



THE ARCADIAN

REALTY TEAM NEWSLETTER

APRIL 2025 | GTA Edition



SOLD

**269 Royal Albert Court
Oakville**

Welcome to this exquisitely renovated home situated on a large 59x115 ft lot on a quiet court with direct court access to 16 Mile Creek trail system in the highly sought-after College Park neighbourhood! Step outside to the private backyard oasis, where you'll find a heated saltwater pool, ideal for hosting gatherings or simply unwinding and enjoying a family BBQ. Don't miss your opportunity to call this stunning property home!

4 BED | 4 BATH | \$1,869,000



FOR SALE

**3030 Breakwater Crt #16
Mississauga**

Offered for the first time in over 20 years, this delightful townhome radiates pride of ownership from the moment you step inside with THREE separate entrances! Lovingly maintained by the original owners, every corner of this home exudes warmth and care. Recent updates, including a new furnace (2023), shingles (2024) and A/C installed in 2020, mean you can move in with confidence. It's the perfect place to start your next chapter!

2+1 BED | 3 BATH | \$849,000



FOR SALE

**30 Hamilton St South #706
Waterdown**

Welcome to "The View". Offering a rare & desirable corner unit, perched on the top floor of Waterdown's most exclusive condominium. This residence offers a perfect blend of affordability, luxury & convenience, along with breathtaking views. Discover a bright and open-concept layout, highlighted by large windows and sliding patio door to your private balcony where you can take in sightlines all the way to Lake Ontario.

1 BED | 1 BATH | \$525,000



FOR SALE

**1 Braden Avenue
Welland**

Unique Legal Triplex in Sought-After Prince Charles Neighbourhood - Live In or Invest! A rare opportunity in the heart of West-End Welland! This beautifully maintained legal side-split triplex sits on an expansive 80 x 118 lot and offers flexibility for homeowners and investors alike. With two fully renovated units (2023) already occupied by excellent tenants, and a vacant STUNNING main-floor unit, you can choose to move in yourself or secure another tenant to complete this high-performing income property.

5 BED | 3 BATH | \$785,000



FOR SALE

**26 Fairleigh Avenue South
Hamilton**

Welcome to this charming 2.5-storey century home, situated on a spacious lot in the heart of Hamilton. Discover original details such as pocket doors, wood trim, crown moulding and hardwood flooring which give the home its sought-after character. This home offers the charm of a century property with the benefit of valuable updates and is full of potential to take it to the next level. Don't miss out, this home is priced to sell!

4 BED | 1 BATH | 689,900

Have questions about your neighbourhood market? We are here to help!

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CENTURY 21.
Miller Real Estate Ltd.

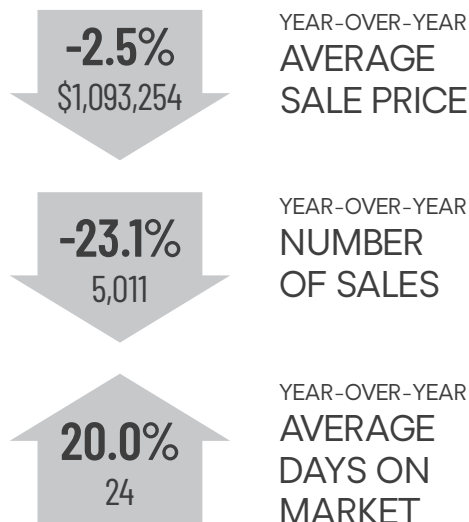


YOUR MARKET REPORT

MLS Sales Activity

Statistics Provided by the Toronto Regional Real Estate Board

MARCH 2025	Units 5,011	Avg. Price \$1,093,254
MARCH 2024	Units 6,519	Avg. Price \$1,120,984



Detached	Sales	Avg. Price	Semi-Detached	Sales	Avg. Price
416	572	\$1,723,489	416	208	\$1,337,498
905	1,583	\$1,336,568	905	277	\$942,308
Townhouse	Sales	Avg. Price	Condo Apartment	Sales	Avg. Price
416	185	\$975,801	416	927	\$716,460
905	714	\$890,645	905	477	\$615,086



Ontario's Top Court Overturns Decision on Requisition Dispute

In a real estate transaction, the agreement of purchase and sale will include a deadline by which a buyer may submit requisitions for issues that they want the seller to address prior to closing. Typical requisitions pertain to discharging mortgages, outstanding work orders, or other potential encumbrances on title.

A purchaser must submit requisitions prior to the requisition date stipulated in the Agreement of Purchase and Sale (APS). Certain requisitions, however, pertain to issues so fundamental to the APS that a purchaser may submit them even after the requisition deadline.

If a seller fails to satisfy a valid requisition prior to the closing, the buyer may be in a position to refuse to complete the transaction. Traditionally, an outstanding requisition on an issue that goes to "root of title" allowed a buyer to refuse to close. The traditional "root of title" analysis is not always clearly applied.

A Case Study on Disputed Requisitions

This is illustrated by the decision of the Court of Appeal for Ontario in *Van Hove v. Dryuff*, which overturned a summary judgment decision.

In this matter, the plaintiff sellers entered into an APS to sell their property to the defendant buyers for \$2,355,000, set to close on Sept. 2, 2022. The buyers paid a \$50,000 deposit.

The buyers' lawyer sent a requisition letter prior to the deadline for doing so, demanding that all oil and gas leases registered on title be removed. The sellers did not do so by the closing date and the buyers refused to close. The sellers ultimately sold the property to another purchaser for \$1,850,000.

The sellers sued the buyers for the difference in sale price and moved for summary judgment.

Root of Title vs. Valid Defence to Close

In order to succeed on their motion, the sellers

had to demonstrate that the buyers had no valid justification for failing to close on the APS. The buyers argued that they had made a valid requisition regarding the oil and gas leases. This requisition was not fulfilled, and as such, this failure was a complete defence to their refusal to close.

The motion judge disagreed.

The buyers relied on cases where an issue was raised after the requisition deadline but nevertheless went to "root of title". In such instances, the...

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