

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: 39T-04503 - Claybar Subdivision Phase 3
Disposition of School Site
2830, 2846 and 2870 Tokala Trail

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the applications of Claybar Developments Inc., Calloway Reit (Fox Hollow) and Foxwood Developments (London) Inc., owners of the potential school site located on the north side of Tokala Trail, west of Sedgefield Row, known municipally as 2830, 2846 and 2870 Tokala Trail and legally described as Block 204 on Plan 33M-676, Part 20 on 33R-17347 and Block 99 on Plan 33M-685 **BE ADVISED** that the City has no interest in acquiring the said property for municipal purposes.

Analysis

1.0 Site at a Glance

1.1 Property Description

When the Claybar Subdivision was adopted by Council in October of 2009, a school site was identified for the purpose of an elementary school. This site resides within different plans of subdivisions, those being 33M-676 and 33M-685, as well a block outside of a plan of subdivision.

This potential school site is located on the north side of Tokala Trail, at the north limits of Dalmagarry Road, and is known municipally as 2830, 2846 and 2870 Tokala Trail and legally described as Block 204 on Plan 33M-676, Part 20 on 33R-17347 and Block 99 on Plan 33M-685.

In accordance with the Subdivision Agreement, School Boards have three (3) years to purchase the site, from the date on which seventy percent (70%) of the dwelling units within the subdivision have had building permits issued or when the servicing of the subject site is completed to the satisfaction of the City Engineer, whichever is the later. If School Boards do not require the site, then the City has two (2) years from the same date on which the right to purchase by School Boards has expired or was waived, as the case may be, to give notice of intent to purchase the site for municipal purposes.

As of October 2, 2019, none of the four (4) school boards had expressed any interest in acquiring the site for the purpose of a new school.

Council Policy 19(34A), sets out the procedure for the City of London to consider acquisition of a potential school site, once School Boards have waived their right to acquire the potential school site. Firstly, Civic Departments are to be liaised to determine whether or not it is appropriate for the City to acquire the property for municipal purposes. Secondly, Development Services shall bring forth a report to the Planning and Environment Committee, who in turn shall make a recommendation to City Council, whether or not to purchase the site. Should Council determine that the subject property not be purchased, Development Services shall immediately notify the Owner, in writing, that the City has waived its right to purchase.

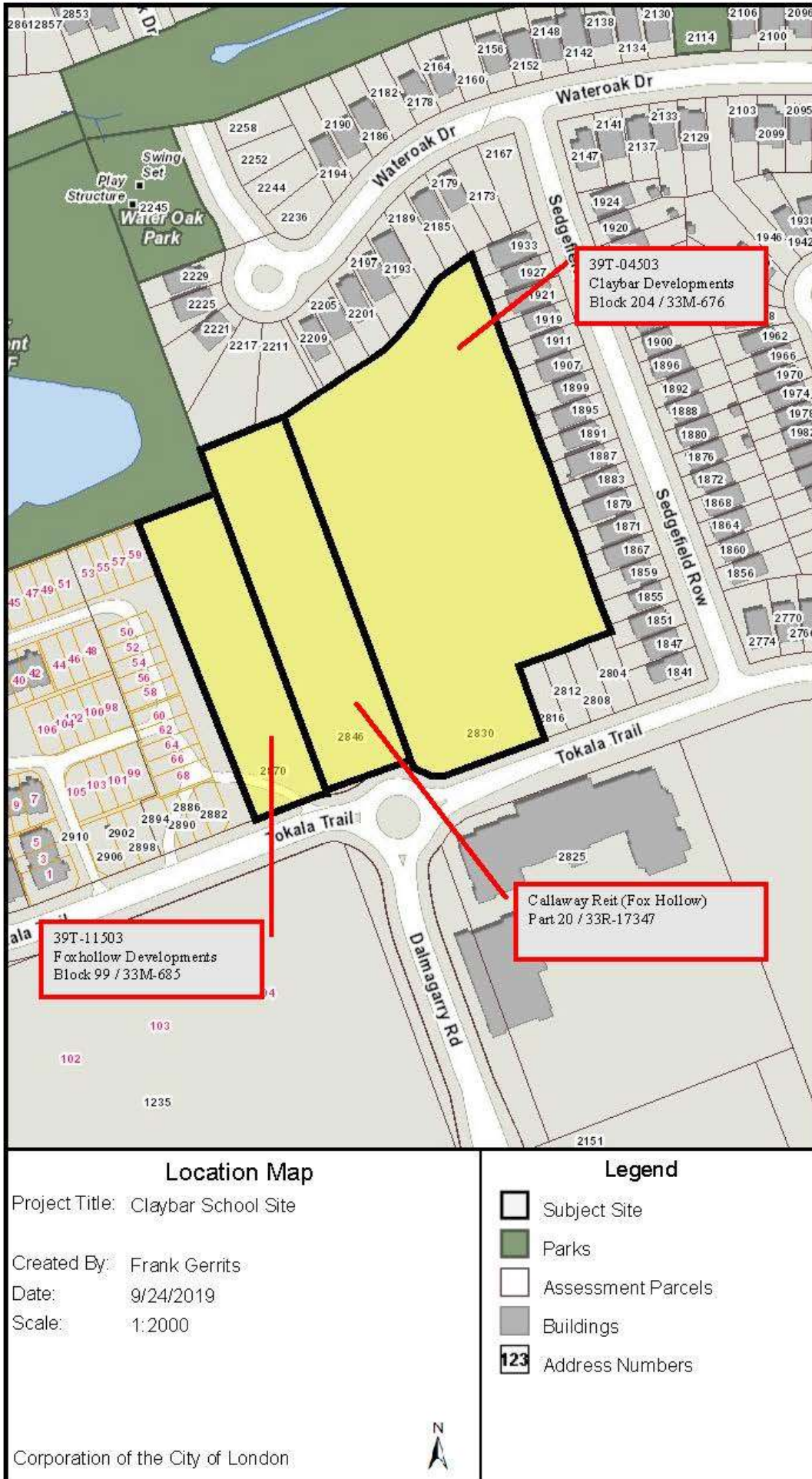
By letter dated November 3, 2016, the Thames Valley District School Board, the London District Catholic School Board, the Conseil Scolaire de District du Centre Sud Ouest and the Scholastic Council of Catholic Schools Southwestern Region were notified that building permits were issued to seventy percent (70%) of the units on or about October 2, 2016, thus commencing the School Boards option period and that they have until October 2, 2019 to exercise their right to purchase.

On September 24, 2019, a letter was sent to the Manager of Realty Services, indicating that the School Boards option is set to expire on October 2, 2019 and that without any expression of interest being received from either of the four (4) School Boards by October 2, 2019 that the City's option to purchase the site shall commence for a period of two (2) years.

Subsequently, on October 10, 2019, the Realty Service Division had liaised with internal Departments and external agencies to determine if there was any interest in acquiring all or a portion of the lands. On, November 8, 2019, Realty Services had indicated that there was no interest expressed by any of the parties.

As no Civic Departments have indicated an interest to acquire the property and the City has considered acquisition of this Block in accordance with Council Policy 19(34A), it is recommended the that Owner be advised that the City waives it right to purchase the land.

1.2 Location Map Proposed School Site



Prepared by:	Frank Gerrits Development Documentation Coordinator Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

November 25, 2019
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CC: Matt Feldberg Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ted Koza, Manager, Development Engineering