

TO:	CHAIR AND MEMBERS FINANCE AND ADMINISTRATION COMMITTEE MEETING ON NOVEMBER 30, 2011
FROM:	TOM JOHNSON MANAGING DIRECTOR – CORPORATE ASSETS
SUBJECT:	EXPROPRIATION OF LANDS ON THE SOUTH SIDE OF DINGMAN DRIVE AND EAST OF WONDERLAND ROAD SOUTH

RECOMMENDATION

That, on the recommendation of the Managing Director - Corporate Assets, with the concurrence of the Executive Director - Planning, Environmental and Engineering Services, on the advice of the Manager Realty Services, approval **BE GIVEN** to the expropriation of lands as may be required for a new project known as the Dingman Creek Erosion Control Wetland Facility, on the south side of Dingman Drive and east of Wonderland Road South, 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 lands required for the Dingman Creek Erosion Control Wetland Facility Project, on the south side of Dingman Drive and east of Wonderland Road South;
- 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) a By-law be introduced at the appropriate time to authorize the foregoing and direct the Civic Administration to carry out all necessary administrative actions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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ETC on October 19, 2009 – Appointment of Consulting Engineer for Functional and Detailed Design of the Dingman Creek Stormwater Management Erosion Control Wetland Facility (ES2682)

ETC on July 20, 2009 – Municipal Class Environmental Assessment Study Recommendations for Proposed Dingman Creek Stormwater Management Erosion Control Wetland Facility

ETC on May 26, 2008, – Appointment of Consulting Engineer for Municipal Class Environmental Assessment Study for a Wetland Facility in the Dingman Creek

ETC on August 22, 2005 – Dingman Creek Subwatershed Study Update: Conclusions and Recommendations

ETC on February 10, 2003 – Stormwater Management and Drainage Projects ES-2480 Appointment of Consulting Engineer for Subwatershed Study Update for Dingman Creek

BACKGROUND

At its meeting held on July 27, 2009, Municipal Council authorized the Dingman Creek Erosion Control Wetland Facility Project. This project will require the acquisition of two properties, (both being located on the floodplain of Dingman Creek), one being a partial taking. The approved Municipal Class Environmental Assessment Study was completed in August 2009 focused on this area being the only viable area of this project. This project will require the acquisition of vacant land, of which one property is used for agricultural purposes and the other is part of a rural residential lot with both being required due to the location of the existing river channel.

This project was originally intended for commencement in 2010 to reclaim/remediate the Dingman Creek water resources system, minimize erosion deficiencies, and improve the conveyance and sediment transportation capacity of the creek. Negotiations commenced in excess of one year ago and written offers have been rejected by the property owners. It is necessary to start the appropriate expropriation procedures for the two properties in order for the project to proceed. Realty Services will continue with negotiations with the two property owners in an effort to amicably acquire these properties to avoid expropriation if possible.

Anticipated Construction Timeline

If the City can take title to the properties in the Summer 2012 it may still permit the commencement of the project in the Fall of 2012.

A location map is attached for the Committee's information.

PREPARED BY:	RECOMMENDED BY:
BILL WARNER MANAGER REALTY SERVICES	TOM JOHNSON MANAGING DIRECTOR -CORPORATE ASSETS
REVIEWED AND CONCURRED BY:	
PAT MCNALLY EXECUTIVE DIRECTOR – PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES	

November 15, 2011
Attach.

cc: Pat McNally, Executive Director - PEES
John Braam, Director of Water and City Engineer
Berta Krichker, Manager of Stormwater
David G. Mounteer, Solicitor II

Location Map

