

BY-LAW NO. 2019 – ____

A by-law of the City of Ottawa to approve the expropriation of certain property interests in the City of Ottawa for the purposes of the Stage 2 Ottawa Light Rail Transit System project, as more particularly described in Schedule “A” attached hereto.

WHEREAS the City of Ottawa requires property described in Schedule “A” attached hereto (the “Subject Property Interests”) for the purposes of the Stage 2 Ottawa Light Rail Transit System project (the “Stage 2 LRT”) including, but not limited to, for the purposes of facilitating the construction, operation and maintenance of light rail infrastructure, tunnel guideway corridors, tunnel portals, at-grade guideway corridors, guideways, stations, station entrances and station to surface access points, platforms, bridges and bridge approaches, traffic management and detours, storage of excavated materials and construction materials and equipment, temporary power supply and to enter on the lands with all vehicles, machinery, workmen and material for construction, grading and relocation of utilities and for construction of berms, walking paths, multi-use pathways, fences, retaining walls, landscaping features and all other improvements and works ancillary to the Stage 2 LRT;

AND WHEREAS pursuant to Section 6(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended (hereinafter referred to as the “*Expropriations Act*”) for these purposes;

AND WHEREAS a Notice of Application for Approval to Expropriate Land for the Subject Property Interests was served and published, as required by the *Expropriations Act*;

AND WHEREAS the owners of the Subject Property Interests have either withdrawn their request for a hearing of necessity or have not referred the application for a hearing of necessity and the applicable deadline for such has passed;

THEREFORE the Council of the City of Ottawa hereby enacts as follows:

1. THAT approval is hereby granted for the expropriation by the City of Ottawa of the Subject Property Interests described in Schedule “A” attached to this By-law, for the above-described purposes.
2. THAT the City Clerk and Solicitor is hereby authorized to execute on behalf of City Council the Certificate of Approval and the Expropriation Certificate set out on the Expropriation Plan and all other notices and documents which are necessary to carry out the provisions of this By-law.
3. THAT the City Clerk and Solicitor is hereby authorized to cause the Expropriation Plan to be registered in the Land Registry Office for the Land Titles Division

of Ottawa (No. 4) and thereby effect the expropriation of the Subject Property Interests.

4. THAT a Notice of Expropriation be served upon the registered owners together with a copy of the Expropriation Plan and a Notice of Election relating to the date of assessment of compensation.

5. THAT an appraisal report estimating the market value of the Subject Property Interests be obtained from an accredited appraiser.

6. THAT a Notice of Possession be served requiring possession of the Subject Property Interests at least three months after the date of service of said notice.

7. THAT the City of Ottawa is hereby authorized to enter and take possession of the expropriated lands on the day permitted under the *Expropriations Act*, or pursuant to any Court Order thereunder, or pursuant to any agreement entered into between the relevant owners and the City of Ottawa.

8. THAT, subject to any requirement for additional Council approval based on the estimated market value of any registered owner's interest in the Subject Property Interests, an offer of an amount in full compensation for the registered owners' interests in the Subject Property Interests, and an offer for immediate payment of 100% of market value as estimated by the expropriating authority, all in accordance with section 25 of the *Expropriations Act*, be served, together with a copy of the appraisal report on which the offer of compensation is based.

9. THAT the officers and authorized agents of the City of Ottawa be and hereby otherwise authorized and directed to do all things required arising from the authorizations provided for by this by-law.

10. THAT this by-law comes into force on the day it is passed.

ENACTED and PASSED this 27th day of March, 2019.

CITY CLERK

MAYOR

SCHEDULE "A" –

Confederation Line – West

All right, title and interest in the following lands:

1. All of PIN 03971-0334 (LT), being PART OF LOT 30 CONCESSION 1 OTTAWA FRONT, NEPEAN LYING NORTH OF LOTS 10 AND 20 PLAN 270, OTTAWA/NEPEAN

Trillium Line

All right, title and interest in the following lands:

2. All of PIN 04069-0641(LT) being PT LT 14, PL 31, OF LOT 22, CON JG;PT 6 4R8109 ; OTTAWA/GLOUCESTER

Confederation Line – East

All right, title and interest in the following lands:

3. Part of PIN 04391-1007 (LT), PART OF LOT 15 CONCESSION 1, OTTAWA FRONT, GLOUCESTER, PART 1 PLAN 4R18846; CLOSED BY OC282644; OTTAWA; designated as PARTS 2, 5, 6 ON PLAN 4R-27933
4. All of PIN 14530-0016(LT) being PT LT 29 CON 10S CUMBERLAND PART 20, 4R8326; CUMBERLAND

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Enacted by City Council at its meeting of
27 March 2019.

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CORPORATE SERVICES:
ND/eb

COUNCIL AUTHORITY:
City Council March 8, 2017
Agenda Item 4
(FEDCO Report No. 21)