



## Kawartha Pine Ridge District School Board

### Administrative Regulation

**Regulation Name: Sale/Disposal of Real Estate**

**Section:** Business and Administrative  
Services

**Regulation Code: BA-6.5.1**

**Policy Code Reference: BA-6.5**

**Established:** February 17, 2020

**Revised or**

**Reviewed:** October 29, 2009; February 27, 2014; February 25, 2020;  
February 18, 2025

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### 1. Objective

The Kawartha Pine Ridge District School Board has the authority to sell, lease or otherwise dispose of any of its school sites or parts of a school site. This administrative regulation will outline the process for the sale/disposition of surplus real estate/property.

### 2. Definitions

#### Board

The corporate board which maintains the daily operation of the system; Kawartha Pine Ridge District School Board; a reference specifically pertaining to Kawartha Pine Ridge District School Board as a legal entity; also referred to as KPR or KPRDSB.

#### Board of Trustees

The elected governance branch of the Board.

#### Discretionary Disposition

The board may sell, lease or otherwise dispose of a school site, part of a school site or other property of KPRDSB if the Board adopts a resolution that the property is not required for the purposes of the KPRDSB or that the disposition is a reasonable step in a plan to provide accommodation for pupils.

#### Easement

A right-of-way, right or licence to cross or otherwise use KPRDSB owned land for a specified purpose.

#### Fair Market Value

The highest price available in an open and unrestricted market between informed, prudent parties, acting at arm's length and under no compulsion to act, expressed in terms of money or money's worth. The advice of an Accredited Member of the Appraisal Institute of Canada (AACI) must be relied upon in determining the fair market value of properties that may be disposed of under the provision of Ontario Regulation 374/23.

#### Mandatory Disposition

If KPRDSB has identified, through the reports and information required under Section 193.1 of the Education Act, that a school site or other property of the board is not

currently being used and the site or property is not needed to meet current pupil accommodation needs or pupil accommodation needs for the next 10 years, the Minister of Education may direct KPRDSB to dispose of the property.

#### **Policy**

A statement of intent, governing principle or end result, adopted by the Board of Trustees in open public session; it is intended to articulate what must be done, the rationale for it and a framework for the system.

#### **Real Property**

Real property refers to any land, any structures attached to that land (i.e., buildings), and the rights associated with the land and its structures. Real property will also be referred to throughout the policy and administrative regulation documents as real estate.

### **3. Application**

This administrative regulation applies to all staff, trustees, and consultants involved in the sale/disposition of real estate/property.

### **4. Responsibility**

The Board of Trustees is responsible for reviewing reports brought forward by senior administration and to approve the sale/disposition of real estate/property.

The Director of Education is responsible to allocate staff and resources to support this administrative regulation.

Superintendent, Business and Corporate Services, or designate, is responsible for the implementation of this administrative regulation.

Manager, Planning Services is responsible to complete an annual review of real property owned by the board to determine if a school site or other property owned by the board that is not currently being used, is needed to meet current pupil accommodation needs or pupil accommodation needs for the next 10 years.

### **5. Procedure**

#### **5.1**

The discretionary and mandatory disposition of real property, including the granting of easements, will be completed in accordance with Ontario Regulation 374/23.

#### **5.2**

A sale or other disposition must be at fair market value with the exception as provided in Section 7 of Ontario Regulation 374/23. An appraisal from an Accredited Member of the Appraisal Institute of Canada (AACI) will be obtained to assist in determining fair market value.

**5.3**

In the event that the Minister of Education informs the board that it may offer the property to any person or body, the Real Estate Disposal Committee will oversee the disposition of the real estate. The Real Estate Disposal Committee, which consists of the following or their designate will be formed:

- Director of Education
- Superintendent, Business and Corporate Services
- Manager, Planning Services
- Executive Officer, Facilities Services
- Manager, Procurement and Central Services
- Trustee

**5.4**

On the recommendation of the Real Estate Disposal Committee, the Board of Trustees will be asked to approve the realty company to be retained to market and sell the real estate.

**5.5**

The Real Estate Disposal Committee will select a realtor through the Request for Proposal which would require written submissions from the realty company, in which they describe, among other factors, the following:

- the firm's overall strategy to dispose of the real estate
- identification and qualifications, background experience of the lead agent(s) for the sale
- sales information in previous commercial and institutional sites sold by the company
- an outline of how they would advertise and market the real estate
- the expected commission rate
- a suggested listing price and the supporting market analysis used to make that determination
- proof of insurance and indemnification from all claims, costs, actions, suits, damages or expenses which may arise by reason of the execution of its contract or the performance of any of the terms of its contract or in any way incidental to the contract.

**5.6**

On the recommendation of the Real Estate Disposal Committee, the Board of Trustees will be asked to approve the listing price for sale based on the appraisal(s) received.

In disposing of surplus real property, it is the board's intent to obtain the price most advantageous to the board, therefore a deadline in which to receive offers will be established. Once that deadline has passed, any and all reasonable offers that were received by the deadline will be received by the Real Estate Disposal Committee for presentation to the Board of Trustees.

**5.7**

All offers on surplus real estate will be subject to approval by the Board of Trustees.

The Board of Trustees is not bound to accept the highest or any offer and may consider and give weight to such factors as it deems appropriate in the circumstances when considering offers. The Board of Trustees has the unfettered discretion to accept or reject any or all offers, or to instruct the Superintendent, Business and Corporate Services, or designate to:

**5.7.1**

sign back any offer; or

**5.7.2**

to engage in further negotiations with one or more potential purchasers and report back to the Board of Trustees for approval of any revised offer; or

**5.7.3**

to authorize the Superintendent, Business and Corporate Services, or designate, to engage in further negotiations with authority to accept a revised offer with within certain parameters as may be determined by the board; or

**5.7.4**

take such other steps as the Board may determine in its sole discretion.

**5.8**

Following acceptance of the offer, the signing officers of the board (in accordance with Board Policy No. B-1.4, Signing Officers of the Board) shall be authorized to sign and seal all necessary legal documents to complete the transfer of real estate.

**5.9**

The Superintendent, Business and Corporate Services, or designate, will advise the Ministry of Education of the sale of site following the closing.

**6. Related Policies, Administrative Regulations or Procedural Documents**

Board Policies:

[BA-6.5, Purchase and Sale/Disposal of Real Estate](#)

[B-1.4, Signing Officers of the Board](#)

[BA-5.1, Procurement Procedures](#)

Administrative Regulations:

[BA-6.5.2, Lease of Real Estate](#)

[BA-6.5.3, Purchase of Real Estate](#)

[BA-5.1.1, Procurement Procedures](#)

## 7. Reference Documents

Legislation:

[Education Act, Sections 194\(3\)](#)

[Ontario Regulation 374/23, Acquisition and Disposition of Real Property](#)

Other Documents:

[Kawartha Pine Ridge District School Board Education Development Charges](#)

[Background Study - City and County of Peterborough](#)

[Kawartha Pine Ridge District School Board Education Development Charges - Municipality of Clarington](#)

[Kawartha Pine Ridge District School Board Long Term Accommodation Plan](#)