



## MEMO / NOTE DE SERVICE

To / Destinataire	Mayor and Members of Council	
From / Expéditeur	Marian Simulik General Manager and City Treasurer, Corporate Services Department / Directrice générale et Trésorière municipal, Services généraux	
Subject / Objet	By-law Authorizing the Making of an Application to Expropriate Property Interests Required for the Stage 2 Light Rail Transit Project	Date: 05 May 2017

### PURPOSE

Memo detailing the requirement for a by-law authorizing the making of an application to expropriate property interests required for the Stage 2 Light Rail Transit Project.

### EXECUTIVE SUMMARY

On March 8, 2017, City Council directed Corporate Real Estate Office staff to proceed with the acquisition of the property interests required to facilitate the construction, use and maintenance of the Stage 2 Light Rail Transit Project and related works.

Corporate Real Estate Office staff are working towards achieving negotiated agreements with property owners consistent with the City's Real Property Acquisition Policy; however, in order to ensure that certain required property interests are secured in time to meet current timelines established for the delivery of the Project, the commencement of expropriation proceedings is required.

Staff are recommending that council adopt the by-law which is attached in draft as Document 1 to this memorandum for the purpose of authorizing the making of an application for approval to expropriate property interests identified in Schedule "A" to the attached by-law.

### DISCUSSION

The purpose of by-law attached as Document 1 is to initiate the expropriation process to acquire certain property interests, generally described in the sketches included in Schedule "B" to the draft by-law, which have been identified through the preliminary engineering process as being required for the purposes of the Stage 2 Light Rail Transit Project.

In accordance with Section 4 of the *Expropriations Act*, Council, acting as the approving authority, must authorize the making of an application to expropriate. Once this approval is granted, notice of the City's intent to seek approval to proceed with an expropriation will be served in accordance with the legislation and will also be published once a week, for three consecutive weeks in English and French newspapers having general circulation in the Ottawa Region.

It is important to note that initiating expropriation proceedings or even completing the expropriation of property does not mean the City will cease negotiations. Staff will continue efforts to achieve a negotiated resolution to all property acquisition matters.

The concurrence of the Mayor and Ward Councillor for every Ward which includes any of the property interests described in Schedule "A" to the draft by-law has been obtained prior to including the draft by-law in the Council Agenda.

#### FINANCIAL IMPLICATIONS

The current approved capital authority for the Stage 2 Light Rail Transit Project (Capital Project #907926) includes an allocation for property acquisition and related expenditures. Staff have estimated costs associated with the property interests described in Schedule "A", including costs associated with expropriation, and have concluded that such costs can be met within the approved budget allocation.

If you require further information with respect to the information in this memorandum, please feel free to contact either Gordon MacNair, Director, Corporate Real Estate Office, at ext. 21217, or myself at ext. 14159.

Marian Simulik  
General Manager and City Treasurer / Directrice générale et Trésorière municipale  
Corporate Services Department / Services généraux

cc: Senior Leadership Team  
Gordon MacNair, Director, Corporate Real Estate Office  
Chris Swail, Director, O-Train Planning  
Caitlin Salter-MacDonald, Program Manager, Committee & Council Services Branch

Enc. Document 1 by-law (attached)