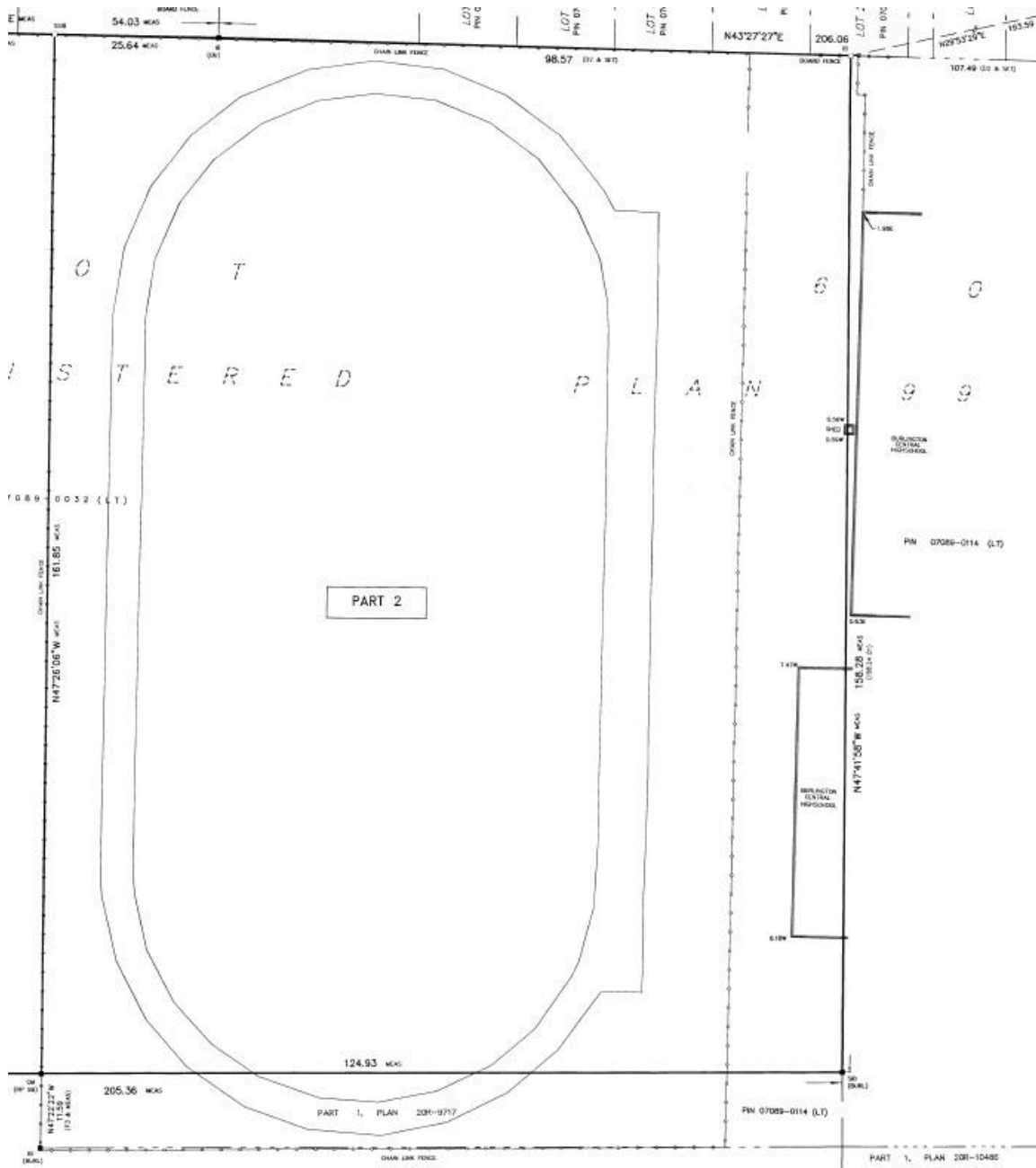
Provide notice of this matter in the following means:

1. Publication of this resolution in the Council minutes;
2. A media release inviting public comments and input and;
3. Publication of this resolution on the City's website.

Appendix 'B'

Central Field

Proposed Land Exchange Parcel, being lands described as Part 2, Plan 20R-19654



BALDWIN STREET
(BY REGISTERED PLAN 310)
PM 07089-0002 (LT)