

## Public Report to Corporate Services Committee

**To:** Chair and Members  
Corporate Services Committee

**From:** Kelly Scherr, P.Eng., MBA, FEC, Deputy City Manager,  
Environment and Infrastructure

**Subject:** Expropriation of Lands  
Southdale Road West and Wickerson Road Improvements  
Project

**Date:** September 20, 2021

## Recommendation

That, on the recommendation of the Deputy City Manager Environment and Infrastructure, with the concurrence of the Director, Transportation and Mobility, on the advice of the Director, Realty Services, approval **BE GIVEN** to the expropriation of land as may be required for the Southdale Road West and Wickerson Road improvements project, and that the following actions **BE TAKEN** in connection therewith:

- a) application be made by The Corporation of the City of London as Expropriating Authority to the Council of The Corporation of the City of London as approving authority for the approval to expropriate the land required for the Southdale Road West and Wickerson Road improvements project;
- b) The Corporation of the City of London serve and publish notice of the above application in accordance with the terms of the *Expropriations Act*;
- c) The Corporation of the City of London forward to the Chief Inquiry Officer any requests for a hearing that may be received and report such to the Council of The Corporation of the City of London for its information; and
- d) the attached Bylaw (Schedule "B") **BE INTRODUCED** at the Council meeting on October 5, 2021 to authorize the foregoing and direct the Civic Administration to carry out all necessary administrative actions

## Executive Summary

The purpose of this report is to seek Municipal Council approval for the expropriation of lands required by The Corporation of the City of London for the Southdale Road West and Wickerson Road improvements project.

Seven property requirements have been identified to accommodate the project design.

Negotiations with all property owners have been ongoing since Fall of 2020 and there is one property outstanding. Realty Services continues to negotiate with the outstanding property owner in parallel with the Council approval to proceed with the expropriation process in order to meet the project construction timelines

In order to meet planned construction timelines, it is necessary to advance the utility relocation work in Spring of 2022. As legal possession of all property requirements will be needed to commence utility work and award a construction contract, the expropriation of all outstanding property is necessary.

## Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of Building a Sustainable City by building new transportation infrastructure as London grows. The improvements to this corridor will enhance safe and provide convenient mobility choices for transit, automobiles, pedestrians and cyclists.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan

Strategic Priorities and Policy Committee – May 21, 2019 – Approval of the 2019 Development Charges By-Law and DC Background Study

Civic Works Committee – August 25, 2014 – Southdale Road and Boler Road Intersection Improvements Environmental Assessment Appointment of Consulting Engineer

Civic Works Committee – July 18, 2016 – Environmental Assessment Appointment of Consulting Engineer

Civic Works Committee – February 20, 2019 – Southdale Road and Wickerson Road Improvements Environmental Study Report

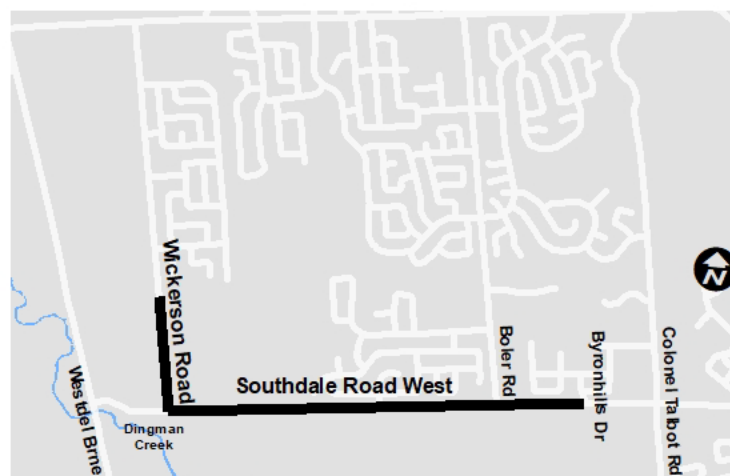
Civic Works Committee – July 23, 2019 - Southdale Road and Wickerson Road Improvements Detailed Design & Tendering Appointment of Consulting Engineer

### 2.0 Discussion and Considerations

#### 2.1 Background

The subject properties will support the Southdale Road West and Wickerson Road Improvements Project.

The project limits are on Southdale Road West from Byron Hills Drive to Wickerson Road and northerly 650m on Wickerson Road. See project limits map below.



Due to the growing use of these roads and developments in the area, combined with operational needs to improve safety and support for all travel modes, the Southdale Road West corridor Improvements were identified as a priority as part of the 2019 Development Charges Background Study. Construction is currently scheduled to begin in 2022, subject to property acquisition and other approvals. Utility relocations and tree removals will be completed prior to capital construction.

### **Anticipated Construction Timeline**

Property requirements are required to be secured for 2022 road construction and to facilitate utility relocations prior to construction. The project will commence with utility relocations with major road construction to follow thereafter.

Location Maps and legal descriptions of property are included as Schedule A.

## **Conclusion**

The Southdale Road West and Wickerson Road improvements project was identified in the 2019 Transportation Development Charges Background Study.

Construction is planned to take place in 2022 with commencement of utility relocations planned for 2021 to facilitate the improvements. The project has received approval as part of the Southdale Road West Municipal Class EA which identified the required property acquisitions.

Realty Services continues to negotiate with the outstanding property owner in parallel with the Council approval to proceed with the expropriation process in order to meet the project construction timelines.

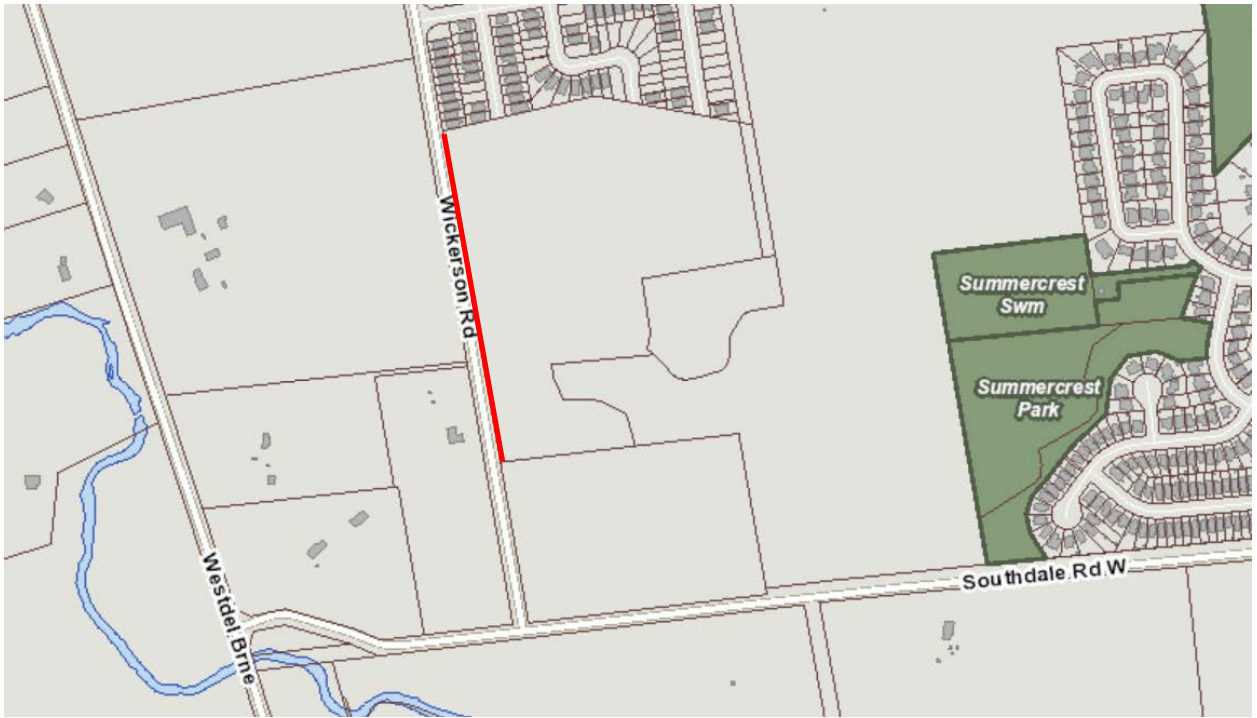
Impacted property owner's compensation is protected through the expropriation legislation and Council Property Acquisition Policy. If negotiated property compensation settlements can not be achieved on an amicable basis, the compensation may be arbitrated through the Ontario Land Tribunal.

Commencement of the expropriation process is recommended at this time to ensure project timelines are achieved.

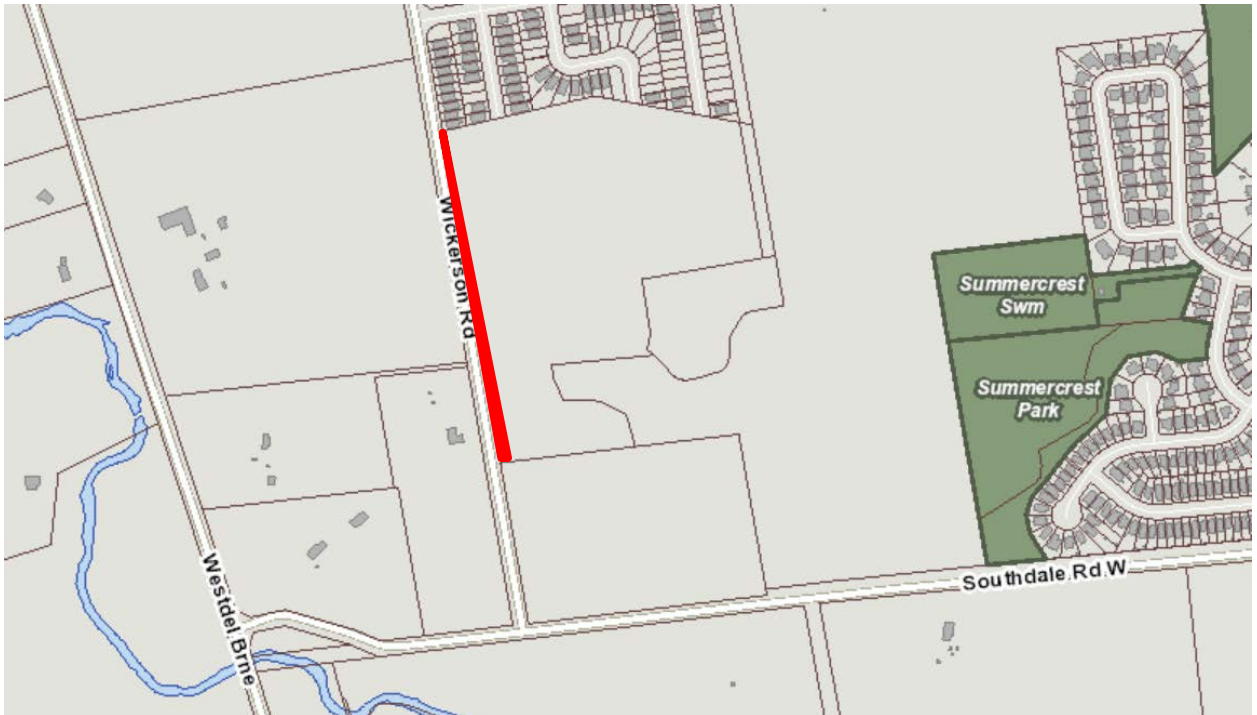
<b>Prepared by:</b>	<b>Bryan Baar, Manager II, Realty Services</b>
<b>Submitted by:</b>	<b>Bill Warner, AACI, Director, Realty Services</b>
<b>Concurred by:</b>	<b>Doug MacRae, P. Eng., Director, Transportation and Mobility</b>
<b>Recommended by:</b>	<b>Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager, Environment and Infrastructure</b>

**Schedule A - Location Maps**

**PARCEL 1**



**PARCEL 2**



## **Schedule “A” Continued**

Parcel 1: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Part 22, 23, and 24 on Plan 33R-21075 being Part of PIN 08420-1502(LT)

Parcel 2: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Part 3, 4, and 5 on Plan 33R-21075 being Part of PIN 08420-1502(LT)

## Schedule "B"

Bill No.  
2021

By-law No. L.S.P.-

A By-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for Southdale Road West and Wickerson Road Project.

WHEREAS The Corporation of the City of London has made application to the Council of The Corporation of the City of London for approval to expropriate lands for the Southdale Road West and Wickerson Road Project;

THEREFORE The Corporation of the City of London, as the expropriating authority, enacts as follows:

1. An application be made by The Corporation of the City of London as Expropriating Authority, to the Council of The Corporation of the City of London as approving authority, for approval to expropriate lands for the Southdale Road West and Wickerson Road Project; which land is more particularly described in attached Appendix "A" of this by-law.
2. The Corporation of the City of London as Expropriating Authority serve and publish notice of the application referred to in section 1 of this by-law in the form attached hereto as Appendix "B", being the "Notice of Application for Approval to Expropriate Lands," in accordance with the requirements of the *Expropriations Act*.
3. The Corporation of the City of London as Expropriating Authority forward to the Chief Enquiry Officer, any requests for a hearing that may be received in connection with the notice of this expropriation and report such to the Council of The Corporation of the City of London for its information.
4. The Civic Administration be hereby authorized to carry out all necessary administrative actions in respect of the said expropriation.
5. This by-law comes into force on the day it is passed.

PASSED in Open Council on

Ed Holder, Mayor

Catharine Saunders, City Clerk

First Reading  
Second Reading  
Third Reading

**APPENDIX "A"**

**To By-law L.S.P.-\_\_\_\_\_**

**DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE SOUTHDALE ROAD  
WEST AND WICKERSON ROAD IMPROVEMENTS PROJECT**

The following lands are required in fee simple:

Parcel 1: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Part 22, 23, and 24 on Plan 33R-21075 being Part of PIN 08420-1502(LT)

The following lands are required in permanent easement:

Parcel 2: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Part 3, 4, and 5 on Plan 33R-21075 being Part of PIN 08420-1502(LT)

**APPENDIX "B"**

**To By-law L.S.P.-\_\_\_\_\_**

**EXPROPRIATIONS ACT, R.S.O. 1990, CHAPTER E.26**

**NOTICE OF APPLICATION FOR APPROVAL TO EXPROPRIATE LAND**  
*Expropriations Act*

IN THE MATTER OF an application by The Corporation of the City of London for approval to expropriate lands being Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Parts 22, 23, and 24 on Plan 33R-21075 being Part of PIN 08420-1502(LT); Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Parts 3, 4, and 5 on Plan 33R-21075, being Part of PIN 08420-1502(LT) for the purpose of Southdale Road West and Wickerson Road Project.

**NOTICE IS HEREBY GIVEN** that application has been made for approval to expropriate the following lands described as follows:

- Parcel 1: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Parts 22, 23, and 24 on Plan 33R-21075 being Part of PIN 08420-1520(LT)
- Parcel 2: Part of Lot 48, Concession 1, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Parts 3, 4, and 5 on Plan 33R-21075 being Part of PIN 08420-1520(LT)

Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

- a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;
- b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is:

The Council of The Corporation of the City of London  
City Hall  
300 Dufferin Avenue  
P.O. Box 5035  
London ON N6A 4L9

The expropriating authority is:

THE CORPORATION OF THE CITY OF LONDON

---

CATHARINE SAUNDERS  
CITY CLERK



