



## **Terry Fox Public School Conveyance for Site Plan Approval**

**To:** Finance, Budget and Enrolment Committee

**Date:** 16 June, 2021

**Report No.:** 06-21-4130

### **Strategic Directions**

- Provide Equity of Access to Learning Opportunities for All Students
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

### **Recommendation**

It is recommended that:

- a) a small irregular shaped parcel of vacant land forming part of the Terry Fox Public School property, legally described as Part 1, Plan 66R-31758, City of Toronto, having an area of 3.4 square metres, be conveyed to the City of Toronto for the purposes of providing a public sidewalk;
- b) pursuant to Section 194(3)(b) of the Education Act it be resolved that the conveyance described in a) is a reasonable step in the plan to provide accommodation for pupils on the Terry Fox Public School site; and
- c) the Toronto Lands Corporation be authorized to implement the conveyance.

### **Context**

Terry Fox Public School has been approved for a childcare and classroom addition. The project was issued for tender and is awaiting approval from the Ministry of Education, to award the construction contract and commence construction. The Notice of Approval Conditions (NOAC) has been issued by the City of Toronto, which is the final step in the Site Plan Approval (SPA) process.

The City requires a 3.4 square metre curved portion of the Terry Fox PS site to be conveyed as part of SPA. This small section of land is adjacent to the sidewalk, as

detailed in Appendix A. The intent of the conveyance is to provide a curved sidewalk configuration.

The land to be conveyed to the City is legally described as Part 1 of Plan 66R-31758, City of Toronto, deposited on title on February 23, 2021. The Reference Plan is shown in Appendix B.

Staff have determined that the land to be conveyed is not required for educational purposes and does not impact the ability of the Terry Fox PS site to accommodate pupils.

The conveyance of this land to the City is not subject to Regulation 444/98, Disposition of Surplus Real Property and Acquisition of Real Property. Regulation 444/98 only applies when the Board adopts a resolution under section 194(3)(a) of the Education Act that the property or interest therein being disposed of “is not required for the purposes of the Board”. If the resolution adopted is under section 194(3)(b) *that the disposition is a reasonable step to provide accommodation for pupils on the site*, then Regulation 444/98 does not apply.

## **Action Plan and Associated Timeline**

If approved, the Toronto Lands Corporation will implement the conveyance of the land to the City of Toronto.

## **Resource Implications**

There are no resource implications. The land conveyance is a requirement of the Site Plan Approval process. It is a very small piece of land that only the City can use. The TDSB has no choice in the land conveyance (it is necessary to proceed with the capital project). There is only one party that can receive the land conveyance – the City (other parties cannot express interest). The City is acquiring the land for free (not at fair market value).

## **Communications Considerations**

The land conveyance is part of a previously approved TDSB project – an addition and interior renovation. The process to design the addition included a community meeting presenting the entire project.

## **Board Policy and Procedure Reference(s)**

Not applicable.

## **Appendices**

- Appendix A: Terry Fox PS – Partial Site Plan Showing the Land Conveyance
- Appendix B: Terry Fox PS – Registered Plan Showing the Land Conveyance

**From**

Craig Snider, Interim Associate Director, Business Operations and Service Excellence at [craig.snider@tdsb.on.ca](mailto:craig.snider@tdsb.on.ca) or at 416-395-8469.

Maia Puccetti, Executive Officer, Facilities and Planning at [maia.puccetti@tdsb.on.ca](mailto:maia.puccetti@tdsb.on.ca) or at 416-397-3004.

Marisa Chiu, Interim Executive Officer, Finance at [marisa.chiu@tdsb.on.ca](mailto:marisa.chiu@tdsb.on.ca) or at 416-395-3563.

Andrew Gowdy, System Planning Officer, Strategy and Planning at [Andrew.gowdy@tdsb.on.ca](mailto:Andrew.gowdy@tdsb.on.ca) or at 416-394-3917.