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TO:	THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON AS THE APPROVING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i> MEETING ON JUNE 25, 2015
FROM:	JOHN BRAAM, P. ENG. MANAGING DIRECTOR AND CITY ENGINEER ENVIRONMENTAL & ENGINEERING SERVICES
SUBJECT:	EXPROPRIATION OF LANDS FANSHAWE PARK ROAD WIDENING PROJECT – PHASE II – TS1475-2

RECOMMENDATION

That, on the recommendation of the Managing Director and City Engineer, Environmental and Engineering Services, on the advice of the Manager of Realty Services, with the review and concurrence of the Director, Roads and Transportation, with respect to the expropriation of lands for the a project known as the Fanshawe Park Road Widening and Improvements Project - Phase II, between Adelaide Street North and Highbury Avenue, the following actions be taken:

- a) The Council of The Corporation of the City of London, as Approving Authority pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, **HEREBY APPROVES** the proposed expropriation of land, as described in Appendix "A" attached hereto, in the City of London, County of Middlesex, it being pointed out that the reasons for making this decision are as follows:
 - i) the subject lands are required by The Corporation of the City of London for the widening of Fanshawe Park Road East;
 - ii) the design of the project will address the current and future transportation demands along the corridor; and,
 - iii) the design is in accordance with the Municipal Class Environmental Assessment Study Recommendations for the Fanshawe Park Road East Widening and Improvements accepted by Council on April 2, 2009; and
- b) that a certificate of approval **BE ISSUED** by the City Clerk on behalf of the Approving Authority in the prescribed form.

It being noted that there were no requests for a Hearing of Necessity received for the parcels included in Appendix "A".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Environmental and Transportation Committee – April 6, 2009 – Addendum to Environmental Study Report

Environment and Transportation Committee – July 20, 2009 - Appointment of Design Engineer

Civic Works Committee – August 25, 2014 –Detailed Design and Tendering Appointment of Consulting Engineer, Fanshawe Park Road Widening – Adelaide Street North to McLean Drive

Corporate Services Committee – March 24, 2015 – Expropriation of Lands Fanshawe Park Road Widening – Phase II – TS1475-2

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BACKGROUND

At its meeting held on April 2, 2009, Municipal Council approved and accepted the Schedule "C" Municipal Class Environmental Assessment and Fanshawe Park Road Improvements Environmental Study Report. The Environmental Study Report was subsequently placed on public record for a 30-day review period during which no Part 2 Orders were received. The project Environmental Assessment is thereby complete. The report study area included properties fronting and backing onto the road allowance throughout the length of the corridor from east of Adelaide Street North to Highbury Avenue. The entire project is to follow a phased approach. The second phase of this project requires several partial property acquisitions within the corridor between Adelaide Street North and McLean Drive, along with easements associated with the relocation of utilities.

Negotiations commenced in the summer of 2014 and after several meetings and subsequent written offers an amicable agreement was not achieved. In March of 2015 the expropriation procedures were initiated and the owner was subsequently provided with the Notice of Expropriation.

Therefore, it is necessary to continue with the expropriation procedures for these properties in order for the project to proceed.

The entire project called for requirements from 39 individual land owners. These requirements included 12 fee simple land acquisitions, 5 permanent easements rights, and 35 temporary easements rights. All property rights required to meet project timelines have now been secured with the exception of those detailed in this report.

Anticipated Construction Timeline

Property requirements for utility relocation to be secured for fall 2015. The balance of property requirements are to be secured for spring 2016 construction.

SUBMITTED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER OF REALTY SERVICES	EDWARD SOLDO DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
JOHN BRAAM, P. ENG. MANAGING DIRECTOR AND CITY ENGINEER ENVIRONMENTAL AND ENGINEERING SERVICES	

May 20, 2015
Attach.

Doc. P-2269

cc: Gary Irwin, Division Manager & Chief Surveyor
Doug MacRae, Division Manager
David G. Mounteer, Solicitor II

Agenda Item # Page #

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APPENDIX "A"

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR FANSHAWE PARK ROAD WIDENING AND IMPROVEMENTS - BETWEEN ADELAIDE STREET NORTH AND MCLEAN DRIVE

The following land is required in fee simple:

- Parcel 1 Part of Lot 9, Concession 5, in the geographic Township of London, now in the City of London, County of Middlesex designated as Part 7 on Plan 33R-17525 being part of PIN 08085-0037(LT).
- Parcel 2 All of Block '1', Registered Plan No. 996 in the City of London, County of Middlesex being all of PIN 08085-0594(LT).