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DATE 5 June 1996

TO/DEST. Co-ordinator  
Corporate Services and Economic Development Committee

FROM/EXP. Regional Solicitor

SUBJECT/OBJET **PROPERTY ACQUISITION - EXPROPRIATION  
REGIONAL ROAD 47 (TENTH LINE ROAD)  
RECONSTRUCTION**

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### DEPARTMENTAL RECOMMENDATIONS

**That the Corporate Services and Economic Development Committee and Council approve:**

- 1. The application for authorization to expropriate the lands in question;**
- 2. The enactment of an expropriation by-law in the Regional standard form to expropriate the land and to formally authorize;**
  - a) registering the plan of expropriation;**
  - b) serving Notices of Expropriation and Possession;**
  - c) serving Offers of Compensation.**

### BACKGROUND

The purpose of this report is to recommend the expropriation of certain lands required for the above project and the approval for payment of compensation therefor.

The general location of the project and the property to be expropriated is shown on Annex "A" attached.

### COUNCIL AUTHORITY

Regional Council at its meeting of June 12, 1991 approved the acquisition of the property required for the above project.

### PROPERTY ACQUISITION PROCEDURE

To ensure that the Regional Municipality obtains possession of property needed for this project expropriation proceedings were commenced.

### CONSULTATION

Notices of Application for Approval to Expropriate Land were sent to the property owners by registered mail on February 15, 1996. The notice was published in the Ottawa Citizen on February 17, February 24 and March 2, 1996. The last date to request that an Inquiry be held was March 18, 1996.

No property owner has applied to have such an inquiry held. Therefore it is now in order to complete the expropriation of the lands in question.

### COMPENSATION

The compensation payable for the properties has been appraised by the Planning and Property Services Department.

In accordance with Section 25 of the *Expropriations Act* authorization is requested to make offers of compensation for the lands in question. These offers of compensation are in the alternative:

1. the owner may choose to take the entire compensation (market value and all allowances) as a final settlement of his claim to compensation; or
2. the owner may elect to take only the offer of compensation for market value, the final compensation then being subject to arbitration by the Ontario Municipal Board.

If the owner decides not to accept the full compensation then the owner is entitled to immediate payment of the appraised market value. This payment is without prejudice to whatever value may be subsequently negotiated or determined by the Ontario Municipal Board. Final settlement may exceed the sums authorized hereby, particularly for such items of compensation as business loss, damages, legal and appraisal costs, etc.

In the event that any owner elects to take only the market value compensation then the Regional Solicitor will proceed to have the final compensation negotiated by the Board of Negotiation of Ontario and ultimately arbitrated by the Ontario Municipal Board if no early settlement is reached.

The interests being expropriated, the owners and the compensation to be offered in accordance with appraisals as prepared are shown in Annex "B" annexed hereto.

EXPENDITURE JUSTIFICATION

The land is required to facilitate the reconstruction of the Tenth Line Road (Regional Road 47).

FINANCIAL STATEMENT

Approved Funding to Date	10,775,000.
Total Paid and Committed	<u>(10,339,993.)</u>
Balance Available	435,007.
This Request (including GST)	<u>(1,284.)</u>
Balance Remaining	<u>433,723.</u>

Funds are available in Account No. 912-30676, St. Joseph Boulevard.

This expropriation is in accordance with Corporate acquisition policies and as such, approval is recommended.

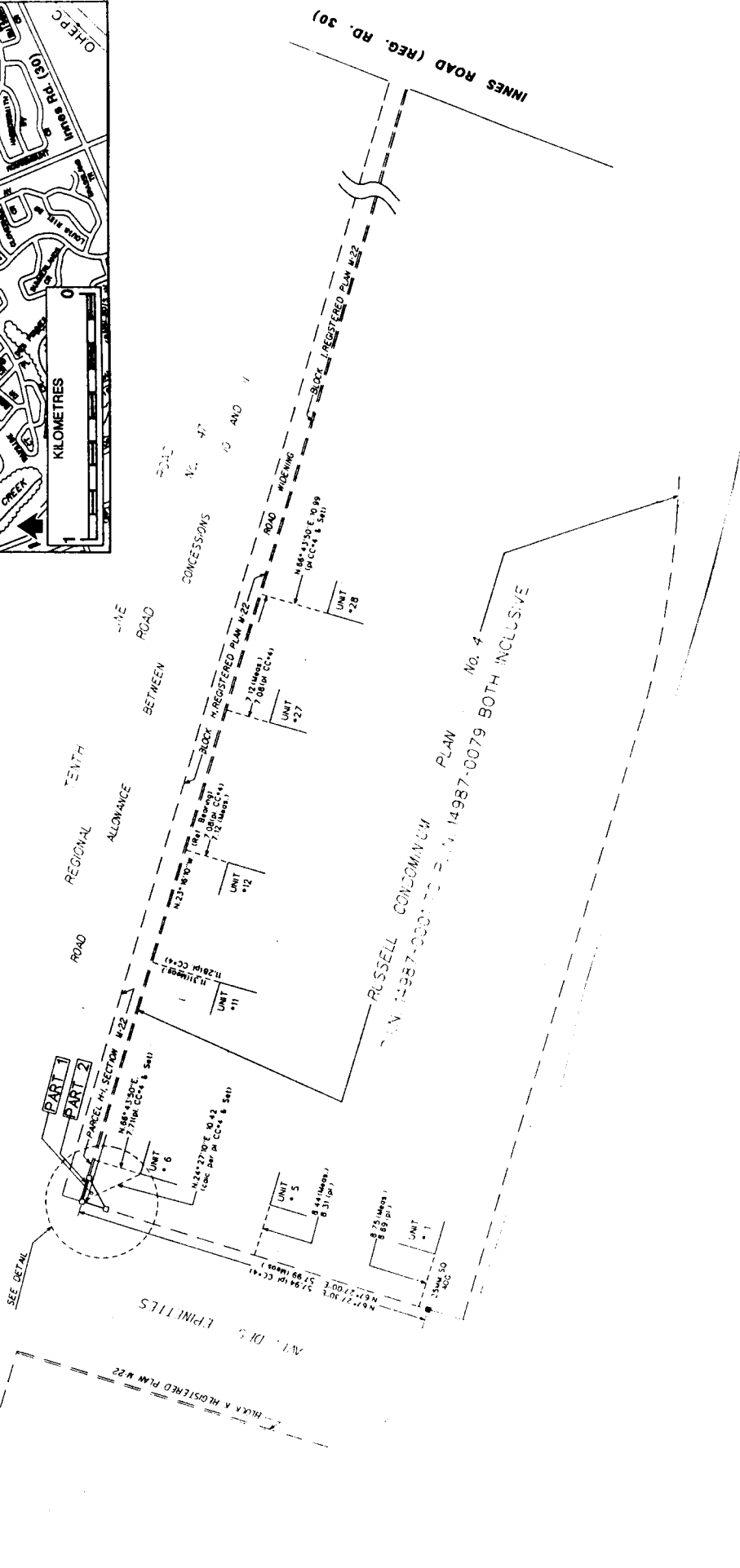
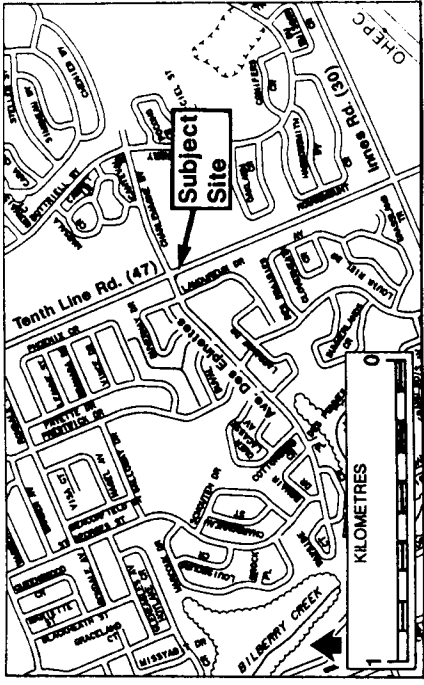
*Approved by  
E.A. Johnston  
Acting Regional Solicitor*

FINANCE DEPARTMENT COMMENT

Funds are available as indicated.

*Approved by T. Fedec  
on behalf of the Finance Commissioner*

ANNEX "A"



Part 1 on 4R-11007 (8m.²)

# OTTAWA-CARLETON

## PLANNING AND PROPERTY DEPARTMENT

**RUSSELL CONDOMINIUM CORPORATION No. 4**  
 REGIONAL ROAD 47 (TENTH LINE ROAD) RECONSTRUCTION

SCALE: N.T.S. DRAWN BY: CHECKED BY:

912-30619 DATE: MARCH 1996 APPROVED BY:

BRANCH: ACQUISITION SERVICES

**ANNEX "B"**

**REGIONAL ROAD 47 (Tenth Line Road) RECONSTRUCTION (912-30663)**

<u>PARCEL #</u>	<u>LEGAL DESC.</u>	<u>OWNER</u>	<u>MARKET VALUE COMPENSATION</u>	<u>FULL COMPENSATION (MARKET VALUE &amp; ADDITIONAL ALLOW- ANCES UNDER THE EXPROPRIATIONS ACT)</u>	<u>DESC. LANDS</u>
211.02.	Part 1, Plan 4R-11007	Russell Condominium Corporation No. 4	500.00	1,200.00	8.0m2