



Subject: Amending Legal Descriptions of Catharine Street Lands

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2024-58

Meeting Date: March 12, 2024

Recommendation:

That Chief Administrative Officer Report 2024-58 be received; and

That the by-law attached as Appendix B, being a By-law to Amend By-law 7108/50/23, be approved.

Purpose:

The purpose of this report is to amend the legal description of the subject lands in By-laws 7108/50/23 by enacting the amending by-law attached as Appendix B, to finalize the Stop-up and Close and Agreement of Purchase and Sale.

Background:

Staff presented Report 2023-81 to Council on June 23, 2023, which proposed to stop up and close part of the Catharine Street Road allowance, as depicted in Appendix A. Following the approval of Report 2023-81, staff prepared Report 2024-13, which included an Agreement of Purchase and Sale (APS) for the disposition of the subject lands to the owners of 12 Catharine Street. Council approved Report 2024-13 on February 13, 2024, which enacted By-law 7185/08/2024 and the APS attached as Schedule "A" to By-law 7185/08/2024.

The City Solicitor has identified that the legal description of the subject lands in By-law 7108/50/23 is not sufficient to complete the Stop-up and Close Process and finalize the APS, and provided the following amended legal description: "The portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT))."

Discussion:

The City Solicitor has requested that the legal description included in By-law 7108/50/23 be corrected to: “The portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT)).”

The City Solicitor has advised that this legal description accurately identifies the subject lands and will best facilitate the legal needs of the Stop-up and Close Process and APS, allowing this property transaction to close later in March. Based on the required amendment, the closing date for the transaction will also be amended in the APS to provide extra time to execute the required documentation.

Internal Consultations:

Economic Development staff worked with the City Solicitor and the Clerk’s Division to ensure legal and procedural compliance.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- Welcoming, Livable, Healthy Community
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Conclusion:

City Council enacted By-laws 7108/50/23 and 7185/08/2024 which included a Stop up and Close Process, a surplus declaration of City property, and an Agreement of Purchase and Sale for the City Property on Catharine Street. The City Solicitor has requested that the legal description of the subject lands in By-law 7108/50/23 be updated to better reflect the legal requirements for completing the Stop-up and Close process and finalizing the transaction authorized by By-law 7185/08/2024.

Appendices:

- a. Map-Catharine Street Property
- b. Being a By-law to Amend By-law 7108/50/23

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.