

**CITY OF OTTAWA**

**BY-LAW NO. \_\_\_\_\_**

A BY-LAW TO PROVIDE FOR THE MAKING OF AN APPLICATION FOR APPROVAL TO EXPROPRIATE PROPERTY IN THE CITY OF OTTAWA, AS MORE PARTICULARLY DESCRIBED IN SCHEDULES “A” and “B” TO THIS BY-LAW.

WHEREAS the City of Ottawa requires interests in the lands described in **Schedules “A” and “B”** attached hereto for the purposes of the Combined Sewage Storage Tunnel (the “**CSST**”) project, including but not limited to, facilitating the construction, operation, maintenance, repair and replacement of CSST infrastructure including two inter-connected concrete lined combined sewage tunnels, associated shafts, flow control/diversion structures, odour control and operational support facilities, and buffer zones, and including subterranean and surface temporary working easements thirty (30) months in duration for purposes including but not limited to for the purpose of constructing, operating and ultimately decommissioning a temporary tail tunnel to facilitate the storage and removal of excavated materials, and for the purpose of the storage and removal of excavated materials, debris, construction materials and equipment, and to enter on, under and through the lands with all vehicles, machinery, workmen and material for construction, excavation, and grading, and all other improvements and works ancillary to the CSST;

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*”);

AND WHEREAS pursuant to Section 4 of the *Expropriations Act*, an expropriating authority, in this case, the City of Ottawa, shall not expropriate land without the approval of the approving authority, in this case, the Council of the City of Ottawa;

AND WHEREAS the City of Ottawa shall conduct the expropriation in accordance with the *Expropriations Act*.

NOW THEREFORE THE COUNCIL OF THE CITY OF OTTAWA HEREBY ENACTS AS FOLLOWS:

1. THAT the Council of the City of Ottawa hereby approves the making of an Application for Approval to Expropriate Lands by the City of Ottawa, in respect of the property described in **Schedules “A” and “B”**, appended hereto.

2. THAT the Mayor, the City Clerk, the Director of the Real Estate Partnerships and Development Office or any one of them are hereby authorized to execute, on behalf of the City of Ottawa, an Application for Approval to Expropriate the properties described in **Schedules “A” and “B”**, appended hereto.
3. THAT the Mayor, the City Clerk, the Director of the Real Estate Partnerships and Development Office or any one of them are hereby authorized to execute, on behalf of the City of Ottawa, Notice of Application for Approval to Expropriate Lands for the property described in **Schedules “A” and “B”**, appended hereto and that such Notice be served and published, as required by the *Expropriations Act*.
4. THAT, in the event an owner or registered owner requests a hearing of necessity, and a report of the inquiry officer is issued, the report of the inquiry officer shall come before Council of the City of Ottawa for consideration.
5. THAT the Officers and authorized agents of the City of Ottawa be and they are hereby otherwise authorized and directed to do all things required arising from the authorizations provided for by this By-law.
6. THAT this By-law comes into force on the day it is passed.

READ and PASSED this \_\_\_ day of \_\_\_\_\_, 2015.

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CLERK

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MAYOR

**SCHEDULE “A” – BY-LAW NO \_\_\_\_\_**

**Those lands in the City of Ottawa described as follows:**

**All right, title and interest in the following lands:**

1. Part of PIN 04122-0516 (LT) being full interest in part of PT LTS 19, 20, & 21, PL 30, S/S CATHERINE STREET ; PL LTS 19, 20 & 21, PL 30, N/S ISABELLA STREET ; PL LTS 13 & 14, PL 30 , E/S KENT STREET ; ALL BEING PARTS 1 & 4, 5R11360, S/T N486420, S/T THE INTEREST IN CR646393 AS AMENDED BY N335848 ; OTTAWA/NEPEAN designated as Parcel 1 in Property Sketch No. 16478site09-05c.dgn, attached as sketch B-1 in Schedule “B” hereto.

**All right, title and subterranean interest in the stratified portion of the following lands:**

2. Part of PIN 04112-0061 (LT) being a strata interest in part of PT LTS A & 1, PL 3922, N/S SLATER ST, AS IN N612933; OTTAWA/NEPEAN designated as Parcel 1 in Property Sketch No. 16478site01-02d.dgn, attached as sketch B-2 in Schedule “B” hereto.
3. Part of PIN 04217-0046 (LT) being a strata interest in part of LT 3, PL 3, W/S KING EDWARD AVE ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-01d.dgn, attached as sketch B-3 in Schedule “B” hereto.
4. Part of PIN 04217-0055 (LT) being a strata interest in part of PT LT 22, PL 3, PART 1, 5R9962, S/S BOLTON ST; T/W N739749; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-02c.dgn, attached as sketch B-4 in Schedule “B” hereto.
5. Part of PIN 04217-0056 (LT) being a strata interest in part of PT LT 22, PL 3, PART 2 & 3, 5R9962, S/S BOLTON ST; S/T & T/W N593238; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-03c.dgn, attached as sketch B-5 in Schedule “B” hereto.
6. Part of PIN 04217-0057 (LT) being a strata interest in part of PT LT 22, PL 3, AS IN CR426651, S/S BOLTON ST; T/W CR426651; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-04c.dgn, attached as sketch B-6 in Schedule “B” hereto.
7. Part of PINS 15440-0001 (LT) through to 15440-0006 (LT) inclusive, being a strata interest in part of the common elements on Carleton Condominium Plan No. 440, PT

LTS 21 & 22, N/S CATHCART ST, PL 3, PTS 1, 2, & 3 4R6145, AS IN SCHEDULE 'A' OF DECLARATION LT581924; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-05f.dgn, attached as sketch B-7 in Schedule "B" hereto.

8. Part of PIN 04217-0053 (LT) being a strata interest in part of PT LTS 21 & 22, PL 3, AS IN N531355, N/S CATHCART ST; T/W N321511, N321512, N321513, N321514 & N321516 ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-06c.dgn, attached as sketch B-8 in Schedule "B" hereto.
9. Part of PIN 04217-0052 (LT) being a strata interest in part of PT LT 21, PL 3, AS IN N432559, N/S CATHCART ST; S/T N321514 & T/W N321511, N321512, N321513, N321516 ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-07c.dgn, attached as sketch B-9 in Schedule "B" hereto.
10. Part of PIN 04217-0051 (LT) being a strata interest in part of PT LT 21, PL 3, AS IN N710356, N/S CATHCART ST; S/T N321513 & T/W N321511, N321512, N321514, N321515 & N321516; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-08c.dgn, attached as sketch B-10 in Schedule "B" hereto.
11. Part of PIN 04217-0050 (LT) being a strata interest in part of PT LT 21, PL 3, AS IN N343003, N/S CATHCART ST; S/T N321511 & 321512 & T/W N321513, 321514 & N321516; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-09d.dgn, attached as sketch B-11 in Schedule "B" hereto.
12. Part of PIN 04217-0444 (LT) being a strata interest in part of PART OF LOT 2 ON PLAN 3, WEST SIDE OF KING EDWARD AVE, BEING PART 1 ON PLAN 4R-26188.; TOGETHER WITH AN EASEMENT OVER PART OF LOT 2 ON PLAN 3, WEST SIDE OF KING EDWARD AVENUE, BEING PARTS 2, 3, 4, AND 5 ON PLAN 4R-26188 AS IN OC1369397; TOGETHER WITH AN EASEMENT OVER PART OF LOT 2 ON PLAN 3, WEST SIDE OF KING EDWARD AVENUE, BEING PARTS 2, 3, 4, AND 5 ON PLAN 4R-26188 AS IN OC1369418; SUBJECT TO AN EASEMENT OVER PART 1 ON PLAN 4R-26188 IN FAVOUR OF PART OF LOT 2 ON PLAN 3, WEST SIDE OF KING EDWARD AVENUE, BEING PARTS 2, 3, 4 AND 5 ON PLAN 4R-26188 AS IN OC1369419; CITY OF OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-10c.dgn, attached as sketch B-12 in Schedule "B" hereto.
13. Part of PIN 04217-0142 (LT) being a strata interest in part of PT LT 28, PL 42482 , AS IN N734803, S/S CATHCART ST; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-11c.dgn, attached as sketch B-13 in Schedule "B" hereto.

14. Part of PIN 04217-0141 (LT) being a strata interest in part of PT LT 28, PL 42482 , PART 5, 6, 7, & 8, 5R13041, S/S CATHCART ST; S/T & T/W N530719; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-12c.dgn, attached as sketch B-14 in Schedule "B" hereto.
15. Part of PIN 04217-0140 (LT) being a strata interest in part of PT LT 28, PL 42482 , PART 1, 2, 3, & 4, 5R13041 , S/S CATHCART ST; S/T & T/W N510841; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-13c.dgn, attached as sketch B-15 in Schedule "B" hereto.
16. Part of PIN 04217-0126 (LT) being a strata interest in part of PT LT 27, PL 42482 , PART 1, 5R9267, S/S CATHCART ST; T/W N591819; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-14d.dgn, attached as sketch B-16 in Schedule "B" hereto.
17. Part of PINS 15407-0001 (LT) through to 15407-0021 (LT) inclusive, being a strata interest in part of the common elements on Carleton Condominium Plan No. 407, PT LT 27 S CATHCART ST & PT LT 27 N BRUYERE ST PL42482, PT 1 4R5991; AS IN SCHEDULE 'A' OF DECLARATION LT543510; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-15d.dgn, attached as sketch B-17 in Schedule "B" hereto.
18. Part of PIN 04217-0127 (LT) being a strata interest in part of PT LT 27, PL 42482 , PART 1 & 5, 5R13744, N/S BRUYERE ST; S/T & T/W N540783 ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-16c.dgn, attached as sketch B-18 in Schedule "B" hereto.
19. Part of PIN 04217-0128 (LT) being a strata interest in part of PT LT 27, PL 42482 , PART 2 & 3, 5R13744, N/S BRUYERE ST; T/W N631855 ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-17c.dgn, attached as sketch B-19 in Schedule "B" hereto.
20. Part of PIN 04217-0280 (LT) being a strata interest in part of LT 27, PL 42482 , S/S BRUYERE ST ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site05W-18d.dgn, attached as sketch B-20 in Schedule "B" hereto.

**An estate, right or interest, for a limited time in the nature of a temporary easement for a period of 30 months in the following lands:**

21. Part of PIN 04122-0516 (LT) being part of PL LTS 19, 20, & 21, PL 30, S/S CATHERINE STREET ; PL LTS 19, 20 & 21, PL 30, N/S ISABELLA STREET ; PL LTS 13 & 14, PL 30, E/S KENT STREET ; ALL BEING PARTS 1 & 4, 5R11360, S/T

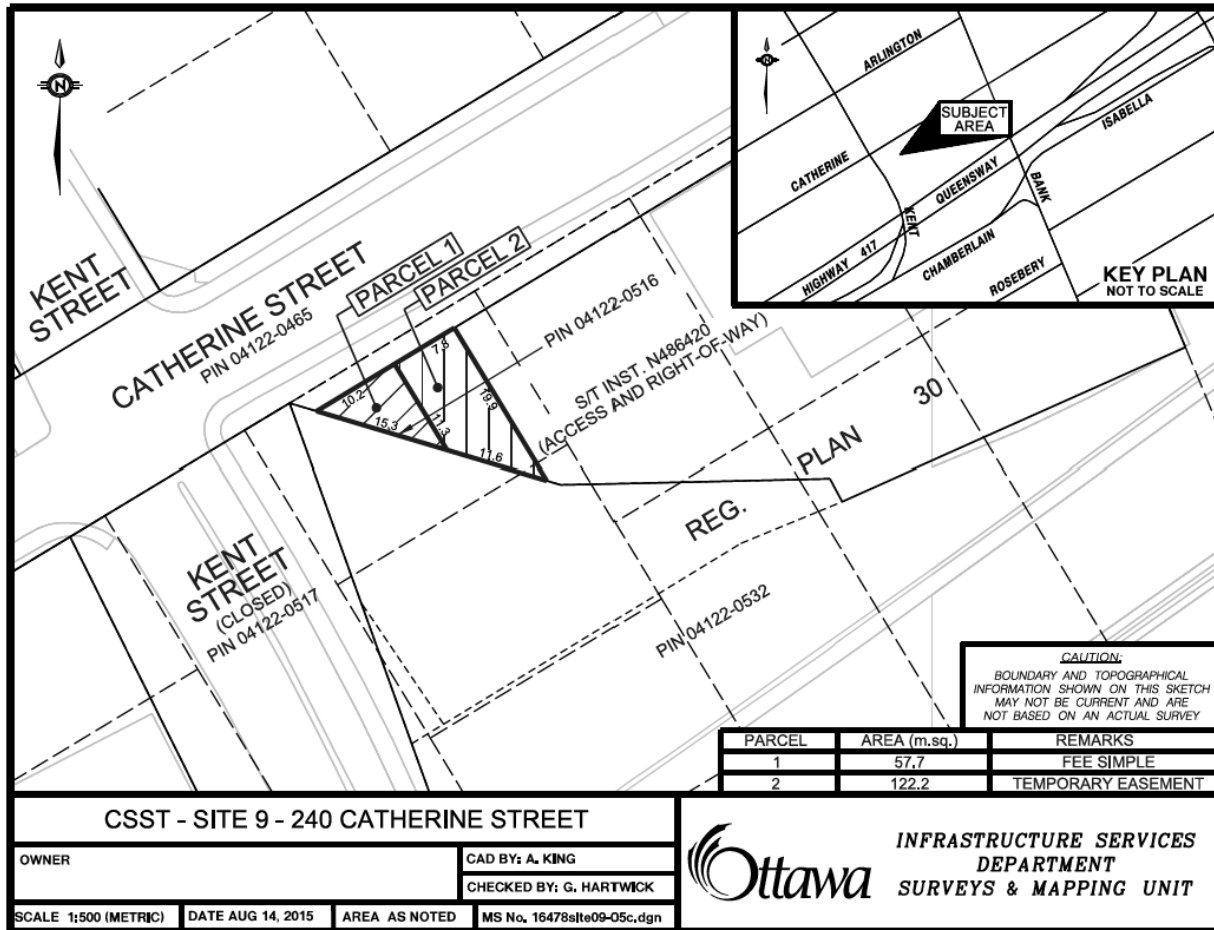
N486420, S/T THE INTEREST IN CR646393 AS AMENDED BY N335848 ;  
OTTAWA/NEPEAN designated as Parcel 2 in Property Sketch No. 16478site09-05c.dgn, attached as sketch B-1 in Schedule "B" hereto.

**An estate, right or interest, for a limited time in the nature of a temporary easement for a period of 30 months in the stratified portion of the following lands:**

22. Part of PIN04134-0356 (LT) being part of LOTS 1, 2, 3, 4, 5, 6, AND 7 PLAN 71572, S/S CHAMBERLAIN AVE, OTTAWA, EXCEPT PART 1 PLAN 5R4664M EXCEPT PART 1 PLAN 4R21518 designated as Parcel 1 in Property Sketch No. 16478site10-02e.dgn, attached as sketch B-21 in Schedule "B" hereto.

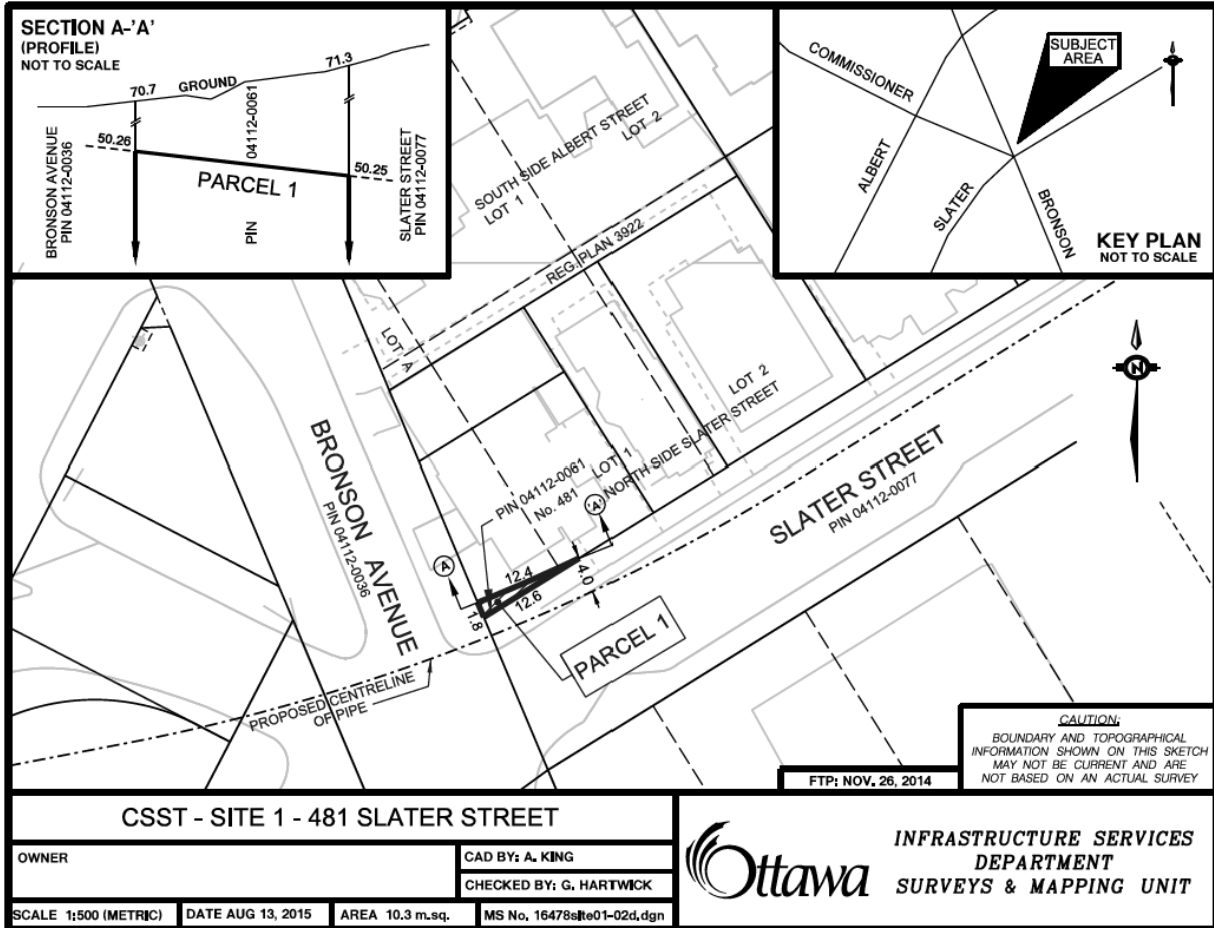
**An estate, right or interest, in the nature of a permanent easement in the stratified portion of the following lands:**

23. Part of PIN 04210-0078 (LT) being part of LTS 1, 2, 3, 4, & 5, PLAN 2275, E OF WALLER ST ; LTS 6 & 7, PL 2275, N OF LAURIER AV ; LTS N, 1, 2, 3, & 4, PL 6, S OF WILBROD ST ; LTS 1, 2, 3, & 4, PL 6, N OF LAURIER AV ; PT LT D, CON DRF, BEING THE REMAINDER OF LTS O & N, PL 6 BTN THE SLY LIMIT OF WILBROD ST & THE NLY LIMIT OF LAURIER AVE, PL 6 ; OTTAWA designated as Parcel 1 in Property Sketch No. 16478site03c-02b.dgn, attached as sketch B-22 in Schedule "B" hereto.

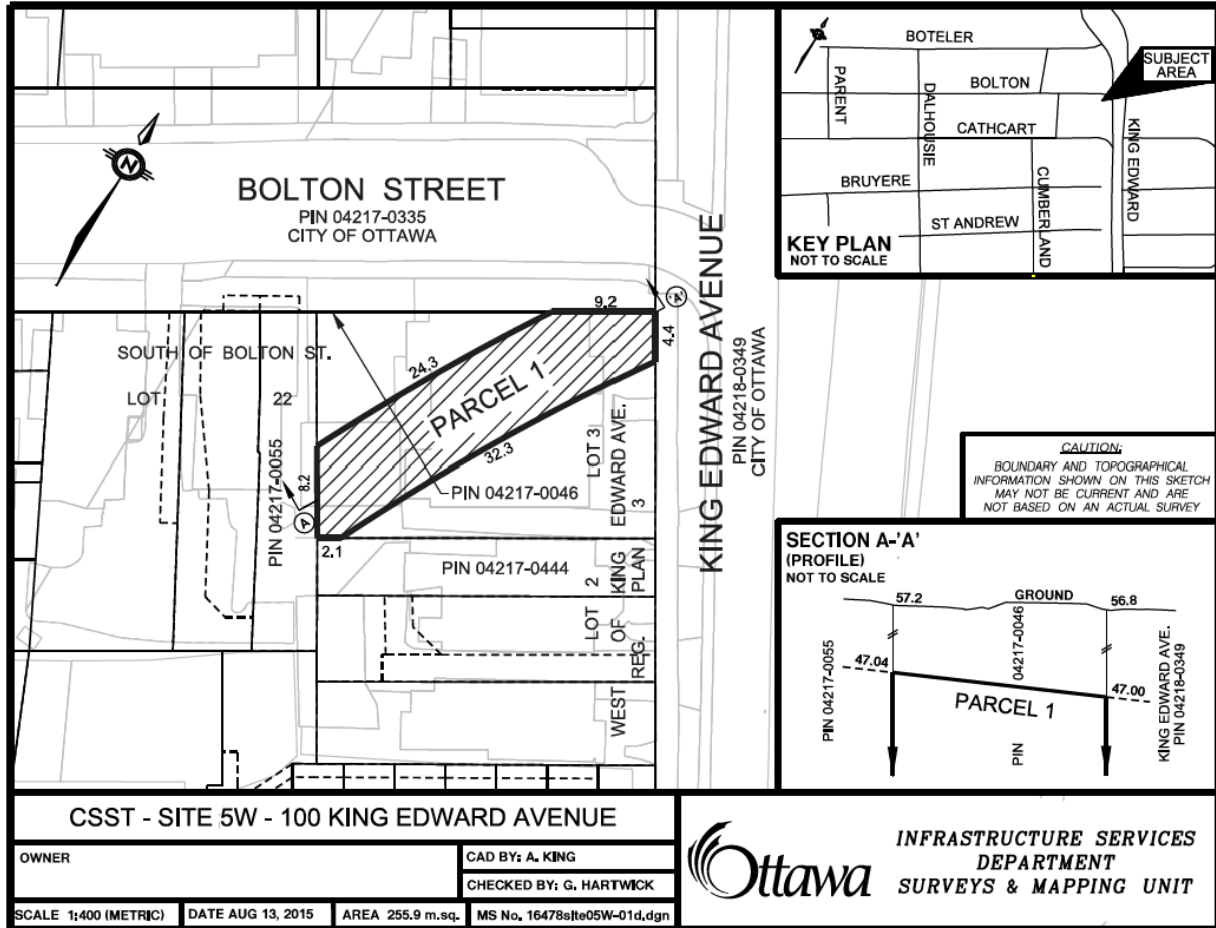
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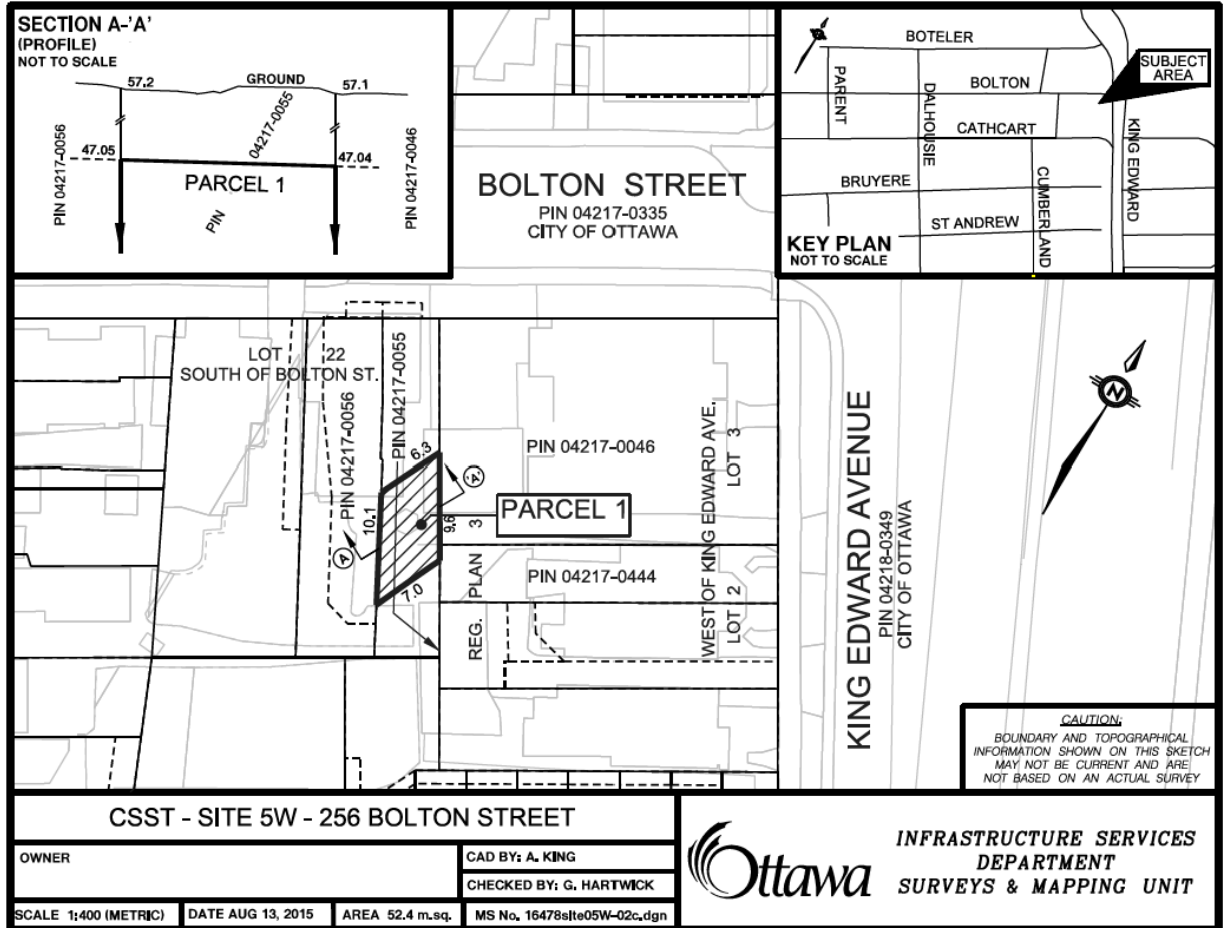
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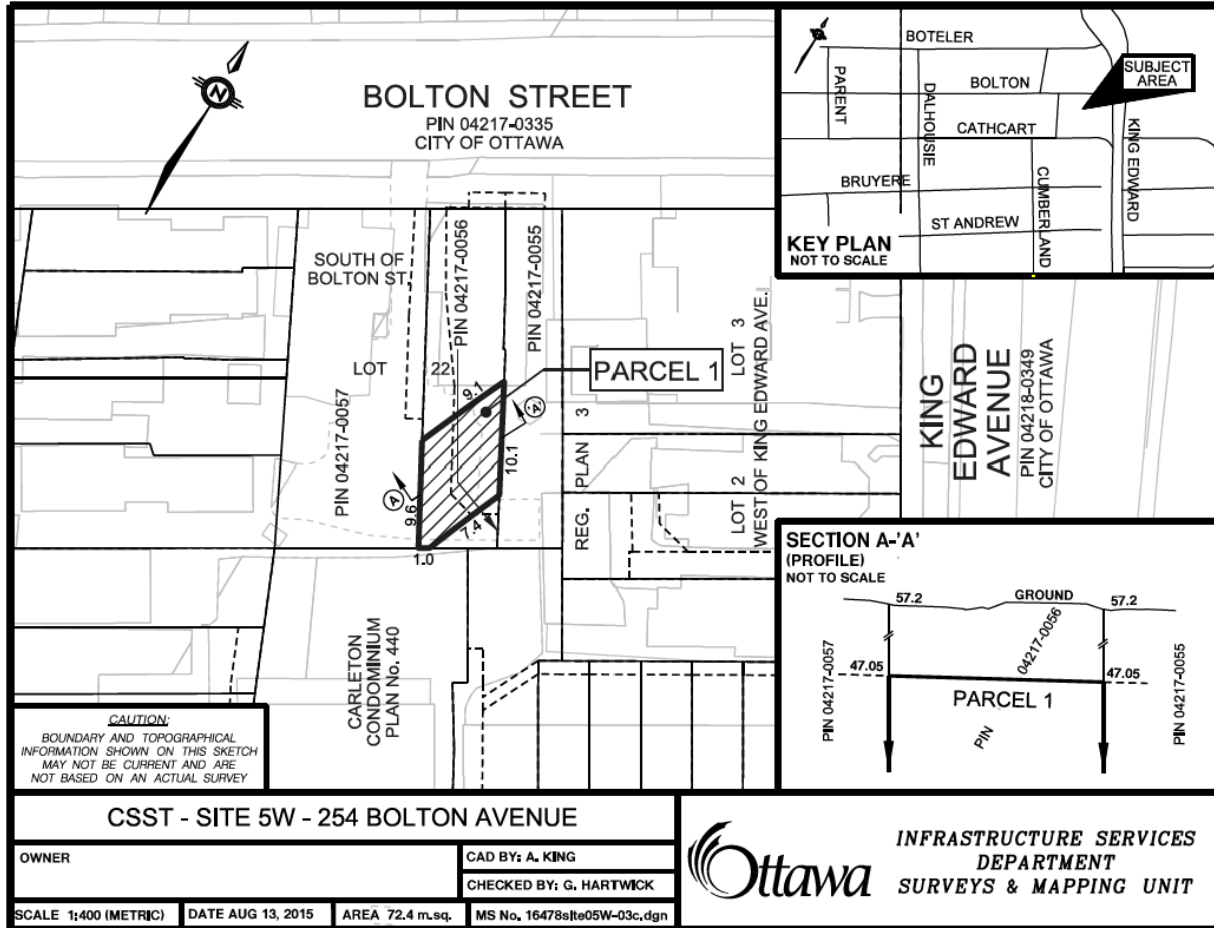
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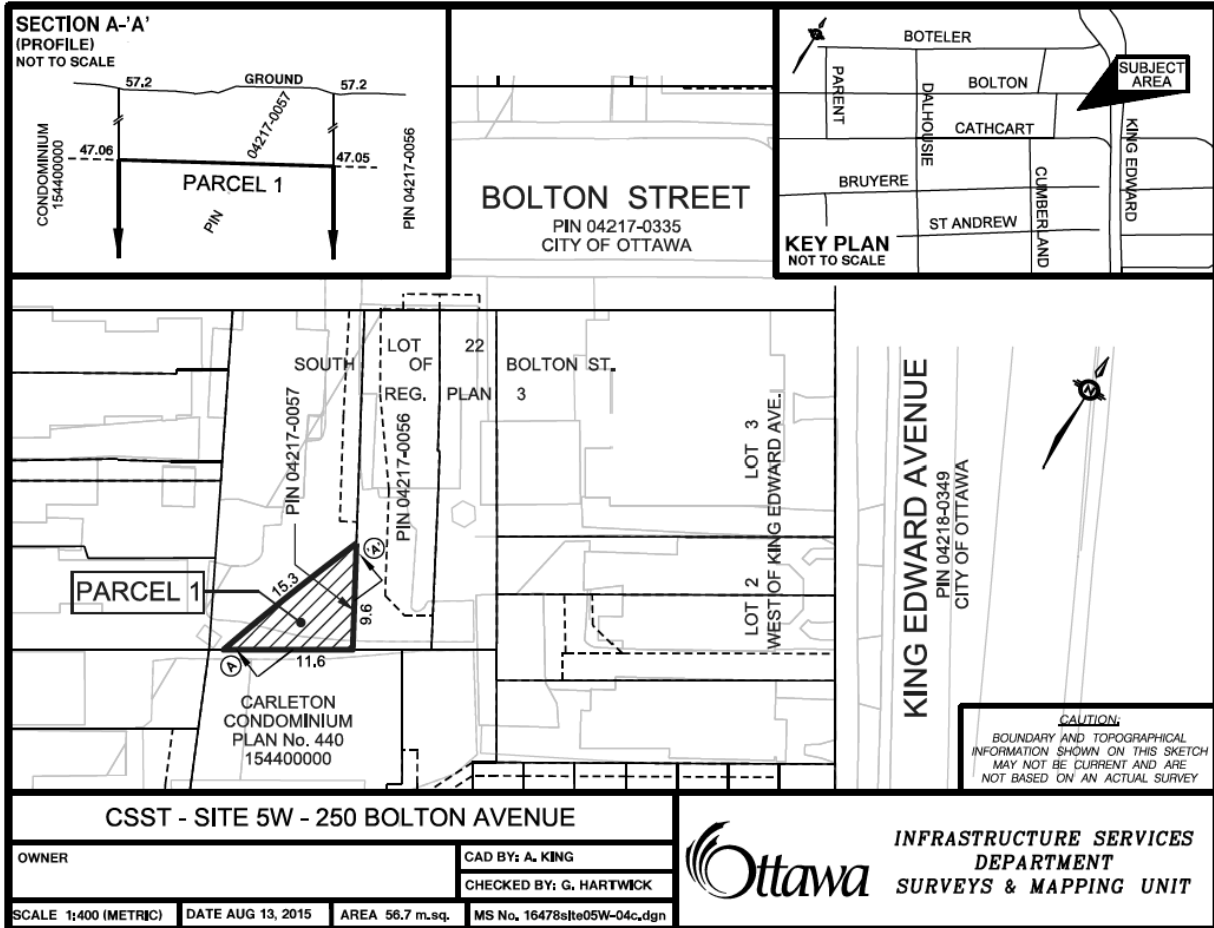
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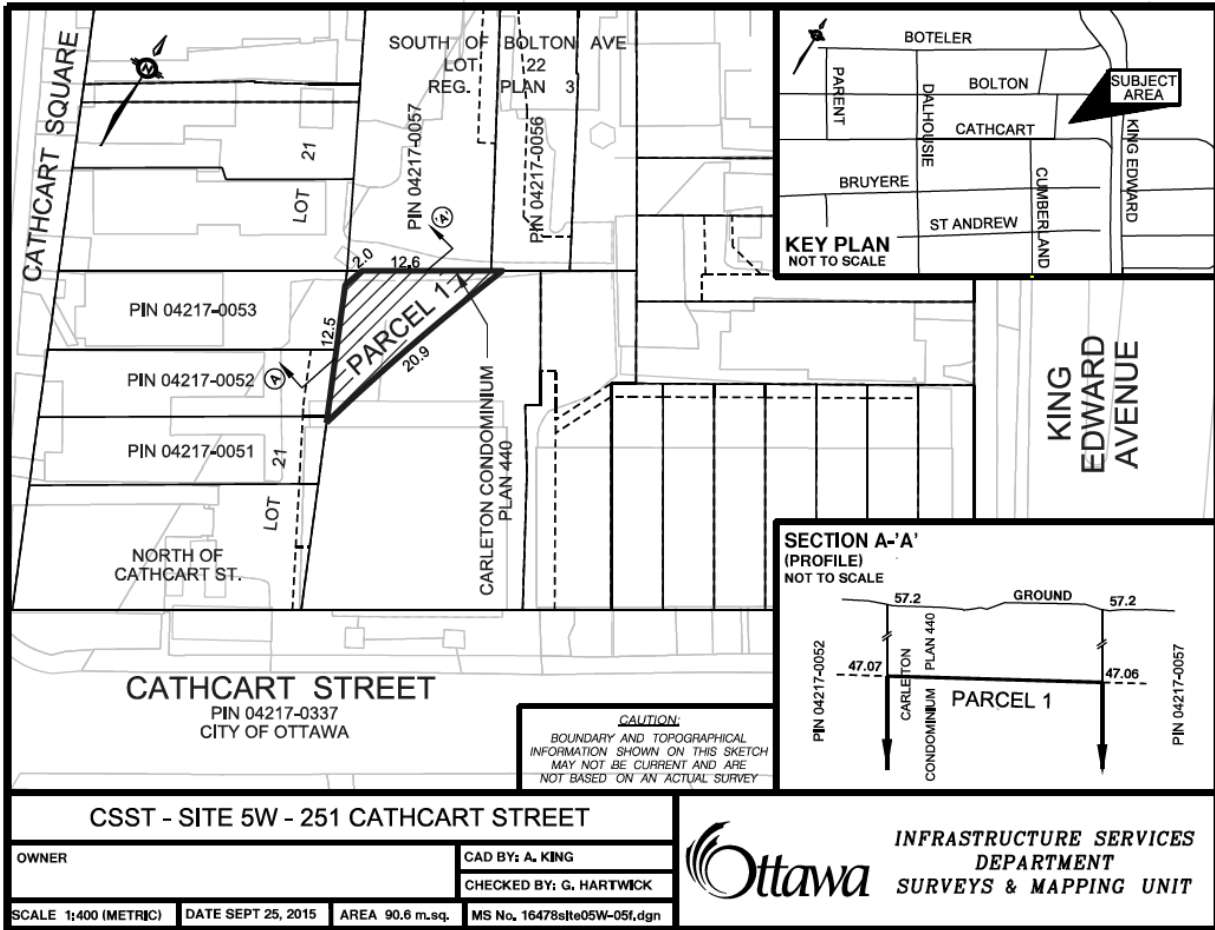
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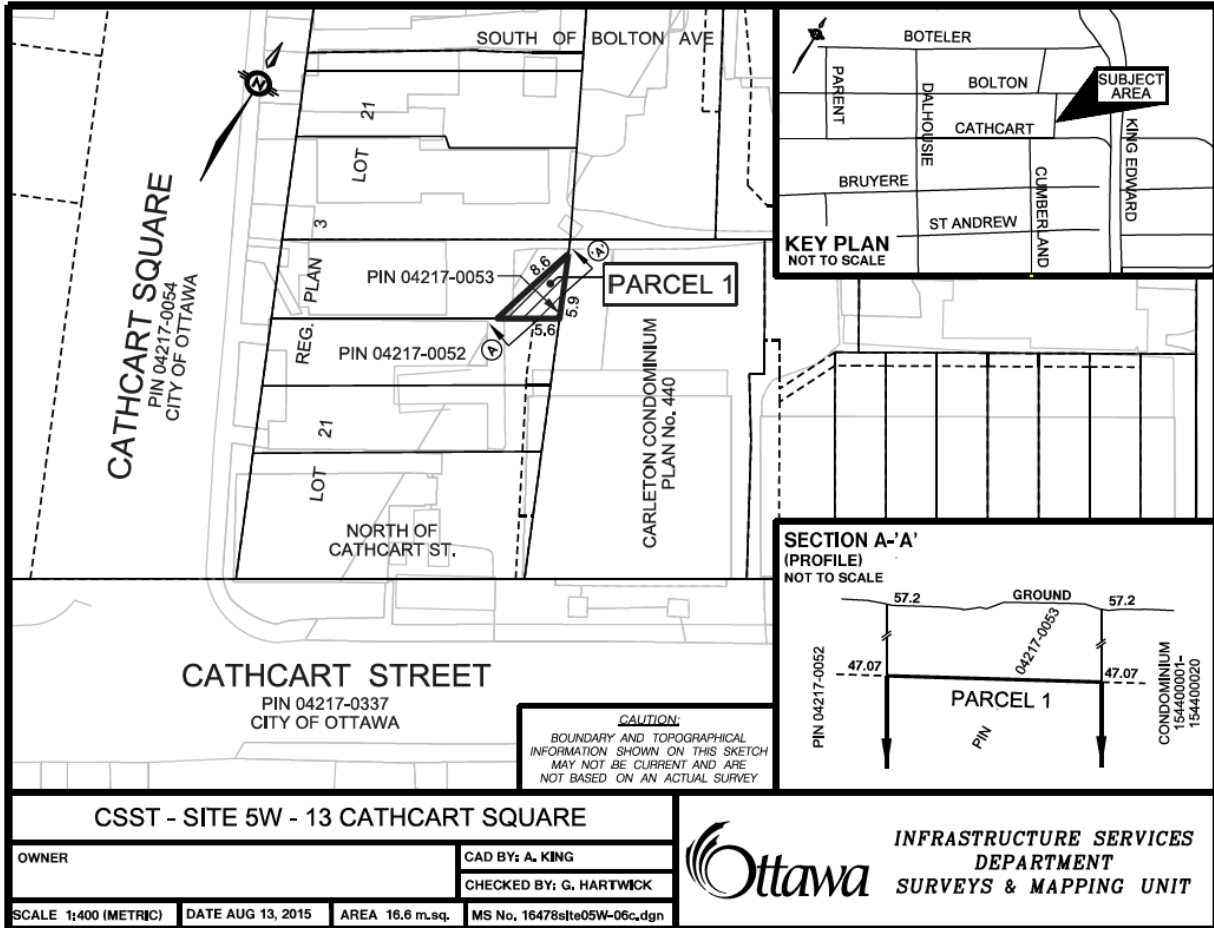
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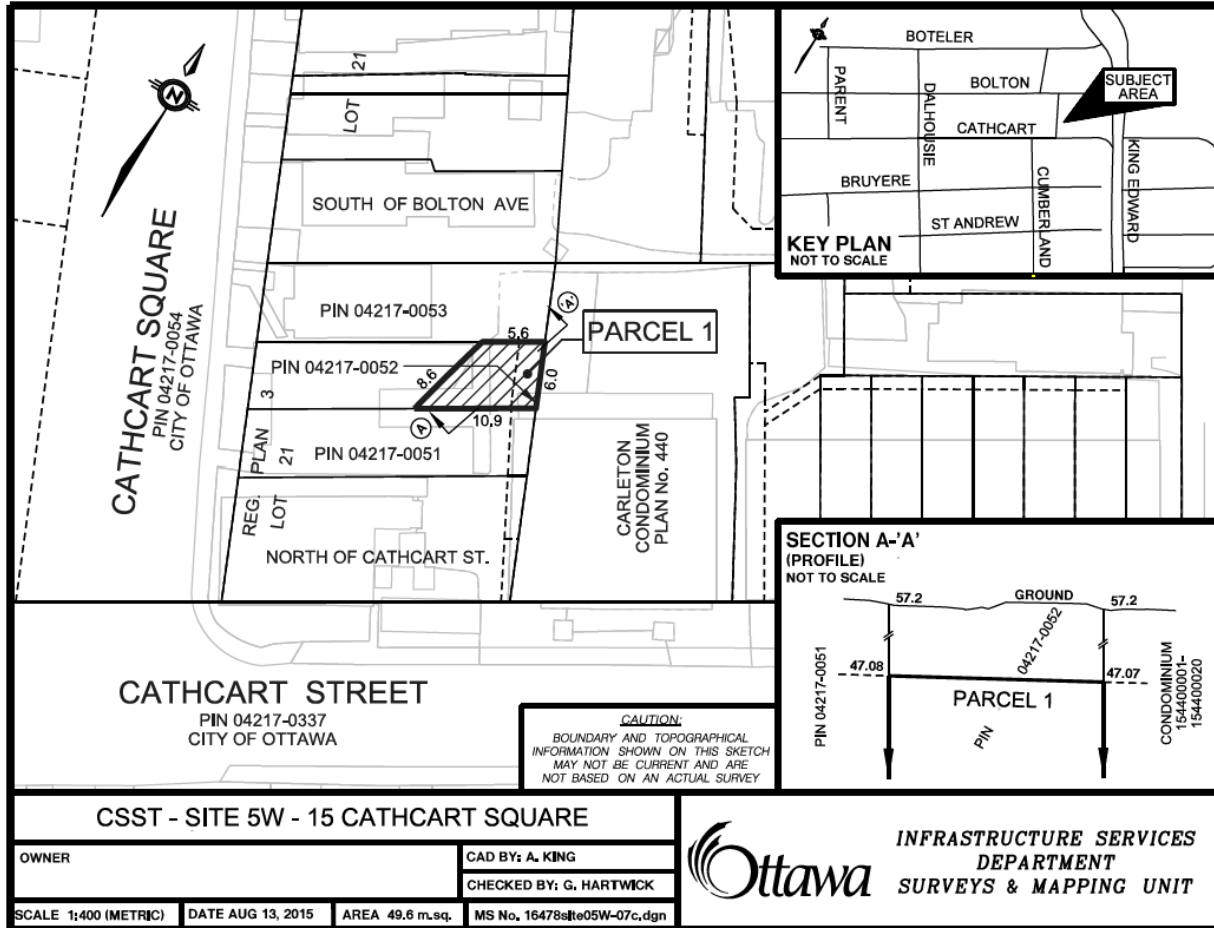
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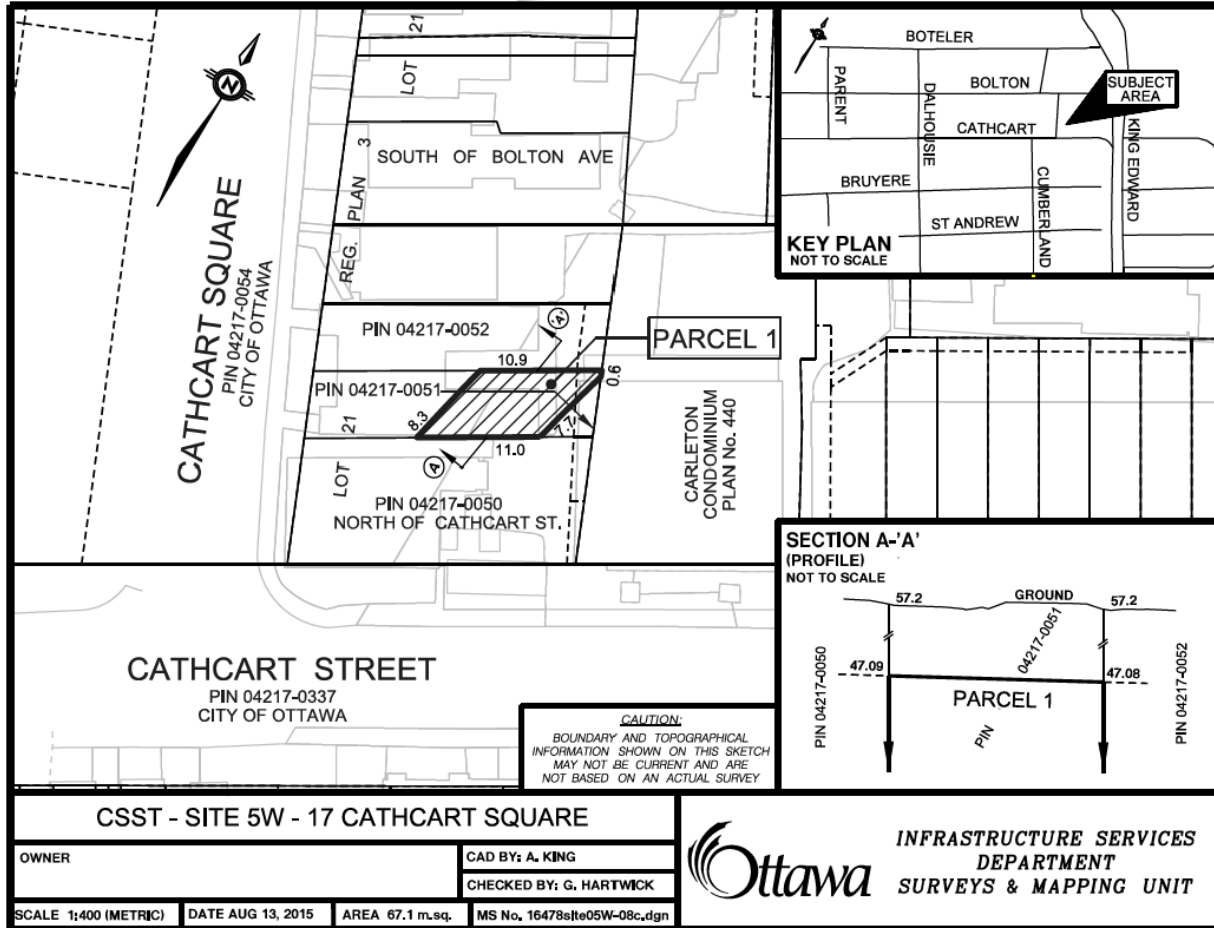
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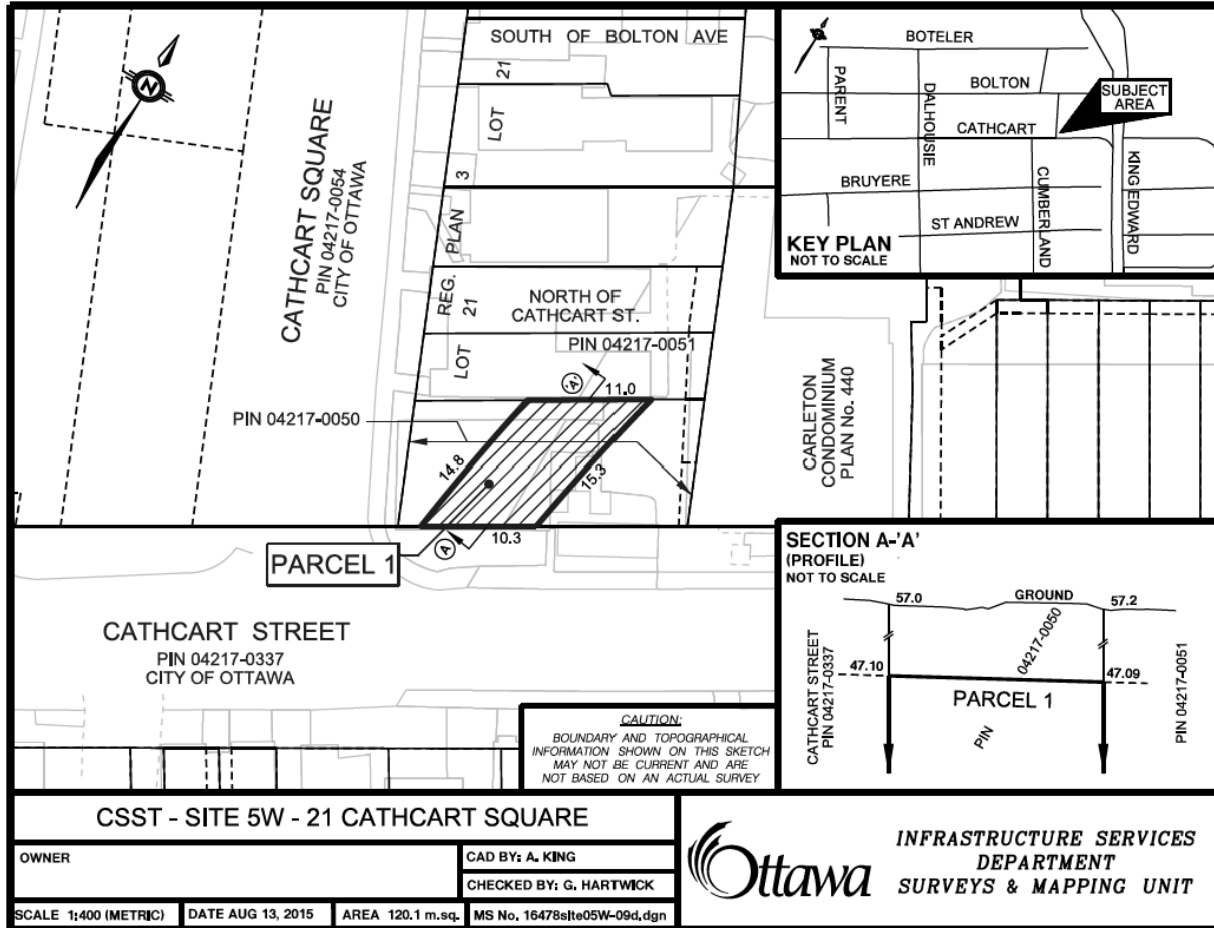
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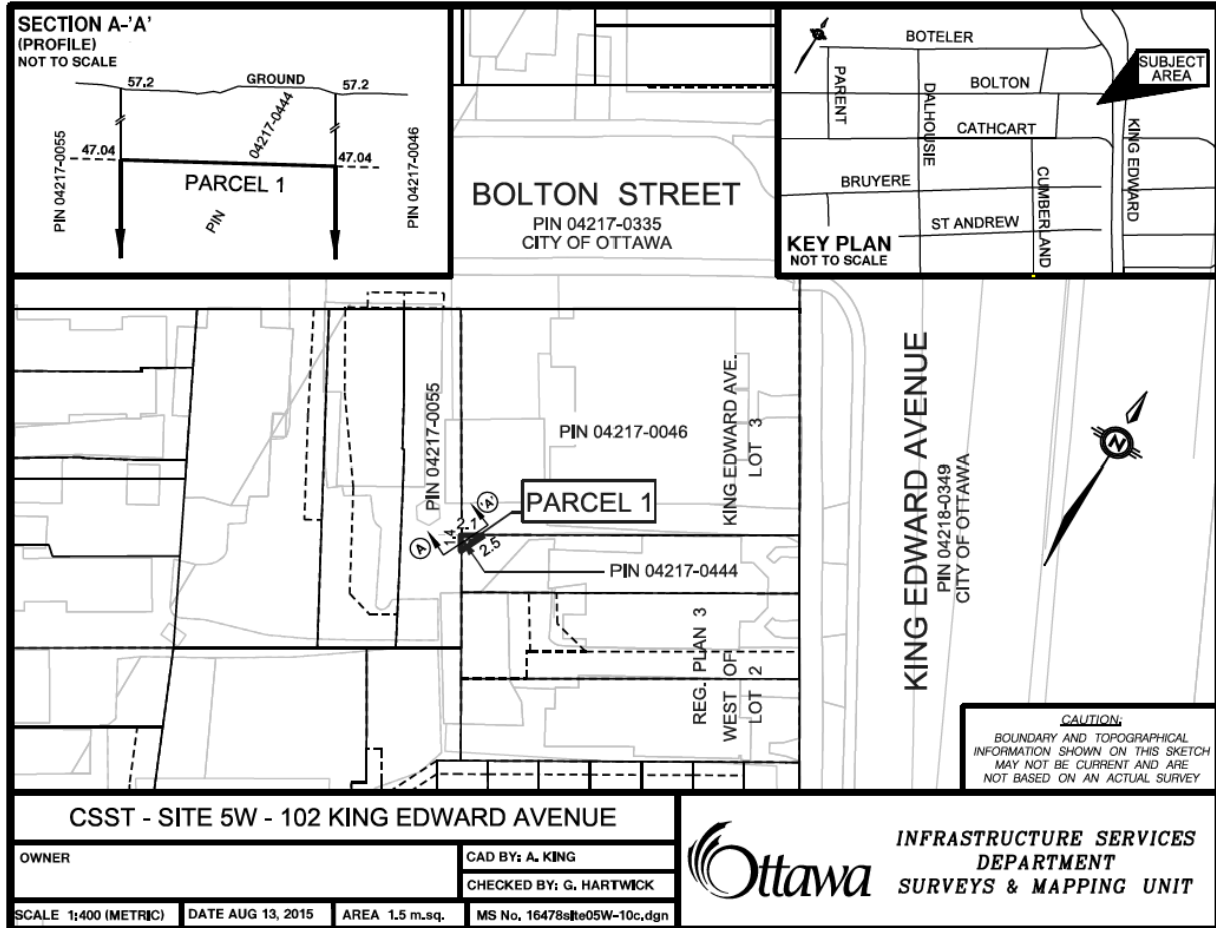
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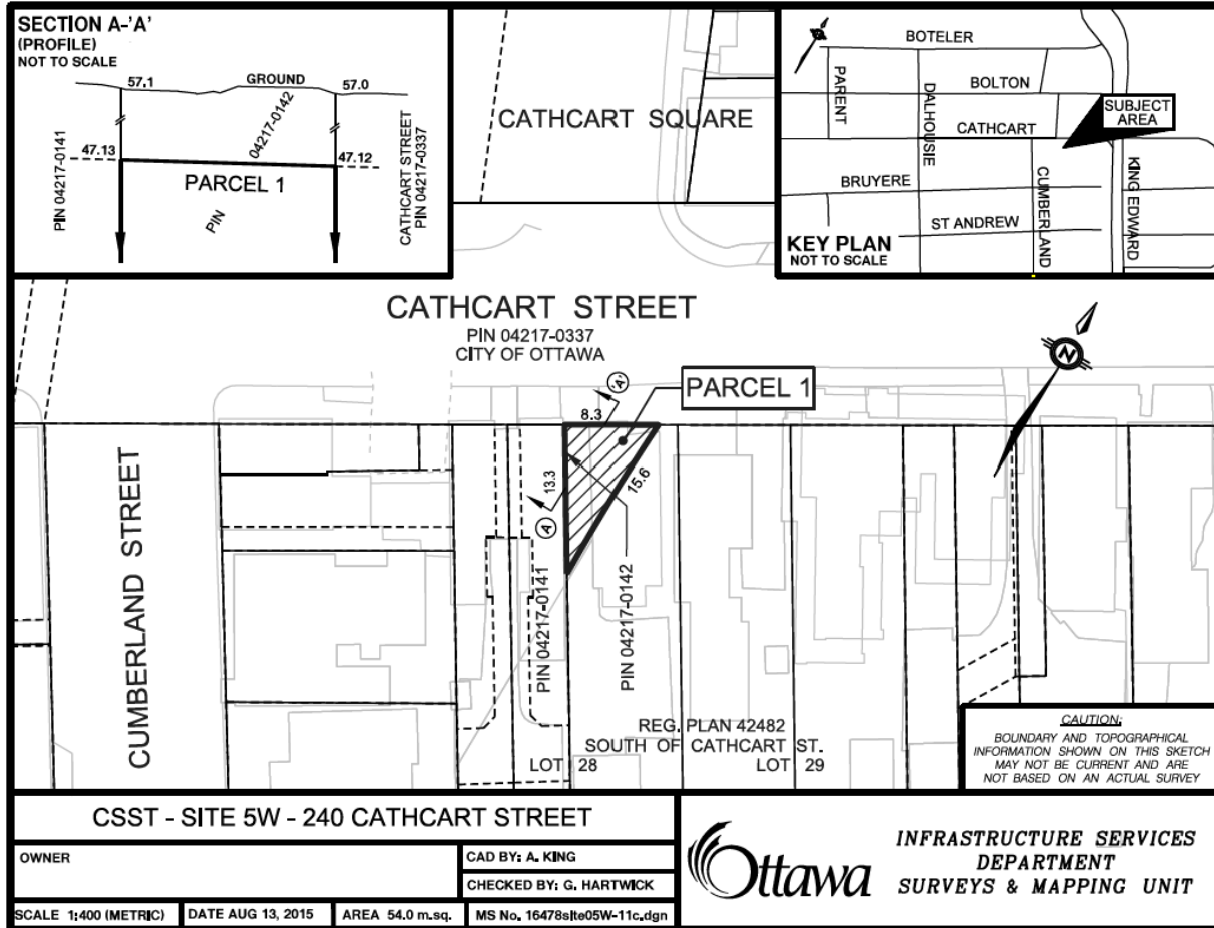
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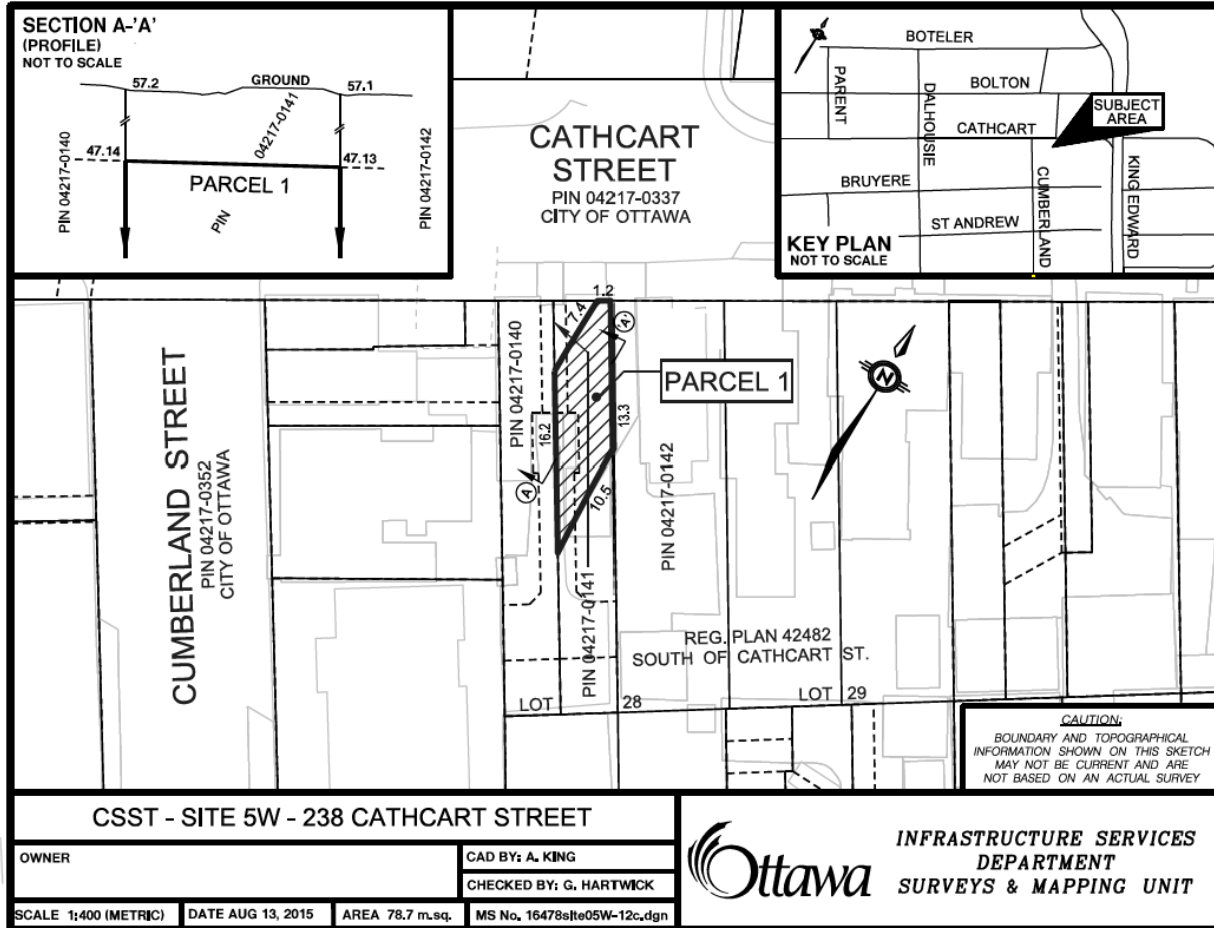
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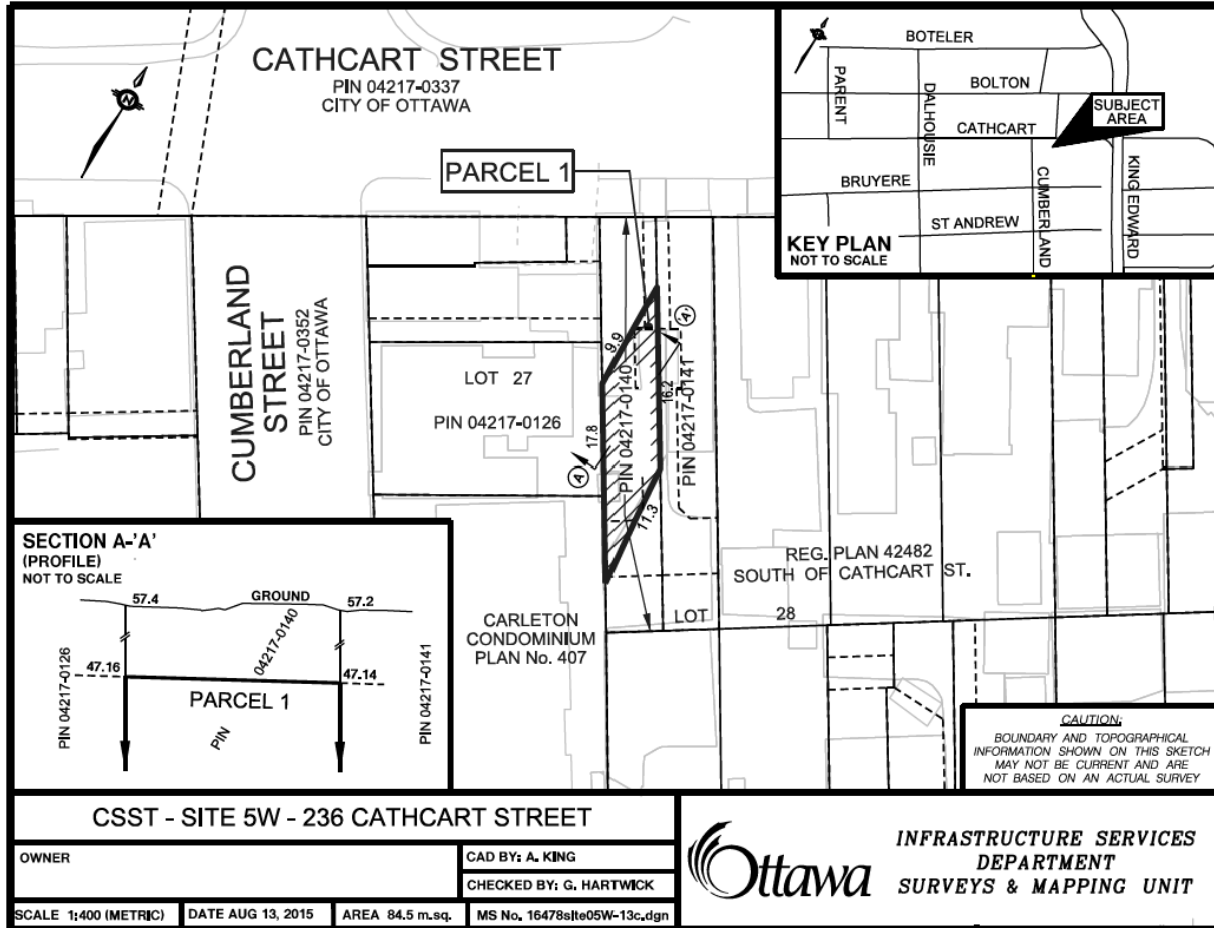


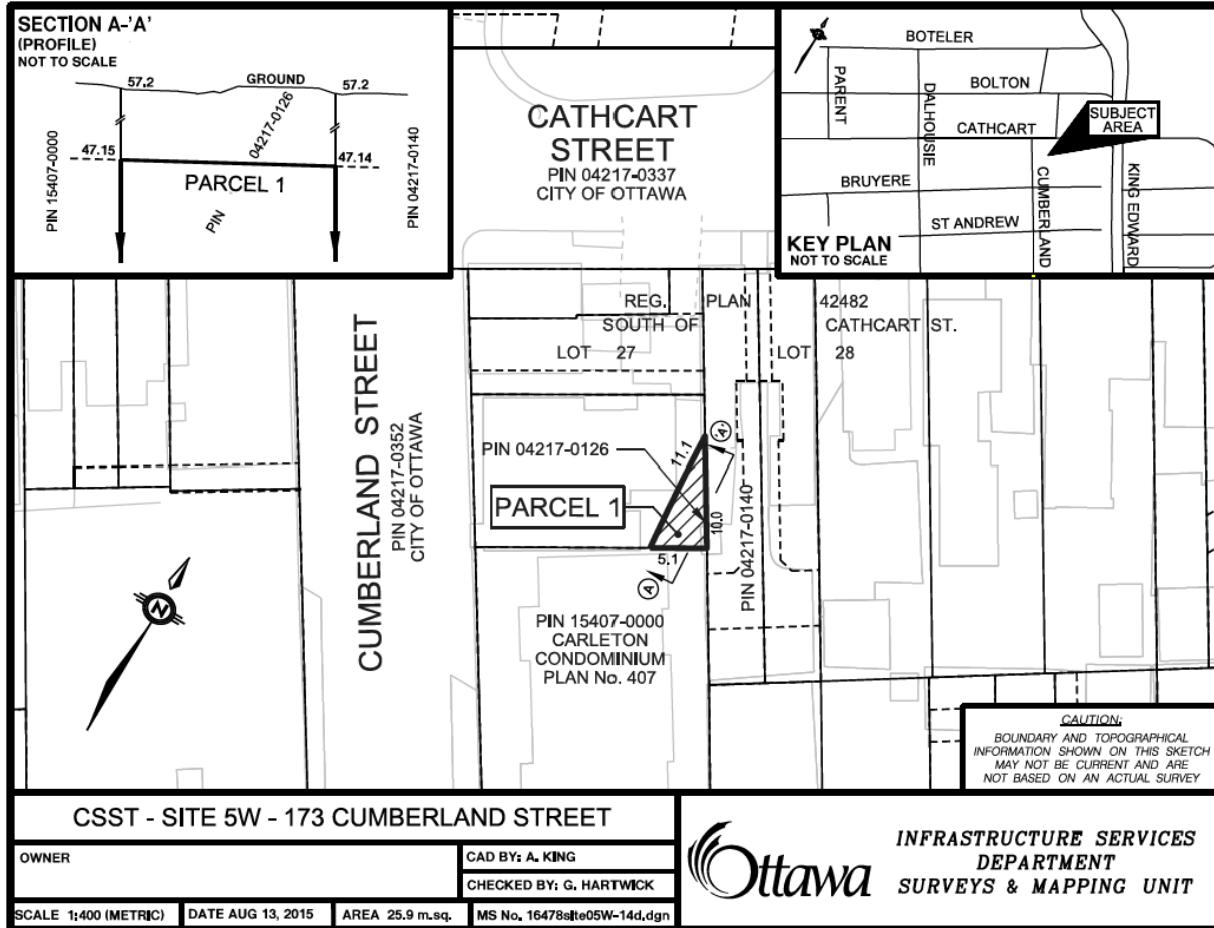
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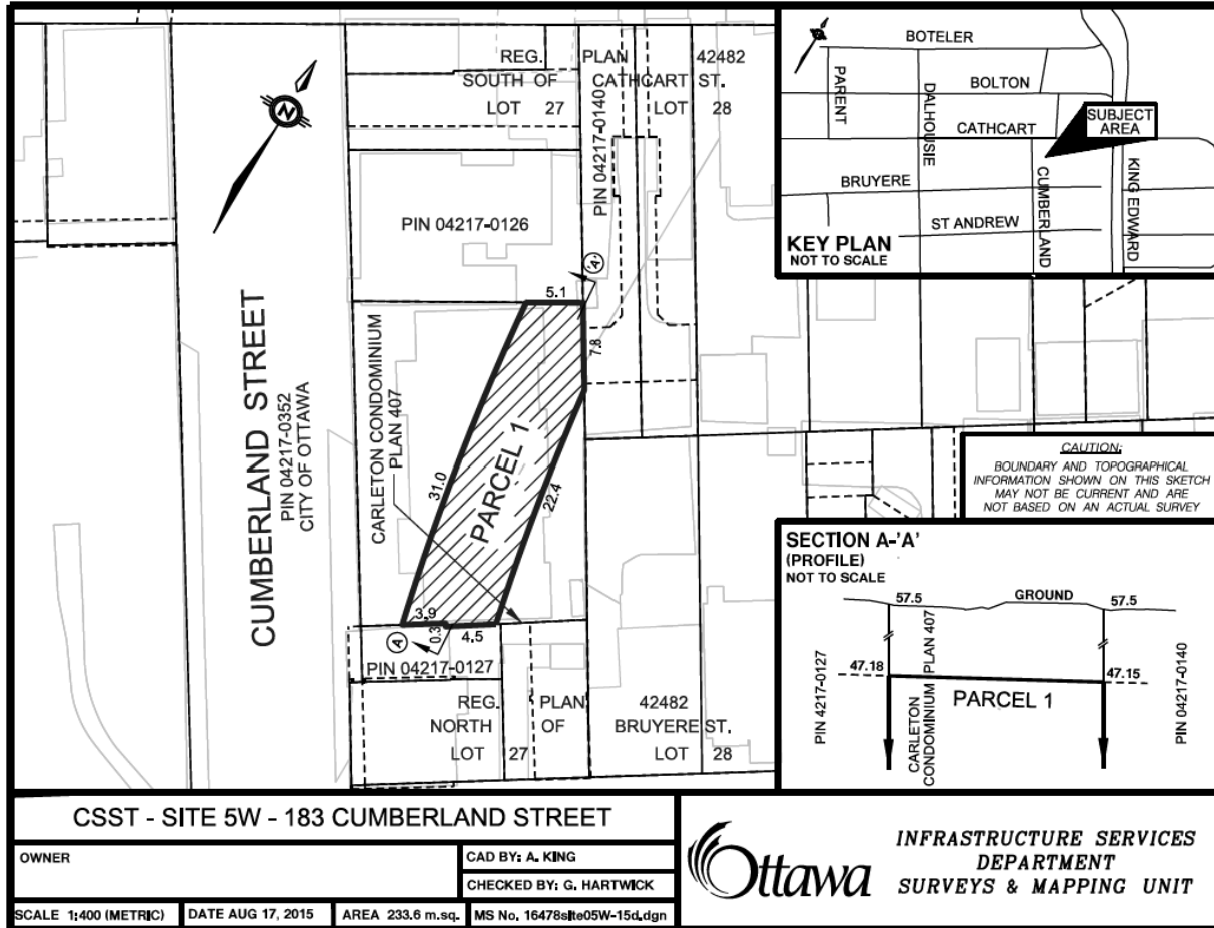
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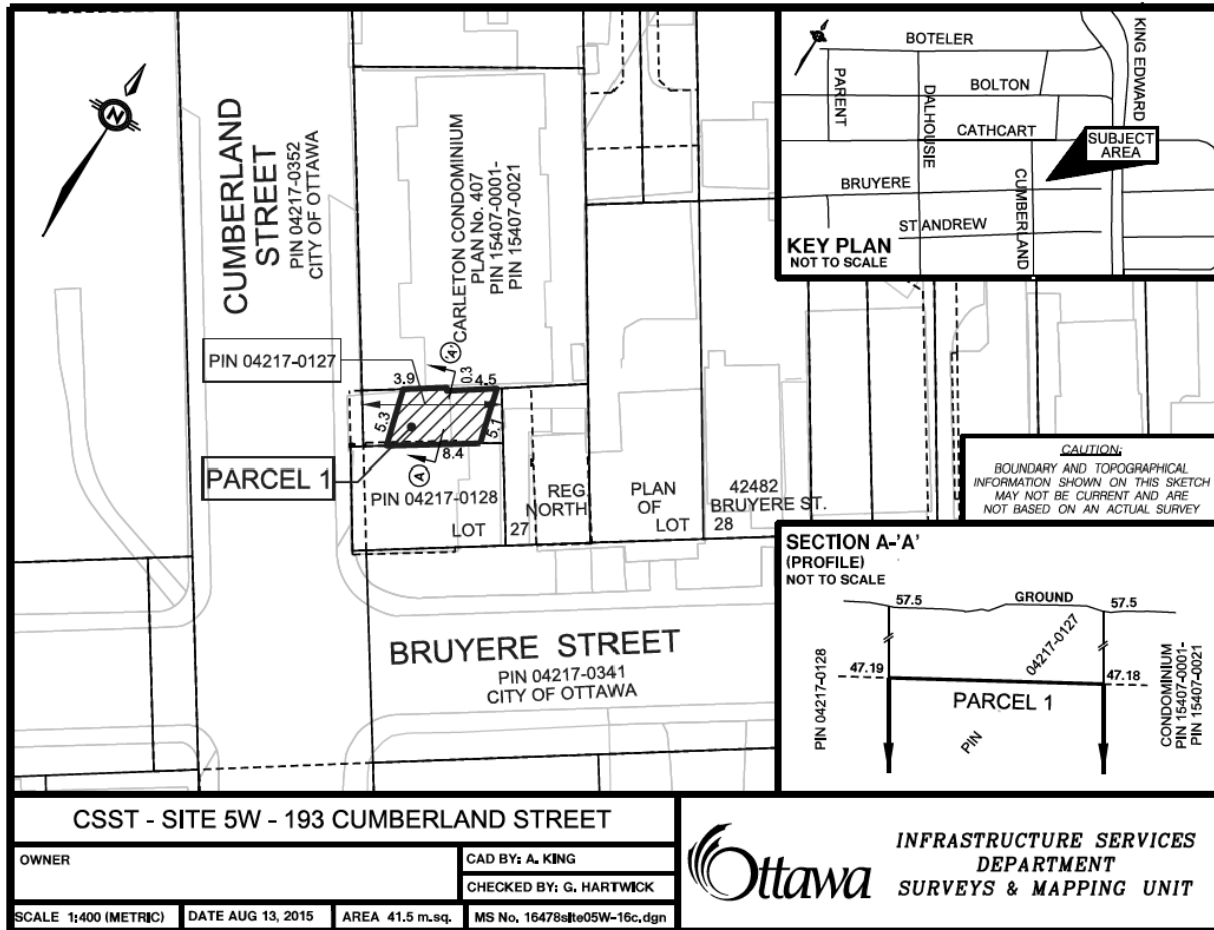
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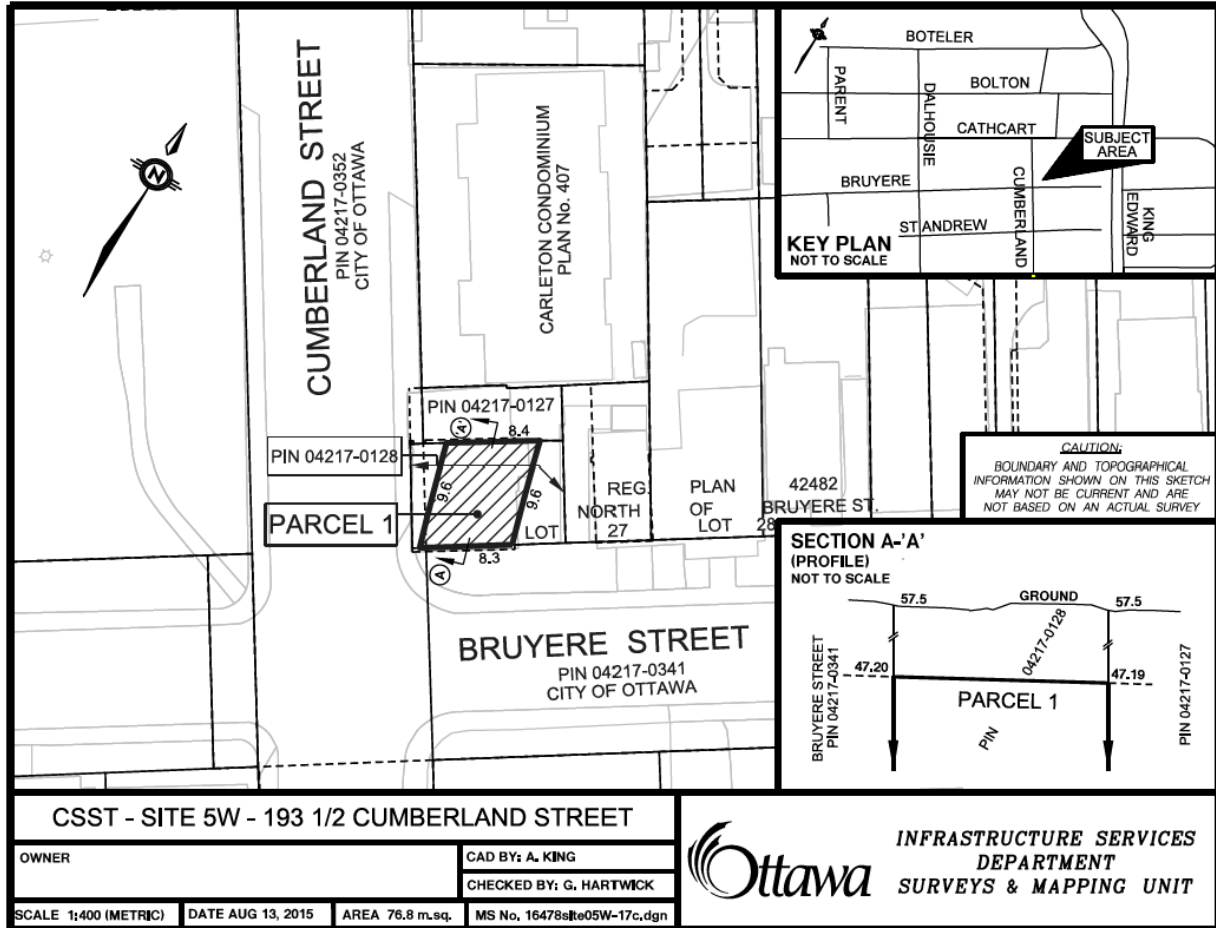
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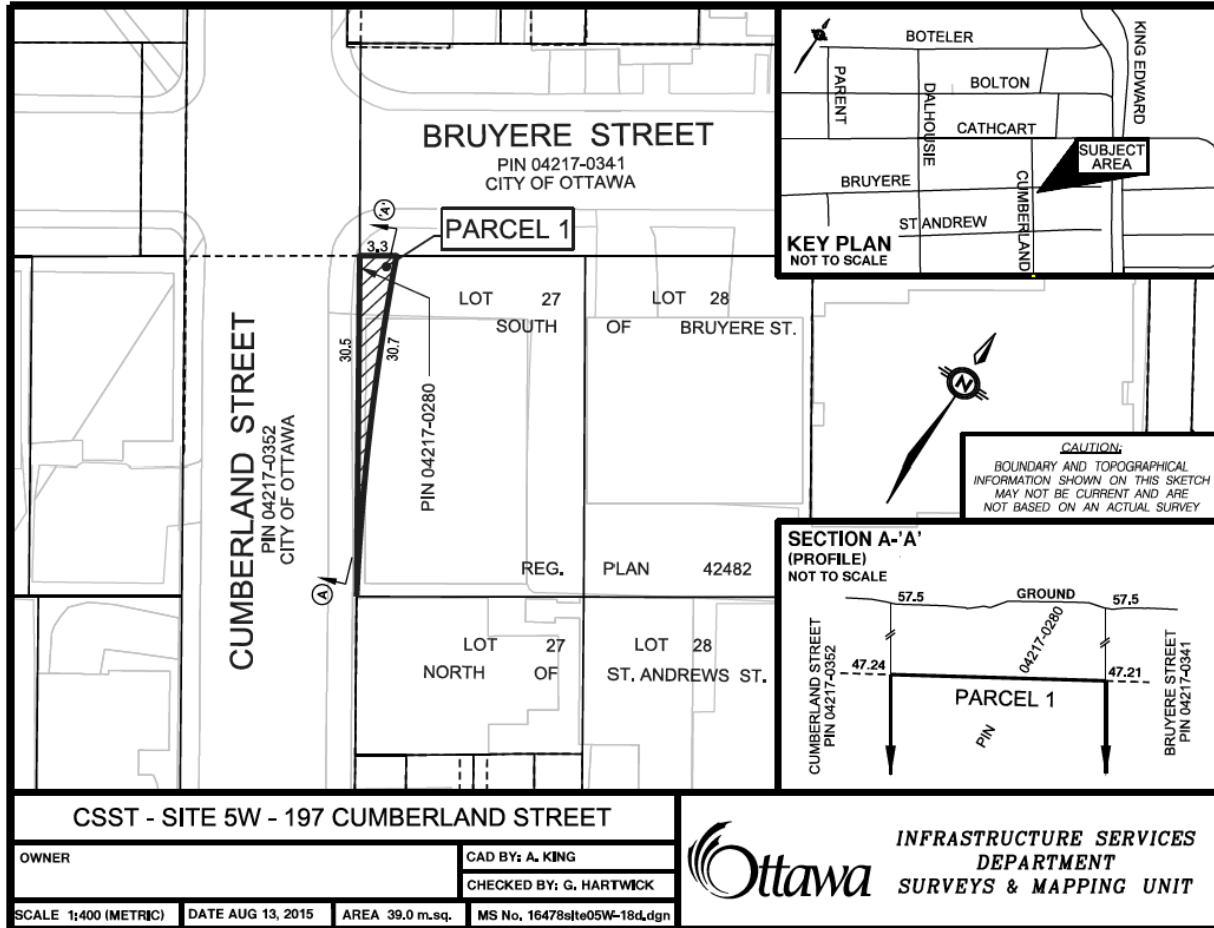
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**SCHEDULE "B" – B-17****16478site05W-15d**

**SCHEDULE "B" – B-18****16478site05W-16c**

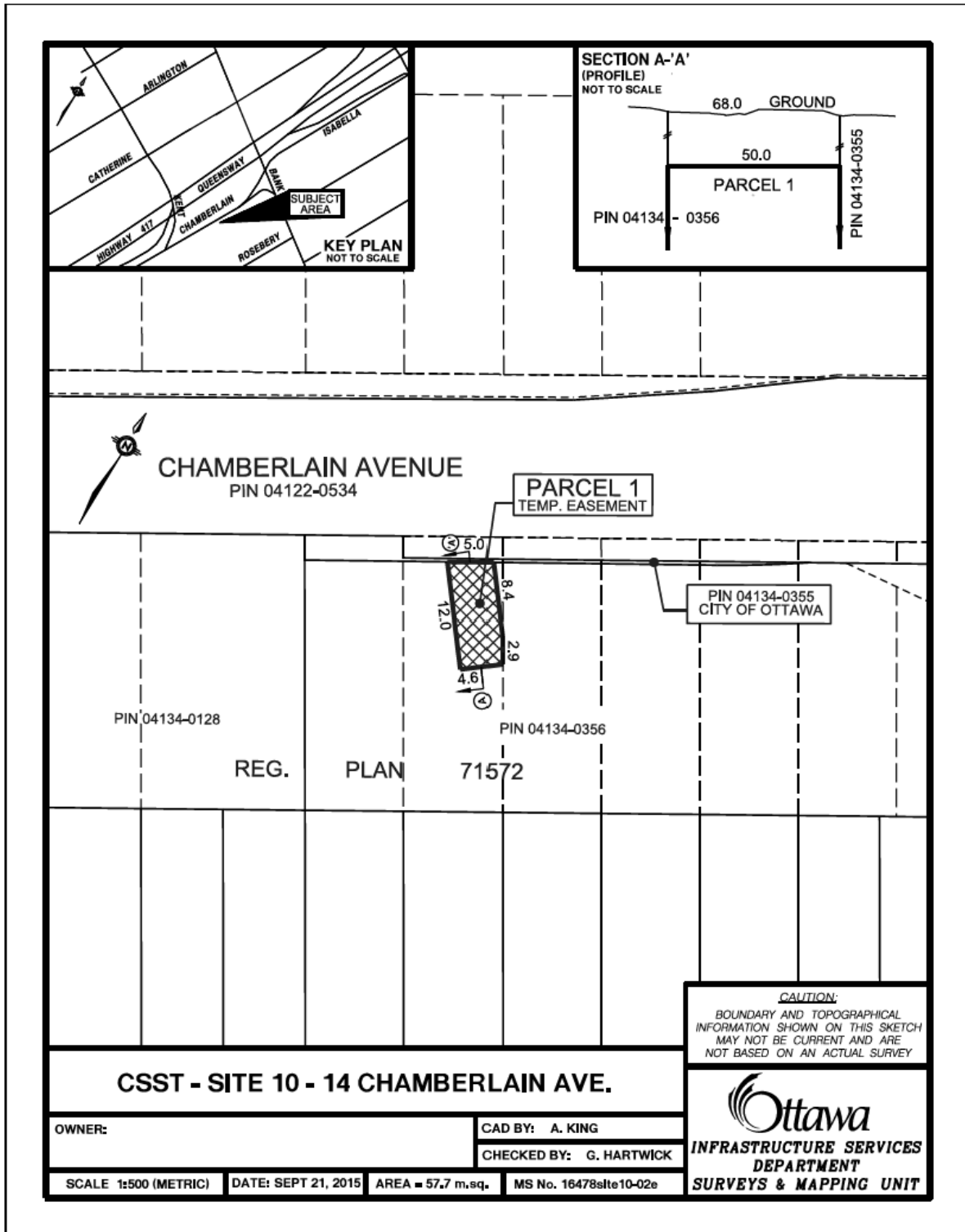


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**SCHEDULE "B" – B-20****16478site05W-18d**

**SCHEDULE "B" – B-21**

16478site10-02e



**SCHEDULE "B" – B-22****16478site03c-02b**