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File No. P-2350

TO:	THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON AS THE APPROVING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i> MEETING ON JUNE 11, 2013
FROM:	BILL WARNER MANAGER REALTY SERVICES
SUBJECT:	EXPROPRIATION OF LANDS HYDE PARK ROAD WIDENING PROJECT – PHASE I – TS1477-1

RECOMMENDATION

That, on the recommendation of the Manager Realty Services, with the concurrence of the Managing Director Environmental and Engineering Services and City Engineer, and the Director, Roads and Transportation the following actions be taken, with respect to the expropriation of lands for the Hyde Park Road Widening and Improvements Project - Phase 1, between Oxford Street West and South Carriage Road:

- 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 Hyde Park 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 Hyde Park Road Widening and Improvements accepted by Council on January 10, 2012;
- 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.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Environment and Transportation Committee - June 22, 2009 - Appointment of Consulting Engineers; Class Environmental Assessments for Hyde Park Road, Sarnia Road, Sunningdale Road

Civic Works Committee - December 19, 2011 - Hyde Park Road Environmental Study Report, Notice of Completion

Corporate Services Committee – March 19, 2013 – Expropriation of Lands Hyde Park Road Widening – Phase I – TS1477-1

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BACKGROUND

At its meeting held on January 10, 2012, Municipal Council approved and accepted the Schedule "C" Municipal Class Environmental Assessment and Hyde 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 south of Oxford Street to north of Sunningdale Road, as well as adjacent natural areas. The entire project is to follow a phased approach. The first phase of this project requires several partial property takings within the corridor along with easements associated with the relocation of utilities.

Negotiations commenced in excess of one year ago and written offers have been rejected by some of the property owners. In March of 2013 the expropriation procedures were initiated and the outstanding owners were provided with the Notice of Expropriation. None of the affected owners have requested a Hearing of Necessity. It is necessary to continue with the appropriate expropriation procedures for the outstanding properties in order for the project to proceed.

Anticipated Construction Timeline

Property requirements for utility relocation to be secured for fall 2013. The balance of property requirements to be secured for spring 2014 construction.

RECOMMENDED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER REALTY SERVICES	EDWARD SOLDO DIRECTOR ROADS AND TRANSPORTATION
REVIEWED AND CONCURRED BY:	
JOHN BRAAM MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

June 4, 2013
Attach.

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

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APPENDIX “A”

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE HYDE PARK ROAD WIDENING AND IMPROVEMENTS - PHASE I - BETWEEN OXFORD ST. AND SOUTH CARRIAGE RD.

The following lands are required in fee simple:

1. Part of Lot 24 in Concession 3 of the geographic Township of London now in the City of London and County of Middlesex designated as Part 2 on Plan 33R-18550 being part of PIN 08064-0029(LT).
2. Part of Lot 24 in Concession 3 of the geographic Township of London now in the City of London and County of Middlesex designated as Part 3 on Plan 33R-18550 being part of PIN 08064-0030(LT).
3. Part of Lot 24 in Concession 3 of the geographic Township of London now in the City of London and County of Middlesex designated as Part 2 on Plan 33R-18288 being part of PIN 08064-0025(LT).
4. Part of Lot 24 in Concession 3 of the geographic Township of London now in the City of London and County of Middlesex designated as Part 3 on Plan 33R-18288 being part of PIN 08064-0023(LT).
5. Part of Lot 24 in Concession 3 of the geographic Township of London now in the City of London and County of Middlesex designated as Part 4 on Plan 33R-18288 being part of PIN 08064-0022(LT).