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**City Council****Motion without Notice**

MM32.21	ACTION			Ward:23
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**Expropriation of 111 and 113 Finch Avenue West for the expansion of Edithvale Park - by Councillor Paul Ainslie, seconded by Councillor John Filion**

*\* Notice of this Motion has not been given. A two-thirds vote is required to waive notice.  
\* This Motion is subject to referral to the Government Management Committee. A two-thirds vote is required to waive referral.  
\* This Motion has been deemed urgent by the Chair.*

**Confidential Attachment - A proposed or pending land acquisition by the City or one of its agencies, boards and commissions**

**Recommendations**

Councillor Paul Ainslie, seconded by Councillor John Filion, recommends that:

1. City Council adopt the recommendations contained in the report (March 19, 2013) from the Chief Corporate Officer.

**Summary**

On June 14 and 15, 2011 City Council granted authority to initiate the expropriation process for 111 and 113 Finch Avenue West (the "Properties"). After City Staff served notice of its application to expropriate the Properties, the owners requested a hearing of necessity pursuant to the *Expropriations Act*. The inquiry officer, appointed to conduct the hearing of necessity, (the "Inquiry Officer") heard the matter and released his decision, (dated January 30, 2013), finding that the proposed expropriations are fair, sound and reasonably necessary for the objectives of the City. City Staff now wish to recommend that City Council consider the decision of the Inquiry Officer and approve the expropriation of the Properties for the reasons set out in the report from the Chief Corporate Officer dated March 19, 2013.

This matter is urgent because section 8 of the *Expropriations Act* requires the City to notify the owners of the Properties of its decision to approve of the expropriation within 90 days from the date the City received the decision of the Inquiry Officer. Due to City Council's schedule, the

City will be outside this statutory time frame, if Council does not approve this matter at its April 3 and 4, 2013 meeting.

(Submitted to City Council on April 3 and 4, 2013 as MM32.21)

**Background Information (City Council)**

Member Motion MM32.21

(March 19, 2013) Report from the Chief Corporate Officer regarding Expropriation of 111 and 113 Finch Avenue West for the expansion of Edithvale Park

Confidential Attachment 1