

EDMONTON PUBLIC SCHOOLS

June 14, 2004

TO: Board of Trustees

FROM: A. McBeath, Superintendent of Schools

SUBJECT: Long Term Lease at Westmount School

ORIGINATOR: A. Habinski, Executive Director School and District Services

RESOURCE Jenise Bidulock, Michael Ediger, Kathy Goudreau, Gary Holroyd, Roland
STAFF: Labbe, Deanne Patsula

RECOMMENDATION

That a five-year lease of a portion of Westmount School to the Alberta Association of Architects, be approved.

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Background

The Alberta Association of Architects approached the district in the fall of 2003 expressing interest in developing a new administrative office for the Association, as well as a public gallery and an Architectural Learning and Resource Centre, within surplus district school space. The Association feels that the proposed use of surplus school space is a highly compatible use to an operating public education facility and offers an opportunity to model creative re-use of such space versus demolition. The opportunity to locate such facilities within an operating school would offer educational benefits to students and staff at Westmount School and to all students in the district. This would be supported through student exposure to the study, training and practices of the architectural profession in Alberta and beyond. Access to seminars, presentations, exhibitions, and functions within the Centre would be provided, as well as access to the Architectural Archives and Library Resource materials. It is also the intention of the Association to develop an expanded educational relationship with the district to foster student work experience and career counseling opportunities, and explore curriculum linkage opportunities related to the design and construction careers and professions. A draft Memorandum of Understanding has been developed to clarify the intentions and objectives of the proposed tenancy and possible educational partnership (Appendix I).

Westmount School Preservation Project

Westmount School currently accommodates 265 junior high students in a regular program and two special education district centre classes. Total capacity in accordance with the current provincial formula is 708 students, and the corresponding utilization rate is thirty nine percent. A three-year enrolment projection provided by administrative staff forecasts a stable enrolment trend.

The Capital Project Design Report for the modernization of Westmount School was approved by the Board of Trustees on February 24, 2004. The design report recommended that capital funds

available for this project be directed to the core 1913 wing of the facility. As part of the modernization project, the classrooms and functions currently housed in the 1970 addition, including the drama, music, home economics and industrial arts classrooms, as well as student washrooms, the general office and the staff room, will be relocated to the 1913 core portion of the building. The core 1913 portion of the building will have an approximate total capacity of 524 students once the relocations are completed.

Within the 1970 wing, the gymnasium and change rooms will remain actively used by students, and vacated spaces will be available for lease. An 829 square meter area to be vacated in the 1970 wing is proposed for lease to the Alberta Association of Architects (Appendix II). As a not for profit tenant, the lease area will be recognized as an exempt use of surplus school space, reducing official school capacity and improving the Westmount School utilization rate.

Proposed Lease Terms

It is the Association's intent to invest capital both within in the interior and on the exterior envelope of the lease portion of the building, where alterations which enhance the aesthetics and environmental efficiency of the lease portion of the building can be implemented and modeled. Parking lot improvements will also be capitalized if required to meet city bylaw requirements. The proposed lease would be for an initial five-year term, with two five-year renewal options. The lease rate would reflect the district's current Category F rate of \$7.50 per square meter, less \$1.09 per square meter to reflect direct utility cost absorption by the Association, for a total of \$6.41 per square meter. The lease category would be subject to review once the Architectural Learning and Resource Centre is fully established and the educational partnership has evolved sufficiently.

Authority to Lease

Revisions to the Disposition of Property Regulations within the School Act which proposed to require ministerial consent on leases have yet to be formally adopted. Section 2 (1) (b) (iii) of the School Act, Alberta Regulations states that "a board may, without the approval of the Minister, lease a school building or portion of it for use at any time for a period exceeding 7 days during the time when instruction is normally provided to students in that building or portion of it" (Appendix III). Subject to Board approval of this recommendation, the administration will proceed with endorsement of the Memorandum of Understanding and execution of a formal lease. As stipulated in the Alberta Regulations, information on the lease will be provided to the Ministers of Alberta Learning and Alberta Infrastructure once executed.

Information on final lease execution and tenancy will be provided through Transmittal Memorandum.

ReL:cp

Appendix I	Draft Memorandum of Understanding
Appendix II	Floor Plan Indicating Surplus Space Available for Lease
Appendix III	School Act and Alberta Regulations related to Disposition of Property Regulations

APPENDIX III

(Consolidated up to 13/2004)
ALBERTA REGULATION 3/2001
School Act
DISPOSITION OF PROPERTY REGULATION

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Interpretation

1(1) In this Regulation,

(a) "Act" means the School Act;

(b) "Government contribution" means money provided by the Government to a board for a school building project and includes all money paid to a board from the former School Foundation Program Fund;

(c) "school day" means a day of school operation specified under section 56 of the Act.

(2) A reference to "Minister" in a provision in this Regulation is to be read as a reference either to the Minister of Learning or the Minister of Infrastructure, depending on which Minister is designated as the Minister for the purpose of the provision in an agreement between the Ministers.

AR 3/2001 s1;251/2001

Lease of real property

2(1) Notwithstanding section 200(2) of the Act, a board may, without the approval of the Minister,

(a) lease any real property that is neither a school building nor a portion of a school building, and

(b) lease a school building or portion of it for use

(i) at any time during which instruction is not normally provided to students in that building or portion of it,

(ii) on a school day for a period not exceeding 7 days during the time when instruction is normally provided to students in that building or portion of it, or

(iii) at any time for a period exceeding 7 days during the time when instruction is normally provided to students in that building or portion of it.

(2) On leasing a school building or portion of it under subsection (1)(b)(iii), the board shall

(a) keep the lease agreement on file at the board's offices, and

(b) provide to the Minister any information related to the leasing of the school space that the Minister requires.

(3) When, in the opinion of the Minister, space is available in a school building, the Minister may direct the board operating the school to make that space available to another board.

AR 3/2001 s2;251/2001