

8. APPLICATION FOR APPROVAL TO EXPROPRIATE LANDS – MONTREAL
ROAD REVITALIZATION PROJECT PHASE 2
DEMANDE D'APPROBATION POUR L'EXPROPRIATION DE TERRAINS –
PHASE 2 DU PROJET DE REVITALISATION DU CHEMIN DE MONTRÉAL

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council :

1. Initiate phase two of expropriation proceedings for the Montreal Road Revitalization Project by enacting a by-law, in the form attached in Document 1, approving the making of an application pursuant to Section 4 of the *Expropriations Act* for approval to expropriate lands that are required for purposes of the Montreal Road Revitalization project;
2. Add the words “and shelters” in the two instances in the second paragraph of the draft by-law in Document 1 so that the list reads “bus stops and shelters”; and
3. Replace Schedule “B” of the draft by-law with the replacement maps per FEDC Motion No. 2020 2/12.

RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES

Que le Conseil

1. adopte un règlement municipal, dans la forme présentée dans le document 1 ci-joint, qui approuve la présentation d'une demande, en vertu de l'article 4 de la *Loi sur l'expropriation*, visant à autoriser l'expropriation des terrains nécessaires pour réaliser le projet de revitalisation du chemin de Montréal; et
2. ajoute les mots « et abribus » dans le deuxième paragraphe de la version provisoire du règlement municipal (document 1), aux deux occurrences susmentionnées, de sorte qu'on y lise « arrêts d'autobus et abribus »; et

3. remplace l'annexe B de la version provisoire du règlement municipal conformément à la Motion CFDE N°. 2020 2/12.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Corporate Real Estate Office, Planning, Infrastructure and Economic Development, 26 February 2020 (ACS2020-PIE-CRO-0005).

Rapport du Directeur, Bureau des biens immobiliers municipal, Services de la planification, de l'infrastructure et du développement économique, daté le 26 février 2020 (ACS2020-PIE-CRO-0005).

2. Extract of draft Minutes, Finance and Economic Development Committee, 9 March 2020.

Extrait de l'ébauche du procès-verbal, Comité des finances et du développement économique, le 9 mars 2020.

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
9 March 2020 / 9 mars 2020**

**and Council
et au Conseil
25 March 2020 / 25 mars 2020**

**Submitted on February 26, 2020
Soumis le 26 février 2020**

**Submitted by
Soumis par:
Derrick Moodie**

**Director, Corporate Real Estate Office, Planning, Infrastructure and Economic
Development / Directeur par intérim, Bureau des biens immobiliers municipal,
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**Ward: RIDEAU-VANIER (12), RIDEAU-
ROCKCLIFFE (13)**

File Number: ACS2020-PIE-CRO-0005

**SUBJECT: Application for Approval to Expropriate Lands – Montreal Road
Revitalization Project Phase 2**

**OBJET: Demande d'approbation pour l'expropriation de terrains – Phase 2 du
projet de revitalisation du chemin de Montréal**

REPORT RECOMMENDATION

That the Finance and Economic Development Committee recommend that Council initiates phase two of expropriation proceedings for the Montreal Road Revitalization Project by enacting a by-law, in the form attached in Document 1, approving the making of an application pursuant to Section 4 of the *Expropriations Act* for approval to expropriate lands that are required for purposes of the Montreal Road Revitalization project.

RECOMMANDATION DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil d'adopter un règlement municipal, dans la forme présentée dans le document 1 ci-joint, qui approuve la présentation d'une demande, en vertu de l'article 4 de la *Loi sur l'expropriation*, visant à autoriser l'expropriation des terrains nécessaires pour réaliser le projet de revitalisation du chemin de Montréal.

BACKGROUND

The [Montreal Road Revitalization Project](#) involves significant reconstruction of the 2-kilometre section of Montreal Road between North River Road and St Laurent Boulevard. The objective of the project is to renew underground infrastructure (watermain and segments of sewer pipe) and to transform the corridor into a vibrant and welcoming main street with a well-balanced transportation network that will allow residents and businesses to thrive. The above surface works involve reducing the existing four-lane cross-section to three-lanes with cycle tracks on both side of the corridor between the Vanier Parkway and St. Laurent Boulevard, sidewalk and curb replacement and significant streetscaping improvements.

As well, the project includes reconstruction of North River Road (north of Montreal Road) and the construction of a multi-use-path (MUP) between Greensway Avenue and the Vanier Parkway which will serve as a cycling connection between the Rideau River and Vanier Parkway.

The planning phase of the project involved completion of the Montreal Road Functional Planning Study (June 2017) and a Road Modification Approval (RMA) signed July 2017

by the Ward Councillors for both Ward 12 (Rideau-Vanier) and Ward 13 (Rideau Rockcliffe).

On March 6, 2019, Council approved the Transportation Committee [2019 Budget](#), which included funding for the Montreal Road Revitalization Project – North River Road to St. Laurent Boulevard. The contract tender was awarded in the fall of 2019.

The Corporate Real Estate Office (CREO) recommends initiating expropriation proceedings where necessary to ensure that property interests required to support the Montreal Road Revitalization Project are available to meet anticipated construction timing.

In the fall of 2019, as discussed in report no. [ACS2019-PIE-CRO-0011](#), CREO recommended that expropriation proceedings be initiated for a small number of property interests which will be required in 2019. In this regard, on November 27, 2019, Council passed By-law No. 2019-388 approving the issuance of Notice of Application to expropriate these property interests for the purposes of the Montreal Road Revitalization Project.

This report recommends the adoption of a by-law authorizing the issuance of Notice of Application to expropriate with respect to another group of property interests required for the purposes of the Montreal Road Revitalization Project.

DISCUSSION

Property interests such as road widenings and temporary construction easements are required to support the Montreal Road Revitalization Project. Some of these have already been acquired under delegated authority pursuant to Delegation of Authority By-law No. 2018-397 while others were included in the Notice of Application for approval to expropriate issued pursuant to By-law No. 2019-388.

In order to continue the Montreal Road Revitalization Project, and protect construction timing, Corporate Real Estate Office (CREO) is now recommending the initiation of expropriation proceedings with respect to the property interests identified in the Draft By-law attached hereto as Document 1.

In accordance with Section 4 of the *Expropriations Act*, R.S.O., 1990, c. E-26, as amended (the “*Expropriations Act*”), the City must apply to City Council, acting as the approval authority, to acquire land by expropriation.

Upon Council approval of the recommendations contained in this report, staff will proceed to issue statutory notices to the owners of the relevant properties together with publishing the required notice in newspapers having general circulation in the locality in which the lands are located.

A further report will be brought before Council prior to registration of Plans of Expropriation.

Notwithstanding the initiation of expropriation proceedings, staff will continue to pursue negotiations with affected property owners to acquire the required property interests and negotiate settlements.

RURAL IMPLICATIONS

All requirements are within the Urban Boundary of the City of Ottawa. The acquisition of property required for the Montreal Road Revitalization Project will not generate any rural implications.

CONSULTATION

The planning phase of the project involved completion of the Montreal Road Functional Planning Study (June 2017) and a Road Modification Approval (RMA) signed July 2017 by the Ward Councillors for both Ward 12 (Rideau-Vanier) and Ward 13 (Rideau Rockcliffe).

To the extent possible, the real estate acquisition team has been in contact with the owners of property interests required to support the Montreal Road Revitalization Project. This work has been ongoing since June of 2018 and is expected to continue over the coming year.

COMMENTS BY THE WARD COUNCILLORS

Councillors Fleury and King have been consulted and are aware of this report.

LEGAL IMPLICATIONS

Provided that the City follows the procedures set out in the *Expropriation Act* and outlined in this report and the Draft By-law attached hereto as Document 1, there are no legal impediments to implementing the recommendations set out in this report.

RISK MANAGEMENT IMPLICATIONS

The acquisition of certain property interests is required to complete the Montreal Road Revitalization Project. Failure to approve the expropriation may delay completion of the project and could impact the City's ability to meet its contractual obligations under the construction contract which was awarded in the fall 2019.

FINANCIAL IMPLICATIONS

Funds for the expropriations are available within the account CP000209 Montreal Road and North River Road.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- TM3 – Provide infrastructure to support mobility choices and
- TM4 – Promote alternative mobility choices

SUPPORTING DOCUMENTATION

Document 1 Draft By-law (*Held on file with the City Clerk*)

DISPOSITION

Following Council's approval, CREO will work with external legal counsel to serve and publish Notice of Application for Approval to Expropriate.