



# REPORT

## Community Services, Programs and Initiatives

**TO:** Mayor and Members of Council  
**FROM:** Grace Nyman, Community Programs Coordinator  
**DATE:** October 9, 2025  
**REPORT:** CSP-23-2025

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**SUBJECT:** Exchange Agreement with Nicholas Street Homes Limited

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### RECOMMENDATION:

The following recommendations are based on a draft Reference Plan 47R-xxxx prepared by Krcmar Surveyors Limited, Thornhill, Ontario, dated August 28, 2025, and are **subject to confirmation and adjustment upon the deposit of the final reference plan.**

1. **THAT** report CSP-23-2025 regarding the exchange agreement with Nicholas Street Homes Limited be received;
2. **THAT** Council **close, declare surplus and convey** to Nicholas Street Homes Limited, a portion of Cumberland Street, being part 7, 47R-xxxx; being Part of PIN 55065-0267(LT); and
3. **THAT** Council **authorize the transfer** of a portion of Cumberland Street, being part 7, 47R-xxxx; being Part of PIN 55065-0267(LT) to Nicholas Street Homes Limited.; and
4. **THAT** Council **close** a portion of Cumberland Street, being part 6, 47R-xxxx; being part of PIN 55065-0267(LT) to be **retained for public access** to Delhi Park.; and
5. **THAT** Council **close, declare surplus and convey** to Nicholas Street Homes Limited, a portion of David Street, being part 10, 47R-xxxx; being All of PIN 55065-0335(R); and
6. **THAT** Council **authorize the transfer** of a portion of David Street, being part 10, 47R-xxxx; being All of PIN 55065-0335(R) to Nicholas Street Homes Limited.; and

7. **THAT** Council resolve to **declare a portion of Municipal land** described as Part 9, 47R-xxxx being Part of PIN 55065-0146(R) as surplus to the needs of the municipality, for the purpose of conveyance to Nicholas Street Homes Limited.; and
8. **THAT** Council **authorize the transfer** of a portion of surplus Municipal land described as Part 9, 47R-xxxx being Part of PIN 55065-0146(R) to Nicholas Street Homes Limited; and
9. **THAT** Council **authorize the acceptance** of a parcel of land described as Part 1, 47R-xxxx, being All of PIN 55065-0323(LT) from Nicholas Street Homes Limited; and
10. **THAT** Council **authorize the acceptance** of a parcel of land described as Part 3, 47R-xxxx, being All of PIN 55065-0322(LT) from Nicholas Street Homes Limited.; and
11. **THAT** Council **authorize the acceptance** of a parcel of land described as Part 5, 47R-xxxx, being Part of PIN 55065-0264(LT) from Nicholas Street Homes Limited.; and
12. **THAT** Council **authorize the acceptance** of a parcel of land described as Part 8, 47R-xxxx, being Part of PIN 55065-0227(LT) from Nicholas Street Homes Limited.; and
13. **THAT** Council bring forward a by-law to authorize the land exchange agreement between the Corporation of the County of Prince Edward and Nicholas Street Homes Limited, with the lands identified on the draft Reference Plan 47R-xxxx, subject to confirmation and final legal description upon the deposit of the reference plan, at the next feasible Council meeting.

#### **EXECUTIVE SUMMARY:**

The purpose of this report is to recommend a land exchange between the Municipality and Nicholas Street Homes Limited. To facilitate this exchange, several steps must be completed, including preparing the municipal lands for transfer and evaluating the benefits of acquiring the parcels offered by the developer. The following action is required:

#### **1. Surplus of land and conveyance to Nicholas Street Homes Limited**

- Declare surplus and convey a small parcel of municipal land to the developer to enable the installation of a ramp to the lower parking level, ensuring proper alignment.

## **2. Road closures and conveyance to Nicholas Street Homes Limited**

- Close and convey the David Street unopened road allowance which currently divides the developer's lands to enable the developer's parcels to merge, providing uninterrupted ownership.
- Close and convey a portion of the unopened Nicholas Street road allowance to allow the proposed development to proceed for housing.
- Close and retain a portion of the unopened Nicholas Street road allowance to preserve public access to Delhi Park.

## **3. Municipal acceptance of four parcels of land from Nicholas Street Homes Limited**

- Accept two parcels of land from the developer, to provide the Municipality with buffer lands for the Wastewater Treatment Plant.
- Accept an additional two parcels of land from the developer, to secure municipal ownership of lands containing existing underground infrastructure and for a public access trail to Delhi Park.

## **BACKGROUND**

Municipal Planning and Housing staff have been working with Nicholas Street Homes Limited to facilitate the development of a rental community with both affordable and market-rate units. The proposed development is located southwest of Nicholas Street and Cumberland Street and will include 108 apartment units, six townhomes and a semi with two units.

Site Plan approval is pending because the parcels of land purchased by the developer are separated by unopened road allowances, which were recently discovered to be owned by the Municipality.

Negotiations with municipal staff and Nicholas Street Homes Limited resulted in the developer offering to transfer four strategic portions of land to the Municipality that currently house underground infrastructure, for public access trail to Delhi Park, as well as lands to be used as buffering lands to the Picton Wastewater Treatment Plant.

In return staff have agreed, subject to Council approval, to the request to close and transfer the David Street road allowance that separates the developer's land, as well as close and transfer a portion of the Cumberland Street road allowance to the developer for the build. It should be noted that a portion of the Cumberland Street road allowance will be retained by the Municipality to preserve public access to Delhi Park. Finally, a tiny portion of land required to install a ramp to a lower parking level of the development will need to be declared surplus and transferred to the developer.

The municipal support and actions of road closure, declaration of land surplus, and acceptance or exchange of land are critical to the viability and timely delivery of the Nicholas Street Homes Limited housing project.

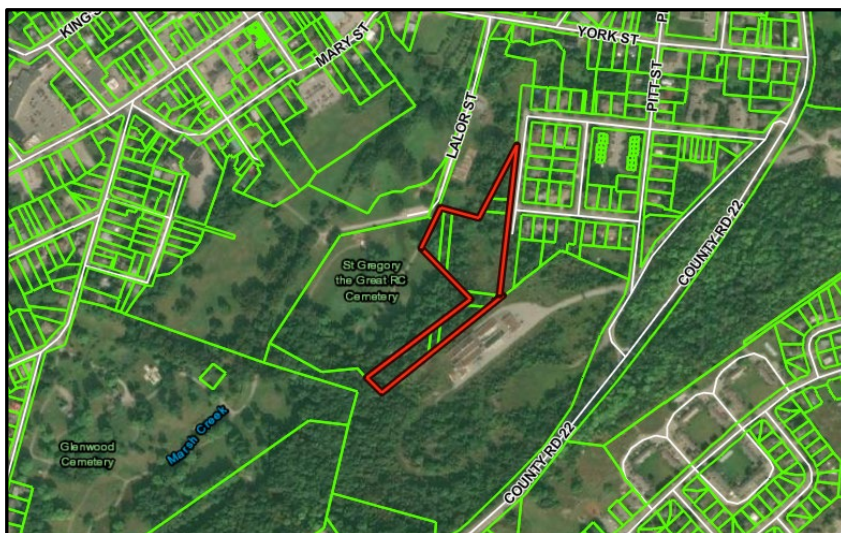
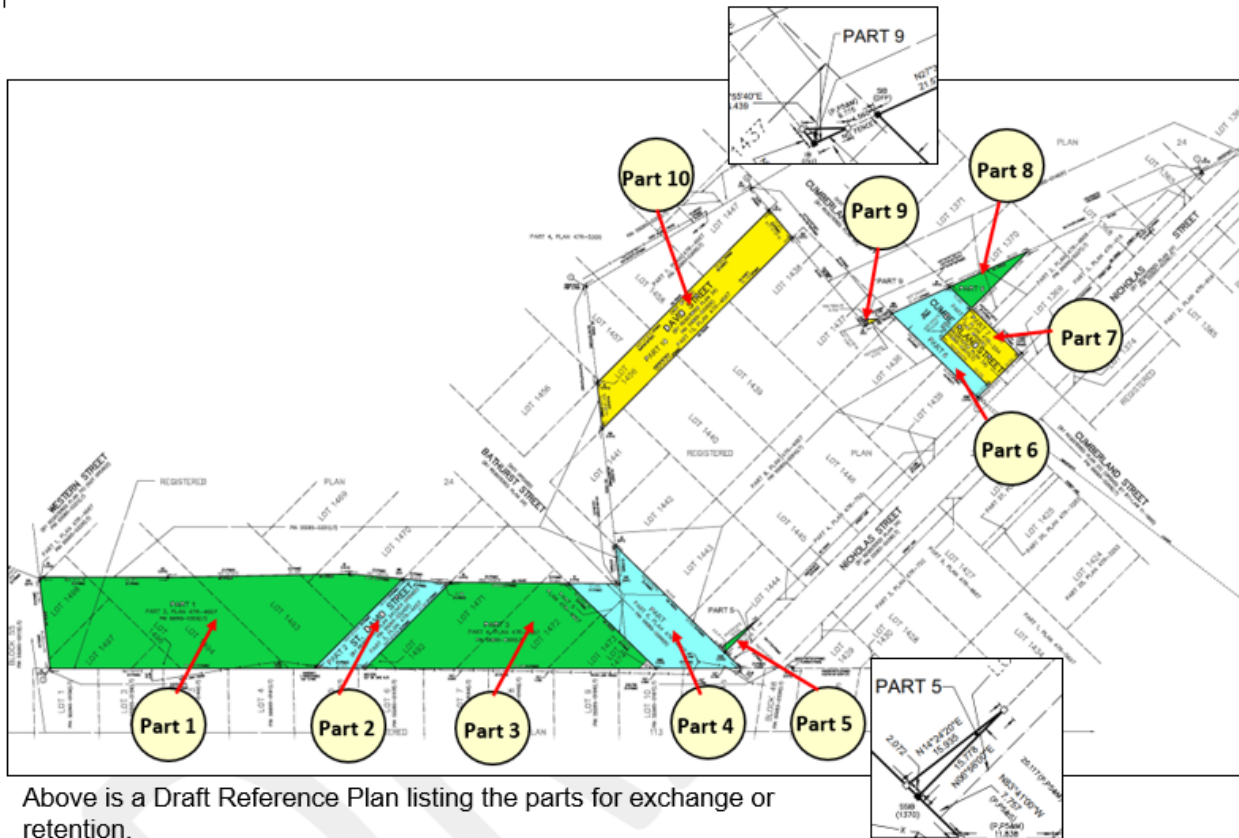
## STRATEGIC PLAN ALIGNMENT:

**Pillar:** Strive for good infrastructure and a diversified economy

**Council Priority:** Housing that is affordable

**Objective:** Support a strong and diversified economy, providing meaningful options for people to live and work in the County.

## ANALYSIS:



## Description of parts of land for exchange or retention

<b>Part 1</b>	Land to be transferred to the municipality for buffer lands abutting the Wastewater Treatment Plant. All of PIN 55065-0323(LT).
<b>Part 2</b>	No action required on this part. David Street road allowance, owned and to be retained by the municipality. All of PIN 55065-0324(R)
<b>Part 3</b>	Land to be transferred to the municipality for buffer lands abutting the Wastewater Treatment Plant. All of PIN 55065-0322(LT)
<b>Part 4</b>	No action required on this part. Bathurst Street unopened road allowance owned and to be retained by the municipality. All of PIN 55065-0266(R)
<b>Part 5</b>	Land to be transferred to the municipality that houses underground municipal infrastructure. Part of PIN 55065-0264(LT).
<b>Part 6</b>	Road (Cumberland Street) to be closed and part to be retained by the municipality to preserve public access trail to Delhi Park. Part of PIN 55065-0267(LT)
<b>Part 7</b>	Road (Cumberland Street) to be closed and part conveyed and transferred to Nicholas Street Homes Limited for development of housing. Part of PIN 55065-0267(LT)
<b>Part 8</b>	Land to be transferred to the municipality for public access trail to Delhi Park. Part of PIN 55065-0227(LT).
<b>Part 9</b>	Land to be declared surplus, conveyed and transferred to Nicholas Street Homes Limited for installation of ramp to lower parking area. Part of PIN 55065-0146(R).

<b>Part 10</b>	Road (David Street) to be closed, conveyed and transferred to Nicholas Street Homes Limited to allow parcels to merge. All of PIN 55065-0335(R)
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## 1. Surplus, Conveyance and Transfer of Land

In accordance with the Municipality's [Sale and Disposition of Land Policy CSPI-08](#), staff are requesting a 6.7 sq. m. (72 sq. ft.) parcel of land to be declared surplus to the needs of the Municipality with the intention of conveyance to Nicholas Street Homes Limited in order for the developer to install a ramp to a lower parking level, as part of their development, thereby ensuring proper alignment.



**Owner:** The Corporation of the county of Prince Edward. (Part of Delhi Park lands abutting developer lands.)

**Reference Plan:** Draft Reference Plan, 47R-xxxx, Part 9.

**Roll Number:** Part of Roll Number 135004004021800

**PIN:** Part of PIN 55065-0146(R)

**Area:** 6.7 sq. m. (72 sq. ft.)

**Benefit to Developer:** Ability to install a ramp to a lower parking level, as part of

their development, thereby ensuring proper alignment and grade.

Municipal inter-departmental staff have been consulted and the parcel requested for surplus is of no need or interest to their respective departments presently or in the foreseeable future. The greater parcel once housed the former Wastewater Treatment Plant but now holds the Community Gardens and the main public access from Nicholas Street/Cumberland to Delhi Park. This portion of land to be declared surplus and transferred does not interfere with the public access to the park.

Staff are seeking Council's direction in declaring a portion of municipal land surplus to the needs of the municipality, being Part 9 of Draft Reference Plan 47R-xxxx for the purpose of conveyance and transfer to Nicholas Street Homes Limited.

## 2. Road Closure, Surplus, Conveyance and Transfer of Land

In accordance with the Municipality's [Road Closure Policy DS-04](#), staff have reviewed the application and the applicable policies pertaining to the request from Nicholas Street Homes Limited to acquire two parcels of unopened road allowance abutting their property.

Following internal circulation to other departments, and external circulation to utility companies, staff have confirmed that no concerns were raised regarding the proposed request as part of the development application. Staff have no objection to closing, declaring surplus, conveying and transferring the David Street road allowance being Part 10, 47R-xxxx and a portion of the Cumberland Street road allowance being Part 7, 47R-xxxx to Nicholas Street Homes Limited.

A portion of the Cumberland Street road allowance, Part 6, 47R-xxxx will be retained to preserve the public access and trail to Delhi Park.



**Owner:** The Municipality

**Location:** David Street road allowance

**Reference Plan:** Draft Reference Plan 47R-xxxx, Part 10

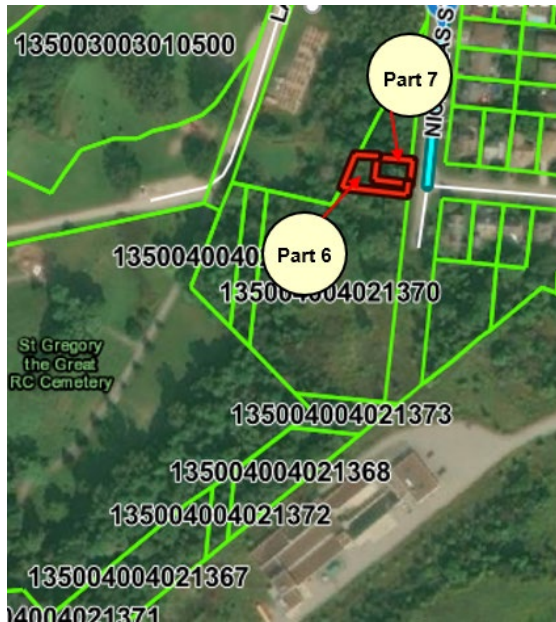
**Roll Number:** 135004004021374

**PIN:** All of PIN 55065-0335(R)

**Area:** 1058.7 sq. m. (11395.75 sq. ft)

**Benefit to Developer:** to eliminate the division of the developers lands and allow for merging of the parcels.

Staff are seeking Council's direction in closing, declaring surplus, conveying and transferring Part 10, 47R-xxxx David Street road allowance to Nicholas Street Homes Limited.



**Owner:** The Municipality

**Location:** Cumberland Street road allowance

**Reference Plan and PIN:**

Draft Reference Plan 47R-xxxx,

\*Part 7 to be transferred to the developer.

Part of PIN 55065-0267(LT)

\*Part 6 to be retained by the municipality to

preserve access to Delhi Park.

Part of PIN 55065-0267(LT)

**Roll Number:** 135004004021376

**Area:** \*Part 7: 333.4 sq. m. (3588.69 sq. ft.)

\*Part 6: 407 sq. m. (4380 sq. ft.)

**Benefit to Developer:** To enable build as designed.

Staff are seeking Council's direction in closing, declaring surplus, conveying and transferring Draft Reference Plan 47R-xxxx, Part 7, Cumberland Street road allowance to Nicholas Street Homes Limited. Draft Reference Plan 47R-xxxx, Part 6, Cumberland Street Road allowance will be retained by the municipality for the public access and trail to Delhi Park.

### 3. Municipal Acceptance of Developer Lands

As part of the exchange of lands, Nicholas Street Limited Homes Limited have agreed to transfer the following four parcels of land to the Municipality.



**Owner:** Part of Nicholas Street Homes Limited lands.

**Reference Plan:** Part 1 47R-xxxx; Part 2 47R-4667

**Roll Number:** All of Roll Number 135004004021367

**PIN:** All of PIN 55065-0323(LT)

**Area:** 3317.2 sq. m. (35,706.04 sq. ft.)

**Benefit to Municipality to accept:** Would be used as buffering lands to the Wastewater Treatment Plant.



**Owner:** Part of Nicholas Street Homes Limited lands.

**Reference Plan:** Part 3 47R-xxxx, Part 4, RP 47R-4667

**Roll Number:** All of Roll Number 135004004021368

**PIN:** All of PIN 55065-0322(LT)

**Area:** 2001.8 sq. m. (21,547 sq. ft.)

**Benefit to Municipality to accept:** Would be used as buffering lands to the Wastewater Treatment Plant.



**Owner:** Part of Nicholas Street Homes Limited lands.

**Reference Plan:** Part 5, 47R-xxxx

**Roll Number:** Part of Roll Number 135004004021370

**PIN:** Part of PIN 55065-0264(LT)

**Area:** 16.3 sq. m. (175.45 sq. ft)

**Benefit to Municipality to accept:** Currently houses underground Municipal infrastructure.



**Owner:** Part of Nicholas Street Homes Limited lands.

**Reference Plan:** Part 8, 47R-xxxx

**Roll Number:** Part of Roll Number 135004004021355

**PIN:** Part of PIN 55065-0227(LT)

**Area:** 140 sq. m. (1506.95 sq. ft)

**Benefit to Municipality to accept:** For a public access trail to Delhi Park.

Staff are seeking Council's direction in accepting the above four parcels of land (Parts 1, 3, 5 and 8), that currently house underground municipal infrastructure, for a public access trail to Delhi Park, and for buffering lands of the wastewater treatment plant, from Nicholas Street Homes Limited being Parts 1, 3, 5, and 8 of Draft Reference Plan 47R-xxxx.

## Budget Considerations

Aside from staff time involved in administering the process, the declaration of surplus lands and road closures pose no direct cost. Legal fees will be incurred to create the exchange agreement and finalize the transfers and will be taken from the Surplus Properties Budget.

## Risk Implications of Implementing Recommendation(s)

Risk Description	Risk Type	Proposed Mitigation
Loss of portion of public access to Delhi Park.	Public / Stakeholder	The portion of public access proposed for road closure and exchange to Nicholas Street Homes Ltd. is moderate in size. The remaining portion of public access will include a new <i>Accessibility for Ontarians with Disabilities Act</i> -compliant pathway through the development, between Nicholas Street and Lalor Street, to ensure pedestrians can continue to access Delhi Park. Staff have worked with the developer to ensure the Delhi Park Community Connections Plan aligns with the plan for the development.

## Other Options Considered

As the steps of surplus, road closure and acceptance of lands are necessary for the approval of site plan, there are no other options considered.

## NEXT STEPS:

Should Council approve the motions in this report, a by-law, including an Agreement of Purchase and Sale (Exchange Agreement), will be brought back for Council's consideration at the next feasible Council meeting upon confirmation that the reference plan has been deposited. Following the passing of the by-law:

1. The parcels of land for exchange will be finalized
2. Nicholas Street Homes Limited will work with Planning staff to finalize site plan
3. Relevant departments and staff will be advised of the changes to update their records and/or responsibilities pertaining to the parcels.

**ATTACHMENTS:**

1. Draft Reference Plan
2. Map

**AUTHORIZING SIGNATURES:**

Prepared by: Grace Nyman September 25, 2025  
Community Programs Coordinator



Reviewed by: Emily Cowan September 26, 2025  
Director of Community Services, Programs, and Initiatives



Approved for submission by: Adam Goheen September 30, 2025  
Interim Chief Administrative Officer