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File No. P-2496

TO:	<p>THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON</p> <p>AS THE APPROVING AUTHORITY UNDER THE EXPROPRIATIONS ACT</p> <p>MEETING ON JANUARY 28, 2020</p>
FROM:	<p>KELLY SCHERR MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</p>
SUBJECT:	<p>EXPROPRIATION OF LANDS WHARNCLIFFE ROAD SOUTH ROAD WIDENING AND IMPROVEMENTS PROJECT</p>

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation and on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the Project known as the Wharncliffe Road South Road Widening and Improvements Project, between Becher Street and Springbank Drive:

- 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 Schedule "A" attached hereto, in the City of London, County of Middlesex, it being noted 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 Wharncliffe Road South 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 Wharncliffe Road South Road Widening and Improvements Project approved by Municipal Council on February 6, 2018; 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 a request for a Hearing of Necessity in relation to Parts 1 and 2, Plan 33R-20265 (Parcel 8) was received and was subsequently withdrawn.

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

- 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 – October 6, 2014 – Environmental Assessment Appointment of Consulting Engineer
- Civic Works Committee – November 29, 2016 – Environmental Assessment Update
- LACH – January 11, 2017 – Municipal Class Environmental Assessment Study – Wharncliffe Road South from Becher Street to Commissioners Road West
- LACH – November 16, 2017 – Wharncliffe Road South Environmental Assessment 100 Stanley Street
- Civic Works Committee – February 6, 2018 – Environmental Study Report
- The Council of The Corporation of the City of London as The Approving Authority under the Expropriation Act – June 18, 2019

BACKGROUND

The subject properties are required in support of the Wharncliffe Road South EA. More specifically, the properties are required for the road widening in 2020, as shown in the Environmental Study Report. These properties will accommodate the proposed works and improvements along this section of the project.

There are eleven (11) property requirements, five (5) of which are full buyouts, with the balance requiring partial acquisition.

Negotiations commenced in the Fall of 2018. The City has obtained agreements from four (4) property owners (Parcels 1, 2, 3 and 6) and all transactions have been closed.

The Civic Administration will continue negotiations with affected property owners in an effort to amicably acquire the balance of properties.

The composition of the ownership interests in this area and more specifically along the corridor is of an adept and sophisticated nature. Many of the owners both own the lands and buildings and a business that is operated from the lands.

The expropriation process has been initiated at the request of the Roads and Transportation Division, which is endeavouring to ensure property clearance is achieved in order to support the Tendering Process. As a result, it is necessary to start the appropriate expropriation procedures for the outstanding properties in order for the project to proceed and meet the prescribed timelines. Realty Services will continue to review negotiations with the property owners in an effort to achieve acceptable outcomes to all parties involved.

A Hearing of Necessity was received from one owner and was subsequently withdrawn.

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Anticipated Construction Timeline

Property requirements to be secured for 2020 construction.

PREPARED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER OF REALTY SERVICES	DOUG MACRAE DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.Eng., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

January 20, 2020

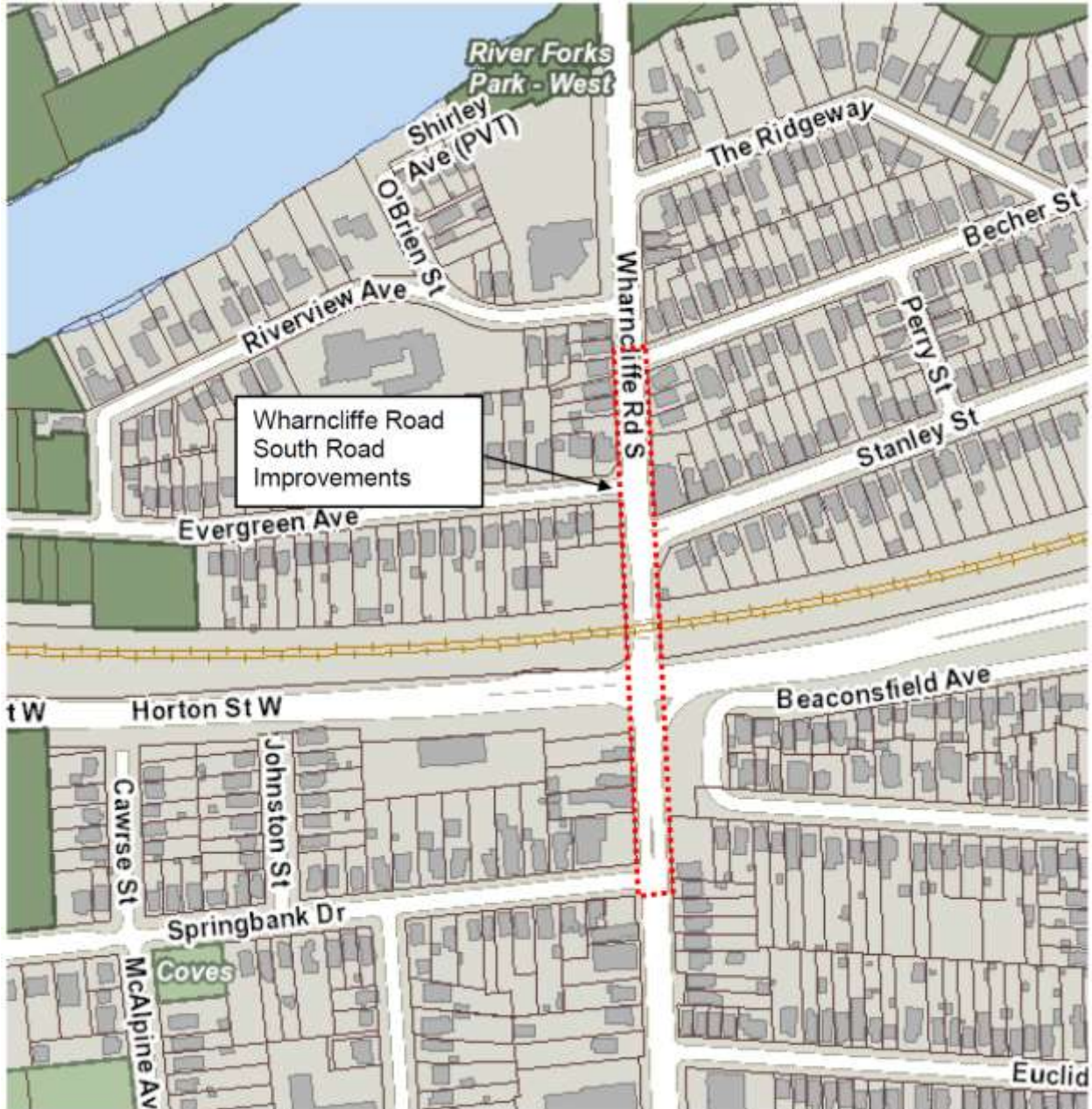
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Attach.

cc: Gary Irwin, Division Manager and Chief Surveyor
Garfield Dales, Division Manager, Roads and Transportation
David G. Munteer, Assistant City Solicitor

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Location Maps



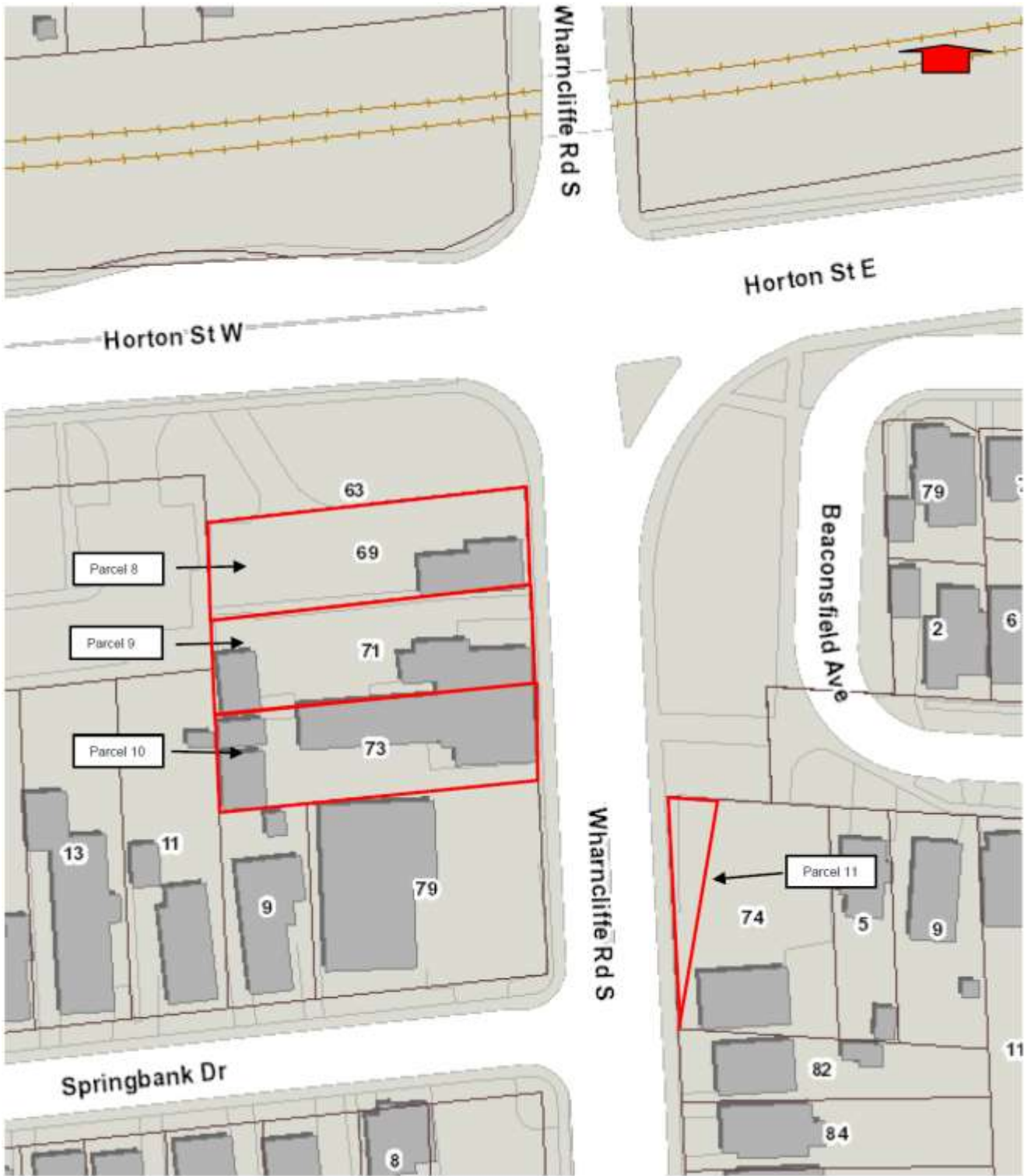
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Location Map (cont'd)
Wharncliffe Road South Road Widening and Improvements Project



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Location Map (cont'd)
Wharnccliffe Road South Widening and Improvements Project



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SCHEDULE "A"

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR WHARNCLIFFE ROAD SOUTH ROAD WIDENING AND IMPROVEMENTS PROJECT - BETWEEN BECHER STREET AND SPRINGBANK DRIVE

The following lands are required in fee simple:

- Parcel 4: Part of Lots 18 and 19, Registered Plan 26(4th) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20264 being part of PIN 08323-0046(LT)

- Parcel 5: Part of Lot 18, Registered Plan 26(4th) in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20264 being part of PIN 08323-0045(LT)

- Parcel 7: Part of Lots 17 and 18, Registered Plan 427(4th) in the City of London, County of Middlesex being all of PIN 08324-0002(LT)

- Parcel 8: Part of Lot 4 and all of Lot 5, West of Wharncliffe Rd, Registered Plan 63(4th) in the City of London, County of Middlesex designated as Parts 1 and 2 on Plan 33R-20265 being all of PIN 08256-0225(LT)

- Parcel 9: Part of Lot 4, West of Wharncliffe Rd, Registered Plan 63(4th) in the City of London, County of Middlesex designated as Parts 3 and 4 on Plan 33R-20265 being all of PIN 08256-0224(LT)

- Parcel 10: All of Lot 3, West of Wharncliffe Rd, Registered Plan 63(4th) in the City of London, County of Middlesex designated as Parts 5 and 6 on Plan 33R-20265 being all of PIN 08256-0223(LT)

- Parcel 11: Part of Lots 3 and 4, Registered Plan 288(4th) in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20265 being part of PIN 08324-0124(LT)

Parcels 1, 2, 3 and 6 obtained and closed amicable agreements.