

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 9, 2015

FROM: Legal Department

DATE: January 8, 2015

SUBJECT: Partial Release of Agreement H376822 and Partial Release of Easement H376829 - Westbury International (1991) Corporation - S.P. 1401.065/01

LOCATION: 2201 Bristol Circle

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RECOMMENDATION:

That a Partial Release of Agreement H376822 and a Partial Release of Easement H376829 be executed in accordance with By-law 2013-057.

KEY FACTS:

The following are key points for consideration with respect to this report:

- As a condition of site plan approval for its property at 2201 Bristol Circle, Westbury International (1991) Corporation “(Westbury)” transferred certain lands to The Regional Municipality of Halton (the “Region”) shown on Plan 20R-19928: Parts 2, 4 and 5 for a road widening on Winston Churchill Boulevard; Parts 6, 7 and 8 for a road widening on Upper Middle Road East; and Parts 15, 16 and 17 for a 0.3 m. reserve (collectively, the “Region Lands”).
- The Region Lands are subject to a Subdivision Agreement in favour of the Town registered as H376822.
- Parts 2 and 4 are subject to an Easement in favour of the Town registered as H376829.
- In order to provide clear title to the Region, Westbury is required to obtain releases of this Agreement and Easement with respect to the Region Lands.

BACKGROUND:

See key facts.

COMMENT/OPTIONS:

The Development Engineering Department has no objection to the release of Agreement H376822 with respect to the Region Lands. The Engineering and Construction Department has no objection to the release of Easement H376829 with

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respect to Parts 2 and 4 on Plan 20R-19928. The Legal Department does not consider there to be an exposure to the Town in partially releasing this Agreement and Easement. Attached as Appendix "A" is Plan 20R-19928, which shows the location of the lands being released. A full-size copy of Plan 20R-19928 is available for inspection in the Legal Department.

CONSIDERATIONS:

(A) PUBLIC

The partial releases of this Agreement and Easement will facilitate the transfer of lands to the Region.

(B) FINANCIAL

There are no financial considerations in partially releasing this agreement and easement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There is no impact on other departments or users.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do

(E) COMMUNITY SUSTAINABILITY

This issue addresses the economic aspect of the community.

APPENDICES:

Appendix "A" – Plan 20R-19928

Prepared by:

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Submitted by::

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Town Solicitor