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**File No. P-2431**

<b>TO:</b>	<p><b>THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON</b></p> <p><b>AS THE APPROVING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i></b></p> <p><b>MEETING ON JULY 26, 2016</b></p>
<b>FROM:</b>	<p><b>JOHN BRAAM, P. ENG. MANAGING DIRECTOR ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b></p>
<b>SUBJECT:</b>	<p><b>EXPROPRIATION OF LANDS WONDERLAND ROAD IMPROVEMENTS – PHASE I – TS1487 PR-01</b></p>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, 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 Wonderland Road Improvements - Phase I, between Highway 401 and Highway 402, the following actions **BE TAKEN** in connection therewith:

- 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 improvements of Wonderland Road;
  - 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 Wonderland Road Improvements accepted by Council on July 28, 2015; and
- b) that a certificate of approval **BE ISSUED** by the City Clerk on behalf of the Approving Authority in the prescribed form.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Civic Works Committee – June 17, 2013 Appointment of MMM Group Ltd., Wonderland Road South, Schedule "C" Environmental Assessment

Civic Works Committee – July 20, 2015 – Wonderland Road South Environmental Assessment Study

Civic Works Committee – October 6, 2015 –Detailed Design and Tendering Appointment of Consulting Engineer, Highway 401 to Highway 402

Corporate Services Committee – March 30, 2016 – Expropriation of lands Wonderland Road Improvements – Phase I – TS1487 PR-01

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<b>BACKGROUND</b>
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At its meeting held on July 28, 2015, Municipal Council approved and accepted the Schedule "C" Municipal Class Environmental Assessment for Wonderland Road South 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 Southdale Road West to Highway 401 as well as adjacent natural areas. The entire project is to follow a phased approach. The first phase of this project is a two-lane upgrade that requires several partial property acquisitions between Highway 401 and Highway 402 along with utility relocations.

This construction project will include the following:

- Improvements to the existing Two-lane road to meet City's standards
- Intersection illumination at existing intersections
- Utility relocations
- Integration of landscaping and restorations
- Stormwater management and drainage design for watercourse

Negotiations commenced in the summer of 2015 with written offers provided and accepted by several owners. However, a number of the owners have rejected our multiple offers with exception of the ownership for 5318 Colonel Talbot Rd. This property is owned by a consortium of approximately 250 owners. With a required 85% investor approval the president under advisement from his solicitor has recommended that the quickest and most cost effective way is via expropriation.

It is necessary to continue with the appropriate expropriation procedures for the outstanding properties in order for the project to proceed. Realty Services will continue negotiations with the property owners in an effort to amicably acquire these properties by a settlement agreement.

A hearing of necessity has been requested from a single owner on this project. Expropriation proceedings on this single property will be completed at a later date.

Anticipated Construction Timeline

Property requirements for utility relocation to be secured for fall 2016. The balance of property requirements are to be secured for spring 2017 construction.

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

June 27, 2016  
Attach.

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

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**APPENDIX "A"**

**DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR WONDERLAND ROAD IMPROVEMENTS - BETWEEN HIGHWAY 401 AND HIGHWAY 402**

The following lands are required in fee simple: cinnamon

- Parcel 1. Part of Lot 24, Concession 5, as in Instr. 409734, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 4 on Reference Plan 33R-19380 being part of PIN 08207-0074(LT).
  
- Parcel 2. Part of Lots 23 & 24, Concession 6, shown as Part 6 on reference plan 33R-2972 and except Parts 1, 2 & 3 on reference plan 33R-15991 and Parts 23 & 24 on reference plan 33R-18343, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 5 on Reference Plan 33R-19380 being part of PIN 08207-0159(LT).
  
- Parcel 3. Part Lot 65, East of Talbot Road, shown as Part 1 on Reference Plan 33R-4629 in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 8 on Reference Plan 33R-19380 being part of PIN 08207-0005(LT).
  
- Parcel 4. Part of Lot 64, East of Talbot Road, as in Instr. 222806, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 10 on Reference Plan 33R-19380 being part of PIN 08207-0009(LT).
  
- Parcel 5. Part of Lot 63, East of Talbot Road as in Instr. WU28828; except WU30493, WU45704, WU49601, WU80146, 299895, 106748, 88711, CM168; subject to 340398 WU45704; description in 398299 may not be acceptable in the future, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 11 on Reference Plan 33R-19380 being part of PIN 08207-0015(LT).
  
- Parcel 6. Part Lot 62, East of Talbot Road, as in Instr. 258599, together with 258599, except 299761, subject to WU53562, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 14 on Reference Plan 33R-19380 being part of PIN 08207-0020(LT).
  
- Parcel 7. Part of Lot 23 & 24, Concession 4, as in Instr. 681841, together with 112354, subject to Instrument WU47515, in the geographic Township of Westminster, now in the City of London, County of Middlesex designated as Part 1 on Reference Plan 33R-19380 being part of PIN 08208-0108(LT).