

**8. APPLICATION FOR APPROVAL TO EXPROPRIATE LANDS
DEMANDE D'APPROBATION D'EXPROPRIATION**

COMMITTEE RECOMMENDATIONS

That Council enact a by-law, in the form attached in Document "1", approving the application for approval to expropriate lands pursuant to Section 4 of the *Expropriations Act*, that are required to facilitate:

1. The widening and urbanization of Mer Bleue Road, between the Hydro One Corridor situated approximately 800m south of Innes Road and Renaud Road;
2. The extension of Brian Coburn Boulevard between Navan Road and Mer Bleue Road;
3. The widening and construction of Tenth Line Road between Southfield Road and the South Urban Boundary; and
4. The widening and renewal of Main Street between Echo Drive and the McIlraith Bridge.

RECOMMANDATIONS DU COMITÉ

Que le Conseil adopte un règlement, dans le formulaire joint en tant que Document 1, afin d'approuver la demande d'expropriation, aux termes de l'article 4 de la *Loi sur l'expropriation*, en vue de faciliter ce qui suit :

1. L'élargissement et l'urbanisation du chemin de la Mer Bleue, entre le couloir de transport d'électricité d'Hydro One, à environ 800 m au sud du chemin Innes, et le chemin Renaud;

- 2. Le prolongement du boulevard Brian Coburn entre les chemins Navan et Mer Bleue;**
- 3. L'élargissement et la construction du chemin Tenth Line entre le chemin Southfield et la limite urbaine sud;**
- 4. L'élargissement et la réfection de la rue Main entre la promenade Echo et le pont McIlraith.**

DOCUMENTATION / DOCUMENTATION

John L. Moser, Acting Deputy City Manager report dated 22 June 2015 /
directeur municipal adjoint par intérim, rapport daté du 22 juin 2015 (ACS2015-
PAI-REP-0009)

**FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
REPORT 6
8 JULY 2015**

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**COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
RAPPORT 6
LE 8 JUILLET 2015**

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
29 June 2015 / 29 juin 2015**

**and Council
et au Conseil
8 July 2015 / 8 juillet 2015**

**Submitted on June 22, 2015
Soumis le 22 juin 2015**

**Submitted by
Soumis par:**

**John L. Moser, Acting Deputy City Manager/directeur municipal adjoint par
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**Ward: INNES (2), CUMBERLAND (19,
CAPITAL (17)**

File Number: ACS2015-PAI-REP-0009

SUBJECT: APPLICATION FOR APPROVAL TO EXPROPRIATE LANDS

OBJET: DEMANDE D'APPROBATION D'EXPROPRIATION

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend Council enact a by-law, in the form attached in Document “1”, approving the application for approval to expropriate lands pursuant to Section 4 of the *Expropriations Act*, that are required to facilitate:

1. The widening and urbanization of Mer Bleue Road, between the Hydro One Corridor situated approximately 800m south of Innes Road and Renaud Road;
2. The extension of Brian Coburn Boulevard between Navan Road and Mer Bleue Road;
3. The widening and construction of Tenth Line Road between Southfield Road and the South Urban Boundary; and
4. The widening and renewal of Main Street between Echo Drive and the McIlraith Bridge.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil d'adopter un règlement, dans le formulaire joint en tant que Document 1, afin d'approuver la demande d'expropriation, aux termes de l'article 4 de la *Loi sur l'expropriation*, en vue de faciliter ce qui suit :

1. L'élargissement et l'urbanisation du chemin de la Mer Bleue, entre le couloir de transport d'électricité d'Hydro One, à environ 800 m au sud du chemin Innes, et le chemin Renaud;
2. Le prolongement du boulevard Brian Coburn entre les chemins Navan et Mer Bleue;
3. L'élargissement et la construction du chemin Tenth Line entre le chemin Southfield et la limite urbaine sud;

4. L'élargissement et la réfection de la rue Main entre la promenade Echo et le pont McIlraith.

BACKGROUND

City Council, by its approval of the 2014 and 2015 Capital budget, approved funding for the design and property acquisition for the following projects:

- The widening and urbanization of Mer Bleue Road, between the Hydro One Corridor situated approximately 800m south of Innes Road and Renaud Road;
- The extension of Brian Coburn Boulevard between Navan Road and Mer Bleue Road;
- The widening and construction of Tenth Line Road, between Southfield Road and the South Urban Boundary; and
- The widening and renewal of Main Street between Echo Drive and the McIlraith Bridge.

The purpose of this report is to seek Council approval for staff to initiate expropriation, if necessary, to facilitate the proposed construction.

DISCUSSION

The Mer Bleue Road widening and urbanization project requires lands from multiple properties abutting Mer Bleue Road. The project involves partial land requirements from five (5) properties identified on Schedules 1A and 1B in the draft by-law attached hereto as Document "1".

The Brian Coburn Boulevard extension project will connect Navan Road to Mer Bleue Road with a new road and will require property from multiple properties situated along the new Brian Coburn Boulevard right of way. The project involves partial land requirements from twelve (12) properties identified on Schedules 2A and 2B in the draft by-law attached hereto as Document "1".

The Tenth Line widening and urbanization project has been ongoing since 2007 and originally required the acquisition of partial takings from multiple properties. The lands

conveyed to the City to date were acquired through negotiation; however, partial takings of property are still required to complete the project from two (2) properties identified on Schedules 3A and 3B in the draft by-law attached hereto as Document “1”.

The Main Street widening and renewal project requires property interests from multiple properties abutting Main Street. The project involves partial land requirements from seven (7) properties identified on Schedules 4A and 4B in the draft by-law attached hereto as Document “1”.

The project approval reports associated with the respective projects identified above, did not include authorization for staff to initiate expropriation for the property rights required to facilitate construction, if necessary. In accordance with section 4 of the *Expropriations Act*, R.S.O., 1990, c. E-26, as amended (the “Act”), Council, the expropriating authority, must approve and direct staff to proceed with the application for approval to expropriate. Notwithstanding the foregoing and pursuant to the direction of the Infrastructure Services Department, Realty Services will contact property owners to negotiate property settlements.

Upon Council approval of this report, as the expropriating authority, staff can proceed with the expropriation procedures by providing the statutory notices to the owners together with publishing the required notices in newspapers having general circulation in the locality in which the lands are located.

It is important to reaffirm the City’s position that meaningful negotiations to acquire the partial takings, permanent and temporary construction easements will continue. Every effort will be made to negotiate amicable settlements with all property owners. In the event it becomes necessary to commence expropriation proceedings to meet construction schedules, negotiations will continue in an attempt to resolve any outstanding issues.

RURAL IMPLICATIONS

All requirements are within the Urban Boundary of the City of Ottawa. Conveyance of the property requirements will not generate any rural implications.

CONSULTATION

Public consultation for the project was part of the Municipal Class Environmental Assessment process and included open houses and notices.

COMMENTS BY THE WARD COUNCILLOR(S)

The subject road projects are located in Ward 2 - Innes, Ward 19 - Cumberland, and Ward 17 – Capital. The Ward Councillors, Jody Mitic (Orleans) Stephen Blais (Cumberland), David Chernushenko (Capital), have been consulted and support this approval request.

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

Acquisition of the land requirements are required to complete the road widening and construction projects. Failure to approve the expropriation will delay completion of the projects and could lead to construction (delay) penalties.

FINANCIAL IMPLICATIONS

Funds for the expropriations are available within the capital project accounts, as follows:

- Recommendation 1: 903211 Mer Bleue Road (Innes to Navan)
- Recommendation 2: 903219 Tenth Line Road (Innes to Harvest Valley)
- Recommendation 3: 907132 Brian Cobourn (Navan to Mer Bleue)
- Recommendation 4: 906579 O-OTM Main St (Echo-Springhurst)

ACCESSIBILITY IMPACTS

There are no accessibility impacts with regard to this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental impacts associated with this report.

TERM OF COUNCIL PRIORITIES

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

SUPPORTING DOCUMENTATION

(Distributed separately and held on file with the City Clerk)

Document 1 – Draft by-law

DISPOSITION

Following Council's approval, Realty Services and Legal Counsel will serve a Notice of Application for Approval to Expropriate upon the registered owner(s) as required and publish the said Notice pursuant to Section 6 of the *Expropriations Act*.