

DATE: September 14, 2020

REPORT NO: PD-111-2020

SUBJECT: Recommendation Report
Partial Removal of Site Plan and Subdivision Agreement from
St. Martin's Lands
File No. 2100-003

CONTACT: Alexa Cooper, Planner I
Brian Treble, Director of Planning and Building

OVERVIEW:

- The Niagara Region is constructing a roundabout at the corner of Regional Road 20 and South Grimsby Road 6.
- The Region is looking to purchase Part 3 & 4 on Plan 30R-15845, which is part of the new St. Martin's School site, from the Niagara Catholic District Schoolboard.
- There are currently two agreements registered on the property. One between the Township and Streamside Developments and the other between the Township and the Schoolboard.
- The Region is requesting that these agreements be removed from the land before they purchase them.
- As the Region will be using the land for road infrastructure purposes (round-about), Township Planning Staff have no issues with recommending the removal of the two agreements from the title to the portion of land that the Region intends to purchase.

RECOMMENDATION:

1. That, report PD-111-2020, regarding "Partial Removal of Site Plan and Subdivision Agreements from St. Martin's Lands, File No. 2100-003-13 & 2000-057-13", dated September 14th, 2020 be received; and,
2. That, a bylaw be passed to authorize the Mayor and Clerk to remove the site plan and Streamside subdivision agreement from the portion of the St. Martin's School being conveyed to the Region.

ALIGNMENT TO STRATEGIC PLAN:

Theme #3

- **Strategic, Responsible Growth**

BACKGROUND:

The Niagara Region is currently constructing a roundabout for better traffic flow at the intersection of South Grimsby Rd 6 and Regional Rd 20. In order to proceed with the project, the Region needs to purchase additional lands from the Niagara Catholic School Board, specifically Parts 3 & 4 on Plan 30R-15485 (see attachment 1). The Region has requested that these lands, located on the new St. Martin's School site be conveyed to them free of any agreements or encumbrances.

There are two agreements registered on the property. The first is a subdivision agreement registered in January of 2007 between the Township and Streamside Developments for the development of the Streamside subdivision. The second is a site plan agreement registered in October of 2015 between the Niagara Catholic District School Board and the Township for the construction of St. Martin's school. Since the Township is a party to both agreements, they require our consent in order to be able to remove the agreement from title.

CURRENT SITUATION:

The Region is purchasing Parts 3 & 4 on Plan 30R-15485 (see attachment 1). There are currently two agreements registered on title with the Township of West Lincoln. One was registered in January of 2007 with Streamside Developments and the second was registered in October of 2015 with the Niagara Catholic District Schoolboard.

As this land is to be removed from the ownership of the Niagara District Catholic Schoolboard for infrastructure purposes, the Township has no concerns with the Region's request to remove the two agreements from the portion of land that the Region will be purchasing.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this application. The Region has indicated they will act on the Township's behalf for registration so we do not incur any legal fees.

INTER-DEPARTMENTAL COMMENTS:

There are no inter-departmental comments required for this report as this is a Regional Road widening.

CONCLUSION:

Township Planning Staff recommend that it is appropriate to grant authority to partially remove the subdivision agreement with Streamside Developments and the site plan agreement with the Niagara Catholic District Schoolboard for Parts 3 & 4 on Plan 30R-15485. This will enable the Niagara Region to purchase the land for road infrastructure purposes without any unnecessary agreements registered on title.

ATTACHMENTS:

1. 30R-15485
2. Draft Authorizing Bylaw

Prepared & Submitted by:



**Alexa Cooper,
Planner I**

Approved by:



**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Beverly Hendry
CAO**

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