



Report to Council

Department: Development Services

Division: Planning

Date: June 15, 2020

Prepared by: Rita Jabbour, RPP, Manager, Planning Services

Report Number: Planning2020-11

Subject: Repeal of Site Plan Control Agreement (Parts 1 and 2 on 12R27717)

Number of Pages: 3

Recommendation(s)

That Planning report Planning2020-11 entitled Repeal of Site Plan Control Agreement (Parts 1 and 2 on 12R27717) prepared by Rita Jabbour, Manager, Planning Services, dated June 15, 2020 be received, and

That Council approve Bylaw 1921 to release the Site Plan Control Agreement executed on December 2, 2019 against the lands described as Parts 1 and 2 on 12R-27717, and

That the Town's Solicitor/Clerk be directed to execute all documents necessary to give effect to the actions taken by this Council as described in Bylaw 1921.

Purpose

Similar to Planning Report 2020-09 presented to Council on May 19, 2020 where Council approved the repeal of a subdivision agreement over the lands described as Parts 1 and 2 on 12R-27717, Council's approval of Bylaw 1921 is now being requested to remove the registered Site Plan Control Agreement between the Corporation of the Town of Essex and

Covey Investments Incorporated, over the lands described as Parts 1 and 2 on 12R-27717 to facilitate the sale of Parts 1 and 2 to the Ministry of Transportation (MTO).

Background and Discussion

A request was received at the Planning Division on June 5, 2020, from the solicitor representing the owners of the vacant lands located at the northeast corner of South Talbot Road after discovering title had not yet been fully cleared.

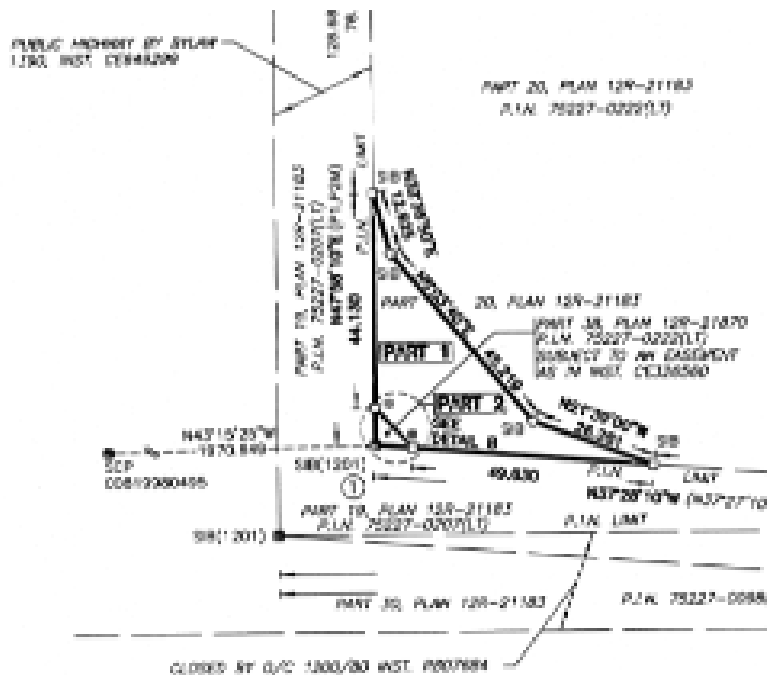
The location of the subject parcel is indicated below:



In his letter, the solicitor notes that the owners of the subject lands have entered into an agreement to convey a portion of their lands to her Majesty, the Queen in right of the Province of Ontario, as represented by the Minister of Transportation (MTO) for the Province of Ontario. These lands are being conveyed to the MTO in order to facilitate the reconfiguration of South Talbot Road. This is necessary to accommodate heavier traffic volumes when South Talbot Road and South Talbot Road North are connected from an arterial road connecting

Victoria Avenue to Maidstone Avenue to compensate for the elimination of the intersection at Victoria and Highway 3.

As a condition of the sale, the MTO has requested a clean title to Parts 1 and 2 as indicated below:



A Site Plan Control Agreement dated December 2, 2019 and registered on March 4, 2020 between the Corporation of the Town of Essex and Covey Investments Incorporated exists over title of the subject property including Parts 1 and 2. The MTO is requesting that the Agreement be removed against Part 1 and 2 on 12R27717 only in order to facilitate the sale of the lands. Reference plan 12R-27717 is attached to this report.

Financial Impact

There is no financial impact on the Municipality.

Consultations

Link to Strategic Priorities

- ☒ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☐ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.