

**REQUEST WITH RESPECT TO ACQUISITION
OF PUBLIC ROAD ALLOWANCE**

Recommendation

The Director of Legal Services recommends this report be received and that the correspondence be forwarded to the Region of York for action.

Purpose

To report pursuant to Council direction.

Economic Impact

There is no economic impact as a result of this report.

Background

On April 10th, 2006, Council resolved "that the correspondence from Mr. Lucio Poisinelli, DiPoce Management, 488 Edgeley Boulevard, Unit 2, Concord, L4K 4G4, dated March 31, 2006, submitted by Councillor Meffe, be received and that staff meet with the landowners and report back to the Committee of the Whole Meeting of May 1st, 2006."

The correspondence from Mr. Polsinelli, DiPoce Management Limited is attached as Attachment # 1. The letter requests possible conveyance of a parcel of land on the west side of Regional Road 27, north of Kirby Road. The lands are shown on Attachment # 2. The parcel is shown on Registry Office maps as a small triangular piece in Regional Road 27, along with the strip abutting to the west.

The lands are in the title of the Department of Highways, Ontario, now and the Ministry of Transportation. While the Region of York has jurisdiction over Regional Road 27 (formerly Highway 27) there are parcels which still remain in the title of the Ministry of Transportation.

Upon request for purchase, the Region would contact MTO and request that an application be made to transfer the lands from MTO to the Region as it is the municipality having jurisdiction over the abutting road.

The Region would proceed with its disposal of property process, which involves circulation to various departments for comment, and a declaration that the lands are surplus. A By-law stopping up and closing this portion of the road is likely required. The City would have no objections to the closure and sale.

Staff have met with Mr. Polsinelli, and provided this information, along with a copy of the title search.

Conclusion

It is recommended to forward the correspondence to the Region for appropriate action.

Attachments

1. Correspondence from Mr. Polsineli, DiPoce Management Limited
2. Map - Location of Lands

Report prepared by:

Heather A. Wilson, Director of Legal Services

Respectfully submitted,

Heather A. Wilson
Director of Legal Services

Janice Atwood-Petkovski
Commissioner of Legal and
Administrative Services

DI POCE Management Limited

March 31, 2006

FAXED

Dear Councillor Meffe,

As you are aware, we are the owners of 11720 Highway 27. This is the parcel that possesses frontage along three roadways: Kirby Road, Highway 27 and Old Highway 27. I have included a reference map for your ease of reference.

There is another parcel which borders us to the north, which also shares the same municipal address and fronts along Old Highway 27. These latter lands have been the subject of non-authorized fill and earthworks and it is our understanding that they are also the subject of an upcoming court proceeding.

It is for this, and several other reasons mentioned below, that I am writing you today.

It has become apparent, especially over the most recent years, that the small section of Old Highway 27 that fronts our lands is in desperate need of upgrade. Maintenance on this virtual "dirt driveway" is non-existent and the roadway can be extremely dangerous. This is especially so on those occasions that there are earth-moving trucking operations.

Furthermore, vandalism is becoming an issue as a recently placed fence and gate along this Old Highway 27 frontage of our lands has been badly damaged. In addition, illegal dumping of debris; intermittent snow removal; and the aforementioned lack of general maintenance is quite evident and problematic.

We do appreciate that the costs of upgrading / maintaining this section of Old Highway 27 (that essentially acts as a driveway) is not on the high priority list for the Region of York. Nor do we believe it should be, as it acts as a double frontage just meters away from the "true frontage" of the traveled Highway 27.

It is in this light that we are respectfully requesting that you consider looking into the possible conveyance of these lands to us so that we can keep them in good order. The frontages on the easterly limit of our property should be totally along Highway 27 as this would not only make good planning sense, but also reduce the cost of Works for the Region of York.

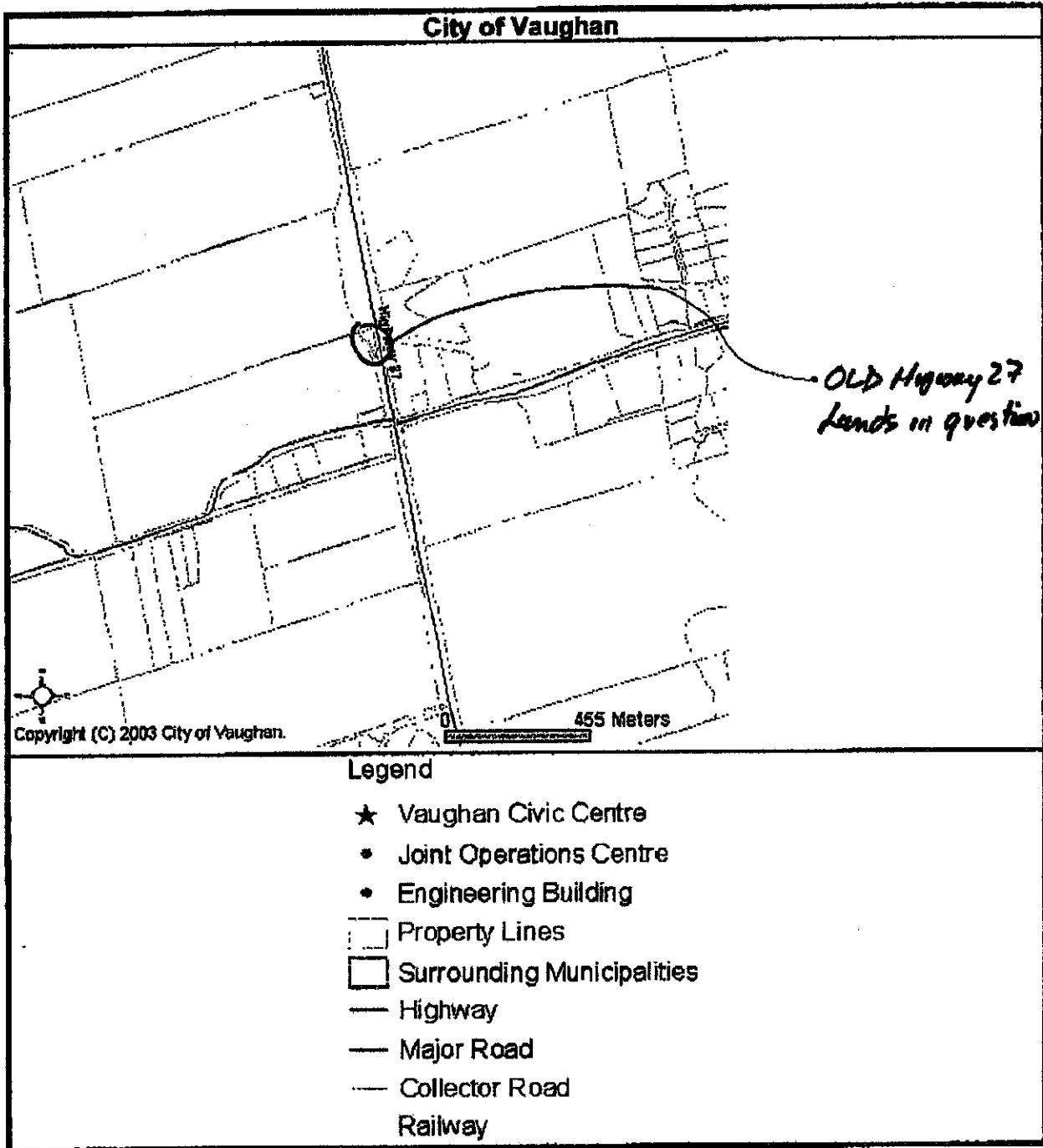
I appreciate your time in looking into this matter.

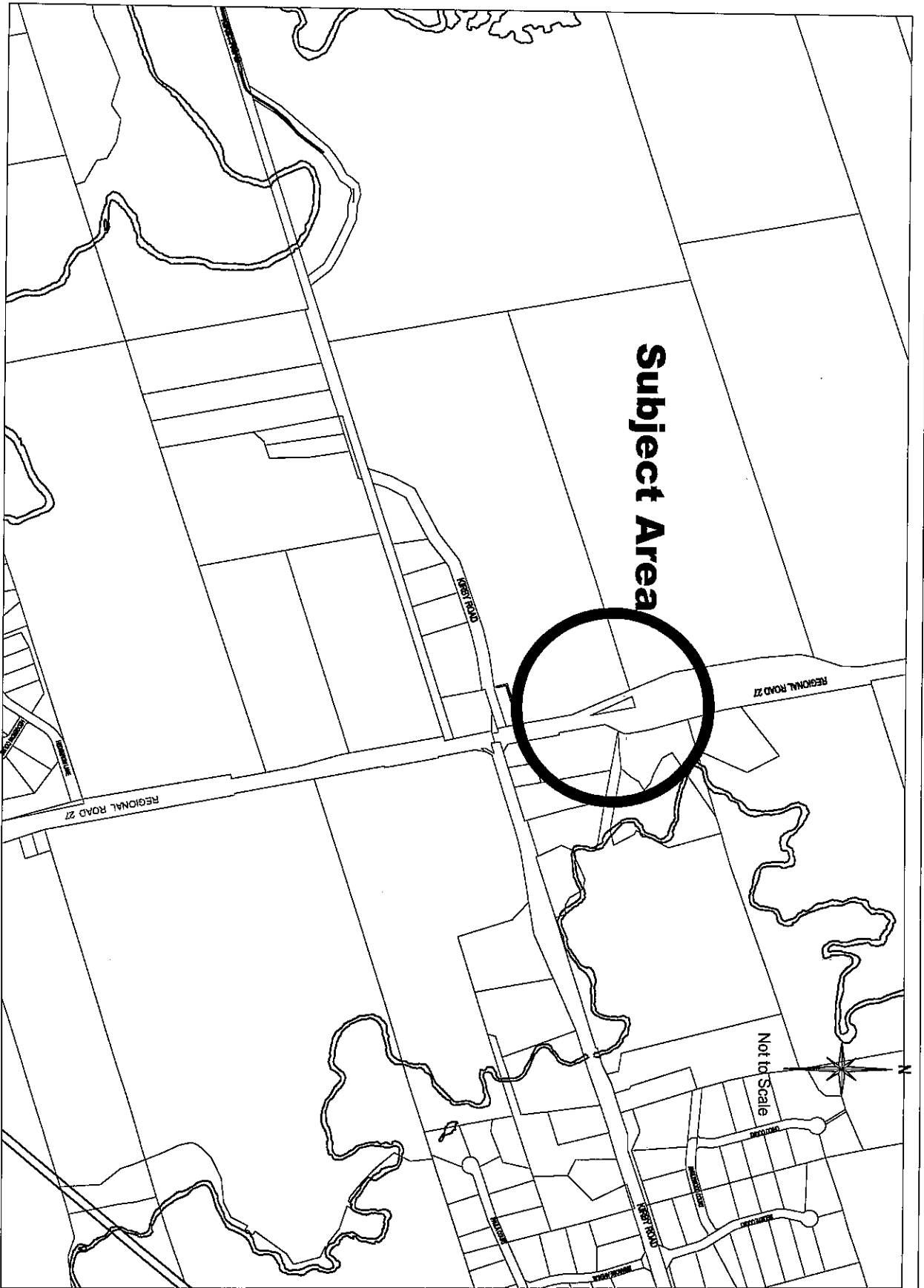
Sincerely,



Lucio Polsinelli

Di Poce Management





Subject Area

Location Map

Part of Lot 30, 31,
Concessions 8, 9

City of Vaughan Legal Department

Attachment

April 20, 2006

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