

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT  
RAPPORT

Our File/N/Réf.            12 09-97-20302-021  
Your File/V/Réf.

DATE                        25 August 1998

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

FROM/EXP.                Planning and Development Approvals Commissioner

SUBJECT/OBJET         **LAND ACQUISITION - 2 BURGESS AVE, NEPEAN**

### **DEPARTMENTAL RECOMMENDATION**

**That the Corporate Services and Economic Development Committee approve the acquisition of 2 Burgess Avenue, City of Nepean, from the Estate of Deomonias Hemish for the construction of the West Transitway Extension between Pinecrest Road and Acres Road, for a consideration of \$158,617.**

### **BACKGROUND**

Regional Council at its meeting of August 12, 1992 (Report 30, Item 30) authorized the acquisition of residential properties identified as being wholly or partially required for the West Transitway Extension Project. Properties along Burgess Avenue, Bellfield Street, Alenmede Crescent and Connaught Avenue were identified as those affected. These properties were recommended to be purchased in advance of need to avoid causing any undue hardships to affected homeowners. Subsequently, the project was split into two phases. Utility relocation and the construction of sound attenuation walls proceeded along Phase I, which is west of Pinecrest Road, while Phase II, which is east of Pinecrest Road, was put on indefinite hold.

Council at its meeting of May 13, 1998 approved funding for the West Transitway Extension, west of Richmond Road, now designated Phase 1A and deferred funding for the portion between Pinecrest and Richmond Road which is designated Phase 1B. The subject property is within the Phase 1B portion. The residence will have to be demolished to make way for construction. A portion of the property may be surplus to the Region's needs after construction and would be sold. In the interim, it will be maintained and rented, thereby obtaining revenue and recovering a portion of the Region's initial cost.

The property, municipally known as 2 Burgess Avenue, consists of a 1,878 square two storey residence with attached garage. The property is owned by the Estate of Deomonina Hemish. Ms. Ann Hemish who is an executrix of the estate resides on the premises. Ms. Hemish and her brother were contacted in July of 1997 with regards to the purchase of the property by the Region. Appraisals were completed by both parties and negotiations proceeded. Ms. Hemish has arranged for alternate accommodations in anticipation of the Region's approval and the executors are anxious to wind up the Estate. The settlement is in accordance with the appraisal reports.

In summary, compensation for the acquisition of the subject property, by which the Region is to receive a conveyance and a release from all claims whatsoever arising out of the acquisition, is as follows:

Market value	\$ 145,000
Disturbance Allowance	7,250
Moving Costs	2,408
Legal Fees	3,638
Appraisal Costs	<u>321</u>
<b>Total</b>	<b>\$ 158,617</b>

### **PUBLIC CONSULTATION**

Between 1990 and 1996 an Environmental Assessment Study was undertaken and public consultation in accordance with that process was undertaken.

### **EXPENDITURE JUSTIFICATION**

The West Transitway Extension, Phase I, between Pinecrest Road and Acres Road has received Council approval. Utility relocation and the construction of sound attenuation walls has commenced. The subject property is within the Phase I portion. As previously noted, Regional Council has made a commitment to the residents in this area to purchase their properties in advance of need. The homeowners have acted in good faith and proceeded to search and make offers on other residences. To date 23 residential properties have been acquired on this basis. These properties are now either being offered for sale or rented until required for construction, in order to recover a portion of the Region's initial cost.

**FINANCIAL STATEMENT**

Approved Budget to Date	\$ 59,745,000
Total Paid & Committed	<u>( 24,305,626 )</u>
Balance Available	\$ 35,439,374
<b>THIS REQUEST</b>	<b><u>( 158,617 )</u></b>
Balance Remaining	<u>\$ 35,280,757</u>

Funds have been provided in the 1998 Capital Budget, Account Number 942-30626, West Transitway Extension (reference page 213).

Negotiations with the Estate has resulted in agreement being reached in the amount of \$158,617. The Corporation is to receive a conveyance and a release from all claims whatsoever arising out of the acquisition. This settlement is in accordance with corporate acquisition policies and as such, approval is hereby recommended as outlined above.

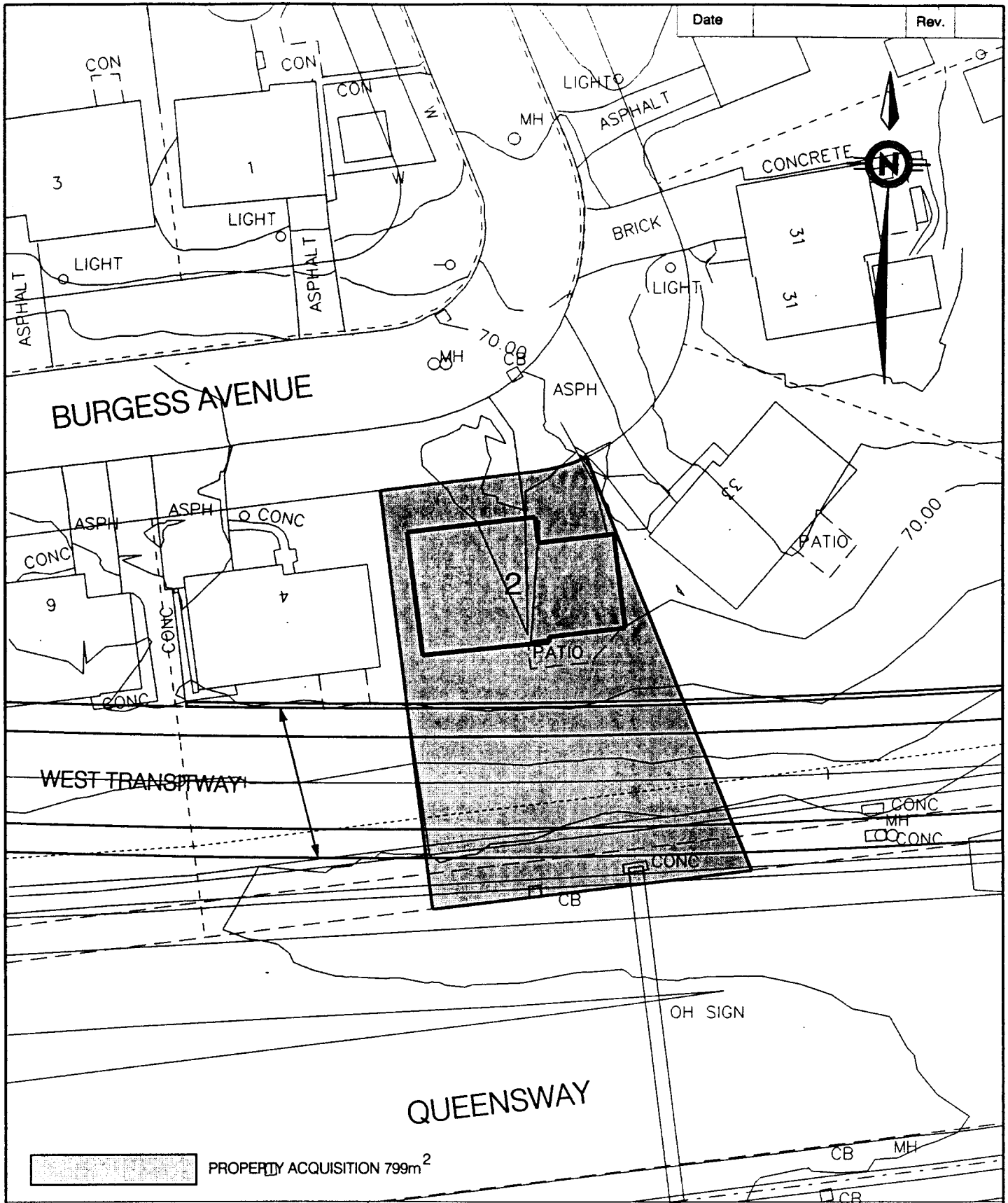
*Approved by Nick Tunnacliffe, MCIP, RPP August 31, 1998  
Commissioner,*

LJN/

**FINANCE DEPARTMENT COMMENT**

Funds are available as indicated.

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



**OTTAWA-CARLETON**

*Environment and Transportation Department*

WEST TRANSITWAY  
 PINECREST ROAD TO ACRES ROAD  
 No. 2 BURGESS AVENUE PROPERTY ACQUISITION

Drawn: R.B.H. Date: AUG. 98

Chk'd: M.J.R. Scale: N.T.S.

ENGINEERING DIVISION

*J. MILLER, P.Eng.*  
 Director Engineering Division

RT - 2343