

REPORT

To: Mayor and Council
 From: Faye Flatt, Municipal Planner
 Date: 3 October 2013
 Re: 1204 Strachan Place – Request to delete Notice of Agreement



In 1982, under authority of By-Law #32/82, a subdivision agreement was entered into with Jim's Construction of Fort Frances Ltd. The agreement provided for development standards relative to the "Strachan Place" subdivision and was registered on title to the parent property as A25282 and was subsequently carried forward to each lot as it was sold. The agreement was amended twice. The first was in September of 1983 to amend the guarantee period from 2 years to 3 and the second in October of 1983 to modify exterior noise attenuation measures as it relates to Lot 1. Both of these changes were authorized by amendment to the by-law and registered on title as A28343 and A28344 respectively.

The property noted above is being sold and the solicitor for the current owner has requested on behalf of his client that the agreements be deleted from title.

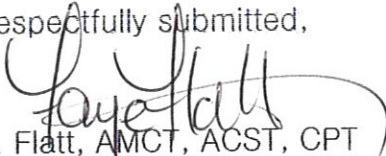
It appears that the 'developer' has complied with the terms and conditions of the agreements. The original subdivision agreement contains ongoing requirements for grading and drainage for all lots in the subdivision at Section 6 of Article X. Amending agreements A28343 and A28344 can be removed from title because one is redundant and the other does not relate to the lot in question. If request is approved, removal should be at no cost to the Town.

Recommendation

The original subdivision should remain on title but amending agreements A28343 and A28344 could be removed provided it is at no cost to the Town.

The Planning and Development Executive Committee recommend that amending agreements A28343 and A28344 be removed from title to 1204 Strachan Place provided it is at no cost to the Town, and authorize the Mayor and Clerk to execute such documents as may be required.

Respectfully submitted,


 F. Flatt, AMCT, ACST, CPT

COUNCIL APPROVAL OF THIS REPORT WILL: Authorize the removal of amending agreements registered as A28343 and A28344 from title to the property known as 1204 Strachan Place and authorize the Mayor and Clerk to execute such documents as maybe required to facilitate same.

