

City Council

Notice of Motion

MM19.22	ACTION			Ward: 2
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15 and 35 Trehorne Drive Encroachment Agreement - by Councillor Stephen Holyday, seconded by Councillor Vincent Crisanti

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Stephen Holyday, seconded by Councillor Vincent Crisanti, recommends that:

1. City Council direct the General Manager, Transportation Services, to negotiate and enter into an Encroachment Agreement with the property owner at 15 and 35 Trehorne Drive to maintain a private manhole in the municipal boulevard abutting the Royal York Road frontage of the property after the land has been conveyed.

Summary

Scarlett Heights (15 Trehorne Drive), a former high school site, was declared surplus by the Toronto District School Board on June 29, 2022. The Toronto Catholic District School Board provided an expression of interest on February 10, 2023, to acquire the Scarlett Heights building and property to address its student accommodation needs, including the establishment of a new high school.

As part of the process, the Board decided that new property lines be established for the property containing the Scarlett Heights school building and Hilltop Middle School (35 Trehorne Drive) to create two parcels; allowing the east parcel containing the former high school to be declared surplus and sold.

The Etobicoke York Committee of Adjustment approved the Consent Application on Condition on August 2, 2023, under file B0004/23EYK.

Among the conditions is a requirement to convey land to the City:

The owner shall convey to the City, at nominal cost, a 0.40 metre wide strip of land along the Royal York Road frontage of the property in order to satisfy the requirements of a 27 metre wide future right-of-way in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services and the City Solicitor.

A manhole which provides access to the site stormwater connection has been found to be located on the edge of the site, within the 0.40 metre wide strip of land to be conveyed to the City as part of the conditions for consent. The manhole is considered a private encumbrance, and must be addressed in order to satisfy the condition.

The purpose of this motion is to provide City Staff with the authority to enter an encroachment agreement for the manhole, an administrative process which requires approval from City Council.

Compliance with the conditions of consent are time sensitive. Moreover, completion of the surplus and sale of lands for a high school site are of civic importance, and any delay can have material impact to the community and to the school boards.

Background Information (City Council)

Member Motion MM19.22