

Development Services Committee – May 9, 2022

Durham District School Board Request for City to Sign Development-related Application Forms for a Building Addition to the Mary Street Community School Located on City-owned Lands at 110 Mary Street North (Ward 4)

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That the Development Services Committee recommend to City Council:

Whereas, the City of Oshawa owns the lands bounded by Mary Street North, William Street East, Ontario Street and Colborne Street East, known municipally as 110 Mary Street North (the “City-owned Lands”); and,

Whereas, the Mary Street Community School occupies the easterly portion of the City-owned Lands (see Attachment 1); and,

Whereas, the Durham District School Board (“D.D.S.B.”) plans on constructing a new classroom wing addition and demolishing a portion of the existing school building, relocating the school parking lot and constructing new children’s outdoor areas (see Attachment 2); and,

Whereas, in 2021, the D.D.S.B. expressed their intent to undertake the proposed construction which resulted in the City and the D.D.S.B. entering into a new and refreshed lease for the City-owned Lands effective February 28, 2022 at the direction of Council; and,

Whereas, the lease has a term ending September 1, 2083; and,

Whereas, all development-related applications submitted to the City, such as applications for Site Plan Approval and building permits must be signed by the registered owner of the lands; and,

Whereas the lease agreement itself does not authorize the D.D.S.B. to submit any development-related applications for the City-owned Lands to the City without having first secured the City’s authorization to do so given that the City is the registered owner of the City-owned Lands; and,

Whereas, the Delegation of Authority By-law 29-2009 does not contemplate providing the Commissioner of Development Services the authority to sign any development-related applications, such as the proposed applications by the D.D.S.B. for Site Plan Approval and associated building permits on the City-owned Lands, on behalf of the City of Oshawa; and,

Whereas, the signing of an authorization by a landowner to advance a development-related application form does not constitute any form of approval of the subject application;

Therefore be it resolved that pursuant to Item DS-22-110, the Commissioner of Development Services be authorized to sign the applicable owner's authorization on behalf of the City for the Site Plan Approval application form, Site Alteration Permit form, building permit application form and any other necessary development-related application form required to be submitted by the Durham District School Board for the construction of a new building addition, new parking lot, and associated grading, servicing and landscaping work at 110 Mary Street North.



