

17

ABANDONMENT OF TEMPORARY EASEMENT TOWN OF MARKHAM

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, July 19, 2004, from the Commissioner of Finance and Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council declare surplus and give notice of its intention to abandon the Temporary Easement described in Instrument No. LT356609 over Part of Lots 1, 5, and 6, Plan 65M-2452, Town of Markham and designated as Parts 1, 3, and 4 on Reference Plan 65R-10015. (*see Attachment No. 1*).
2. Authority be given for the execution of the abandonments of the easement described in Recommendation 1 above.
3. The appropriate Regional Officials be authorized to do all acts necessary to give effect to the foregoing.

2. PURPOSE

The purpose of this report is to obtain Regional Council's authorization to:

1. Declare surplus and give notice of its intention to abandon the Temporary Easement described in Recommendation 1 above.

3. BACKGROUND

The Region has a Temporary Easement that runs parallel to Woodbine Avenue, south of 16th Avenue in the Town of Markham. The easement was put in place to enter upon, in, over and along the lands in order to carry out any grading work that the Region deemed necessary, however, no expiry date was inserted in the document. The easement was granted from Cheddar Investments Limited and Cardico Developments (Steeles) Limited to the Region in 1987 as a condition of subdivision approval. The lands are presently being developed and the developer has requested that the Region abandon this easement. It has been confirmed by the Transportation and Works Department that the Region no longer requires the easement and therefore, it is recommended that the Region declare the easement surplus to its needs and abandon it.

4. LOCAL MUNICIPAL IMPACT

There is no municipal impact if the Region agrees to abandon this easement.

5. CONCLUSION

Because the Region has no further need for this Temporary Easement, and the easement agreement did not have an expiry date stated, it is therefore recommended that the Region declare the easement described in this report as surplus to its needs and abandon it.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in this Clause has been forwarded to each Member of Council with the September 9, 2004, Finance and Administration Committee agenda and a copy is on file in the Regional Clerk's office.)