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File No. P-2450 (38)

TO:	<p style="text-align: center;">THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON</p> <p style="text-align: center;">AS THE APPROVING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i></p> <p style="text-align: center;">MEETING ON NOVEMBER 22, 2016</p>
FROM:	<p style="text-align: center;">KELLY SCHERR MANAGING DIRECTOR ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER</p>
SUBJECT:	<p style="text-align: center;">EXPROPRIATION OF LANDS WESTERN ROAD WIDENING AND IMPROVEMENTS PROJECT TS1489-1</p>

RECOMMENDATION

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 the Western Road Widening and Improvements Project between Oxford Street West and Platt's Lane, and that 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 the Western Road Widening and Improvements Project;
 - 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 Western Road Widening and Improvements Project accepted by Council on October 13, 2015; 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 parcel included in Appendix "A".

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan
- Civic Works Committee - July 22, 2013 – Reprioritization of Growth Management Implementation Strategy (GMIS) Transportation Projects.

- Civic Works Committee – January 6, 2014 – Appointment of AECOM Canada Limited, Western / Wharncliffe Road North Widening from Platt’s Lane to Oxford Street, Schedule ‘C’ Environmental Assessment.
- Civic Works Committee – October 22, 2015 – Western/Wharncliffe Road North Widening Environmental Study Report.
- The Council of The Corporation of the City of London as The Approving Authority under the Expropriation Act – September 6, 2016

BACKGROUND

Council approved and accepted the Schedule “C” Municipal Class Environmental Assessment and Western Road Improvements Environmental Study Report. The Environmental Study Report was subsequently placed on public record for a thirty (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 onto the road allowance throughout the length of the corridor from Oxford Street West to Platt’s Lane. The entire project is to follow a phased approach. The first phase of the project in 2017 involves the construction of a rail diversion. This will be followed by land acquisitions within the corridor along with easements associated with the relocation of utilities.

The subject property is required in support of the Western Road EA. More specifically, the property is required for both the CP rail diversion in 2017 and road widening in 2018, as shown in the Environmental Study Report. This property will accommodate the proposed works and improvements along this section of the project.

The property is shown to have been last purchased in 1880 by a Mr. George Fernley. Subsequently, the current owner(s) can’t be located and it has become necessary to start the appropriate expropriation procedures in order for the project to proceed. To address this title issue the City Solicitor’s office recommended expropriation.

Anticipated Construction Timeline

Property requirements to be secured for spring 2017 construction.

SUBMITTED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER OF REALTY SERVICES	EDWARD SOLDO DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

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APPENDIX "A"

DESCRIPTION OF LAND TO BE EXPROPRIATED FOR WESTERN ROAD WIDENING AND IMPROVEMENTS PROJECT - BETWEEN OXFORD STREET WEST AND PLATTS LANE

The following parcel is required in fee simple:

All of Lot 61, Registrar’s Compiled Plan 450 (W), in the City of London, County of Middlesex; designated as Parts 8 and 22 on Reference Plan 33R-19520; and, being all of PIN 08248-0158 (LT).