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Delivered by Email (sleisk@cassels.com)

Cassels Brock & Blackwell LLP
Suite 2100, Scotia Plaza
40 King Street West
Toronto, Ontario M5H 3C2

Attention: Ms. S. Leisk

Dear Madame:

Re: Mayfield West 2 Land Acquisition for Public Infrastructure Works

As you know, we are counsel to the landowner group (the “LOG”) in connection with the above-referenced development.

The LOG and Town of Caledon (the “Town”) have entered into Financial Agreements dated November 10, 2015 and April 22, 2019 governing various aspects of the proposed development and which include provision for expropriation of lands required by the Town for Public Infrastructure Works (the “PIWs”) as defined therein.

Certain lands required for the PIWs forming part of the property owned by 2034120 Ontario Limited legally described as Part Lot 19, Concession 1 designated as Part 1 Plan 43R-15230 (the “Subject Property”) who is a non-participating landowner have not been secured to date notwithstanding attempts by the LOG to reach a negotiated resolution. As a result, a request was made by the LOG for the Town to exercise its expropriation rights in connection with the Subject Property. We understand that Town Council approved the application for approval to expropriate the Subject Property on a full taking basis conditional upon an appropriate expropriation protocol being negotiated and signed. Unfortunately, despite the significant passage of time and effort, it would seem that the LOG and Town are not able to come to an immediate arrangement on how land cost/market value recovery is to be managed in a full taking scenario. This creates an obstacle for the acquisition of the school lands and other portions of the Subject Property. We have been advised that the school lands forming part of the proposed full taking are not currently budgeted or approved by the School Board or Ministry of Education and that funding will take significant time to secure. This creates undue risk to those funding the expropriation process which is compounded by various other factors that have been discussed with Town staff and counsel.

The LOG is grappling with the need to proceed with the construction of the PIWs as contemplated in the Financial Agreements in a timely manner and cannot afford further uncertainty or delay. The

cost recovery issues associated with the full taking scenario are mitigated through a “scoped” expropriation for lands required strictly for PIW purposes as defined in the Financial Agreements. The LOG is prepared to proceed with the funding of a partial taking for this purpose on the basis of lands and interests depicted in Appendix 1 hereto. The LOG will arrange for preparation of draft reference plans for the scoped expropriation over the course of the next 1 – 2 weeks.

To be clear, the LOG is committed to moving forward with the immediate funding of PIW lands on terms substantially similar to the expropriation protocol already negotiated between the parties and without any cost recovery terms. This is in line with the terms of the Financial Agreements.

We understand that this will be taken to Town Council for consideration/approval.

Please do not hesitate to contact the undersigned should there be any questions.

Yours very truly,
Borden Ladner Gervais LLP

A handwritten signature in black ink, appearing to read 'L. Cananau', written in a cursive style.

Liviu Cananau
LC:sa

Appendix 1

