



MEMORANDUM

TO: Regional Chair Fisch and Members of Council

FROM: Jim Davidson, Commissioner of Corporate Services

DATE: June 26, 2012

RE: **Clause 11 of Report No. 7 of the Finance and Administration Committee Approval to Expropriate Lands, Temporary Easements on Highway 7, Project 90773, Town of Markham and Town of Richmond Hill**

It has been brought to our attention that the property referenced as set out below in Recommendation 1 of Clause 11 of Report No. 7 of the Finance and Administration Committee (the “**Report**”), which was before Committee at its meeting on June 14, 2012, was severed into two parcels on May 25, 2012. The original owner retained one of the two parcels and sold the second parcel to a third party (the “**Second Owner**”).

Ref No.	Address	Legal Description
49, 50, 52	120 South Town Centre Boulevard	Part of PIN 03033-0074 (LT), Part Block 1, Plan 65M-2668 designated as Parts 3 & 4 on draft Plan YR1372304

The Second Owner sent a letter to Regional Council on June 14, 2012, requesting a Hearing of Necessity. Property Services determined through discussion with the Second Owner that the Second Owner’s request for a Hearing of Necessity solely related to a concern with the time period for the temporary easement. Property Services discussed this concern with York Region Rapid Transit Corporation, and York Region Rapid Transit Corporation confirmed that the expiry date for the temporary easement to be expropriated over the Second Owner’s property could be amended to September 10, 2013, instead of June 30, 2014. This change fully alleviated the Second Owner’s concern and the Second Owner voluntarily withdrew its request for a Hearing of Necessity by letter dated June 21, 2012.

In order to accurately reflect the foregoing, the Report should be amended as follows:

- 1) The last sentence of the second paragraph of Section 4, Analysis and Options, of the Report should be deleted in its entirety and replaced with the following:

The expiry date for the new easement interest over the property listed under Recommendation 1 of this Report, beside Reference Number 49, 50, 52, will be September 10, 2013. The expiry date for the balance of the new easement interests will be June 30, 2014.

- 2) The last sentence of the last paragraph of Section 3, Background, of the Report should be deleted in its entirety and replaced with the following:

Notices of Application to Expropriate have been served on the owners. One Hearing of Necessity request was received, but was subsequently withdrawn.

- 3) The number of temporary easement interests referenced in the first paragraph of Section 7, Conclusion, should be amended to 31 instead of 30.
- 4) The municipal address of the property affected, indicated as 120 South Town Centre Boulevard be amended to Southwest Corner of Highway 7 and South Town Centre Boulevard.

Jim Davidson

JD/caw