

Part of Regional Road 174 (To Be Closed) – Waiver of Former Owner’s Right to Purchase

Tronçon du chemin Régional 174 (qui sera fermé à la circulation) - annulation du droit d'achat de l'ancien propriétaire

COMMITTEE RECOMMENDATION

That Council waive the former owner’s right to purchase the portion of Regional Road 174 (to be closed) shown as Parcel 2 on Document ‘1’ attached, as provided for under Section 42 of the *Expropriations Act*.

RECOMMANDATION DU COMITÉ

Que le Conseil annule le droit d’achat de l’ancien propriétaire d’un tronçon du chemin Régional 174 (qui sera fermé à la circulation) désigné comme étant la parcelle 2 sur le document « 1 » ci-joint, comme prévu au paragraphe 42 de la *Loi sur l’expropriation*.

DOCUMENTATION / DOCUMENTATION

1. Nancy Schepers, Deputy City Manager, Planning and Infrastructure, report dated January 28, 2014 (ACS2014-PAI-REP-0004)

Nancy Schepers, Directrice municipale adjointe, Urbanisme et Infrastructure, rapport daté du 28 janvier 2014 (ACS2014-PAI-REP-0004)

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique**

**and Council
et au Conseil**

**January 28, 2014
28 janvier 2014**

**Submitted by
Soumis par:**

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and Infrastructure / Urbanisme et Infrastructure**

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Ward: BEACON HILL-CYRVILLE (11)

File Number: ACS2014-PAI-REP-0004

**SUBJECT: Part of Regional Road 174 (To Be Closed) – Waiver of Former
Owner’s Right to Purchase**

**OBJET: Tronçon du chemin Régional 174 (qui sera fermé à la circulation) -
annulation du droit d'achat de l'ancien propriétaire**

REPORT RECOMMENDATIONS

**That the Finance and Economic Development Committee recommend Council
waive the former owner’s right to purchase the portion of Regional Road 174 (to**

be closed) shown as Parcel 2 on Document '1' attached, as provided for under Section 42 of the *Expropriations Act*.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil d'annuler le droit d'achat de l'ancien propriétaire d'un tronçon du chemin Régional 174 (qui sera fermé à la circulation) désigné comme étant la parcelle 2 sur le document « 1 » ci-joint, comme prévu au paragraphe 42 de la *Loi sur l'expropriation*.

BACKGROUND

The subject portion of Regional Road 174 shown as Parcel 2 on Document '1' attached was expropriated by the Ministry of Transportation Ontario in 1962 from The Capital City Co-Operative Building Limited. A company search has revealed that this company no longer exists.

An application to close a 5m strip of the road shown as Parcels 1, 2 and 3 on Document '1' attached has been submitted to Planning and Infrastructure Approvals Branch for approval. Provided the road closing application is approved, the property will be conveyed to the owner of 1215 Rainbow Street as part of a land exchange for an easement required for the construction of the Orleans Watermain Link.

Section 42 of the *Expropriations Act* states that if it is found that expropriated lands are no longer required for the purposes that it was acquired, the expropriating authority shall not, without the approval of the approving authority, dispose of lands without giving the former owner the first chance to repurchase the lands on the terms of the best offer received.

DISCUSSION

As the company that owned the land is no longer in existence and in order to facilitate the easement required from the owners of 1215 Rainbow Street for the installation of the Orleans Watermain Link, it is recommended that the former owners' right be waived.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendation.

CONSULTATION

This is an administrative matter, no public consultation is required.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Tierney has reviewed and concurs with this report.

LEGAL IMPLICATIONS

There are no legal impediments to the implementation of the recommendation in the report. As noted in the report, Section 42 of the *Expropriations Act* requires that the matter be dealt with by Committee and Council before it can be concluded.

RISK MANAGEMENT IMPLICATIONS

There are no risk management impediments to implementing the Recommendation arising from this report

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with the recommendation.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendation.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with the reports.

TERM OF COUNCIL PRIORITIES

The recommendation of this report supports City Council's strategic priorities of: Financial Responsibility (FS) to practice prudent fiscal management of existing resources and its objective FS2 to maintain and enhance the City's financial position; and Service Excellence (SE) and its objective SE2 to improve operational performance

and the effectiveness and efficiency of service delivery to reach targets that have been approved by Council and communicated to residents and staff.

SUPPORTING DOCUMENTATION

Attached as Document '1' is a sketch showing the lands expropriated as Parcel 3.

DISPOSITION

Following approval Realty Services will proceed with the exchange of lands with the abutting owner.

Document '1' – Property Sketch

