



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 4, 2017

FROM: Legal Department

DATE: October 31, 2017

SUBJECT: Release of Easement HR1290642 – Charles Biggar Drive – Plan 20M-1192

LOCATION: Charles Biggar Drive

WARD: 5

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RECOMMENDATION:

That a Transfer Release and Abandonment of Easement HR1290642 be executed in accordance with By-law 2013-057.

KEY FACTS:

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

- In connection with Davis-Minardi Home Corp. Plan 20M-1164, the Town acquired a temporary turning circle easement at the east end of Charles Biggar Drive from the abutting landowner, Pendent Developments Limited. The Transfer of Easement was registered on August 14, 2015 as HR1290642.
- The abutting lands have now been registered as Plan 20M-1192 (Mattamy Preserve Phase 3A) with Charles Biggar Drive continuing through this plan, and the turning circle easement is no longer required.

BACKGROUND:

In connection with Davis-Minardi Home Corp. Plan 20M-1164, the Town acquired a temporary turning circle easement at the east end of Charles Biggar Drive from the abutting landowner, Pendent Developments Limited. The Transfer of Easement was registered on August 14, 2015 as HR1290642. The abutting lands have now been registered as Plan 20M-1192 (Mattamy Preserve Phase 3A) with Charles Biggar Drive continuing through this plan, and the turning circle easement is no longer required.

COMMENT/OPTIONS:

The Development Engineering Department has no objection to the release of Easement HR1290642. The Legal Department does not consider there to be any

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exposure to the Town in releasing this easement. Attached as Appendix A is Plan 20M-1192 showing the location of the easement.

CONSIDERATIONS:

(A) PUBLIC

The release of this easement will remove an extraneous registration on title.

(B) FINANCIAL

There are no financial considerations in releasing this easement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There is no impact on other departments and 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 sustainability of the community.

APPENDICES:

Appendix A – Plan 20M-1192

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Town Solicitor