

**6. EXPROPRIATION OF LANDS, BRIAN COBURN BOULEVARD  
EXTENSION, NAVAN ROAD TO MER BLEUE ROAD**

**EXPROPRIATION DE TERRAINS, PROLONGEMENT DU BOULEVARD  
BRIAN-COBURN, DU CHEMIN NAVAN AU CHEMIN MER BLEUE**

**COMMITTEE RECOMMENDATION**

That Council approve the by-law attached as Document 1, authorizing the City to proceed with the expropriation of the properties described in Schedule 1 of the by-law for the purpose of the extension of the Brian Coburn Boulevard from Navan Road to Mer Bleue Road Project, as outlined in this report and in accordance with the *Expropriations Act*.

**RECOMMANDATION DU COMITÉ**

Que le Conseil approuve le règlement municipal faisant l'objet du document 1, autorisant la Ville à procéder à l'expropriation des propriétés décrites dans l'annexe 1 du règlement aux fins du Projet de prolongement du boulevard Brian-Coburn du chemin Navan au chemin Mer Bleue, comme indiqué dans le présent rapport et conformément à la *Loi sur l'expropriation*.

**DOCUMENTATION / DOCUMENTATION**

John L. Moser, Acting Deputy City Manager, Planning and Infrastructure, report dated 2 June 2016 / Directeur municipal adjoint par intérim, Urbanisme et infrastructure, rapport daté le 2 juin 2016 (ACS2016-PAI-REP-0017)

**FINANCE AND ECONOMIC  
DEVELOPMENT COMMITTEE  
REPORT 16  
13 JULY 2016**

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**COMITÉ DES FINANCES ET DU  
DÉVELOPPEMENT ÉCONOMIQUE  
RAPPORT 16  
LE 13 JUILLET 2016**

**Report to  
Rapport au:**

**Finance and Economic Development Committee  
Comité des finances et du développement économique  
5 July 2016 / 5 juillet 2016**

**and Council  
et au Conseil  
13 July 2016 / 13 juillet 2016**

**Submitted on June 2, 2016  
Soumis le 2 juin 2016**

**Submitted by  
Soumis par:  
John L. Moser, Acting Deputy City Manager/directeur municipal adjoint par  
intérim, Planning and Infrastructure/Urbanisme et Infrastructure**

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**Ward: INNES (2)**

**File Number: ACS2016-PAI-REP-0017**

**SUBJECT: EXPROPRIATION OF LANDS, BRIAN COBURN BOULEVARD  
EXTENSION, NAVAN ROAD TO MER BLEUE ROAD**

**OBJET:        EXPROPRIATION DE TERRAINS, PROLONGEMENT DU BOULEVARD  
                 BRIAN-COBURN, DU CHEMIN NAVAN AU CHEMIN MER BLEUE**

## **REPORT RECOMMENDATIONS**

That the Finance and Economic Development Committee recommend Council approve the by-law attached as Document 1, authorizing the City to proceed with the expropriation of the properties described in Schedule 1 of the by-law for the purpose of the extension of the Brian Coburn Boulevard from Navan Road to Mer Bleue Road Project, as outlined in this report and in accordance with the *Expropriations Act*.

## **RECOMMANDATIONS DU RAPPORT**

Que le Comité des finances et du développement économique recommande au Conseil d'approuver le règlement municipal faisant l'objet du document 1, autorisant la Ville à procéder à l'expropriation des propriétés décrites dans l'annexe 1 du règlement aux fins du Projet de prolongement du boulevard Brian-Coburn du chemin Navan au chemin Mer Bleue, comme indiqué dans le présent rapport et conformément à la *Loi sur l'expropriation*.

## **BACKGROUND**

In the 2015 Capital Budget, City Council approved funding for the extension of Brian Coburn Boulevard from Navan Road to Mer Bleue Road in the East Urban Community. The purpose of this report is to obtain the approval of City Council to proceed with the expropriation of property described in Schedule 1 to the by-law attached in Document 1, needed for the extension of Brian Coburn Boulevard from Navan Road to Mer Bleue Road.

## **DISCUSSION**

The Brian Coburn Boulevard Extension Project requires the acquisition of property from multiple owners. The majority of the property requirements for this project have been acquired through negotiation and as a condition of subdivision approval; however, in order to ensure that property acquisition is complete in advance of commencement of

construction of the Brian Coburn Boulevard Extension Project, the City initiated expropriation proceedings with respect to five parcels described in Schedule 1 to the by-law attached in Document 1 (the “**Property Requirements**”).

Expropriation proceedings commenced with the Application for Approval to Expropriate Lands under Section 4 of the *Expropriations Act*, approved by Council 8 July 2015 (link to report [ACS2015-PAI-REP-0009](#)). Notice of the Application for Approval to Expropriate the Property Requirements was served by registered mail on 10 May 2016 and published three times in the EMC and Le Droit as per the requirements of the *Expropriations Act*. No request for an inquiry was received.

The City is now in a position to proceed with the expropriation of the Property Requirements including:

1. Registering a plan of expropriation with respect to the Property Requirements;
2. Serving notice of expropriation and possession on the owner(s) of the Property Requirements;
3. Offering the owner(s) of the property requirements 100% of the market value of the Property Requirements; and
4. Taking possession of the Property Requirements.

Staff will continue to pursue a settlement with respect to the acquisition of the Property Requirements and the determination of compensation payable to the owners of the property requirements through negotiation and, if necessary, through the process established in the *Expropriations Act* including conducting a hearing of necessity or an arbitration before the Ontario Municipal Board.

## RURAL IMPLICATIONS

The Property Requirements are located within the urban boundary. There are no rural implications associated with this report.

## **CONSULTATION**

The Brian Coburn Extension, Navan Road to Mer Bleue Road Project was subject to a Municipal Class Environmental Assessment that included public open houses.

## **COMMENTS BY THE WARD COUNCILLOR(S)**

The project is in Ward 2 Innes. Councillor Mitic has reviewed the report and is aware of the recommendations in this report.

## **LEGAL IMPLICATIONS**

Provided that the City follows 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**

Failure to acquire the property requirements in a timely manner may result in construction contract penalties and delays in the construction and extension of Brian Coburn Boulevard from Navan Road to Mer Bleue Road.

## **FINANCIAL IMPLICATIONS**

Funding for the expropriations will come from within 903211, Brian Coburn Extension, Navan Road to Mer Bleue Road.

## **ACCESSIBILITY IMPACTS**

There are no accessibility implications to implementing the recommendations set out in this report.

## **ENVIRONMENTAL IMPLICATIONS**

The report recommendations fulfil legislative requirements of the *Expropriations Act*. There are no environmental impacts related to this report.

## **TERM OF COUNCIL PRIORITIES**

The recommendations of this report support City Council's Transportation and Mobility (TM) priority to meet the current and future transportation needs of residents and visitors and its objective TM2 to provide and promote infrastructure to support safe mobility choices.

**SUPPORTING DOCUMENTATION** *(previously distributed, and held on file with the City Clerk)*

Document 1 is a draft by-law.

## **DISPOSITION**

Upon approval, Realty Services, Legal Services and External Counsel acting on behalf of the City will finalize expropriation proceedings. Surveys and Mapping will compose and register a plan of expropriation.