

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
5 November 2019 / 5 novembre 2019**

**and Council
et au Conseil
27 November 2019 / 27 novembre 2019**

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**Submitted by
Soumis par:
Robin Souchen**

**Acting Director, Corporate Real Estate Office, Planning, Infrastructure and
Economic Development / Directeur par intérim, Bureau des biens immobiliers
municipal, Services de la planification, de l'infrastructure et du développement
économique**

**Contact Person
Personne ressource:**

**Peter Radke, Manager, Realty Services / gestionnaire, services immobilier
(613) 580-2424, 12551, Peter.Radke@ottawa.ca**

Ward: RIDEAU-VANIER (12), RIDEAU-ROCKCLIFFE (13) File Number: ACS2019-PIE-CRO-0011

**SUBJECT: Application for Approval to Expropriate Lands – Montreal Road
Revitalization Project**

**OBJET: Demande d'approbation pour l'expropriation de terrains – projet de
revitalisation du chemin de Montréal**

REPORT RECOMMENDATION

**That the Finance and Economic Development Committee recommend that
Council enact a by-law, in the form attached in Document 1, approving the**

making of an application pursuant to Section 4 of the *Expropriations Act* for approval to expropriate lands that are required for purposes of the Montreal Road Revitalization project.

RECOMMANDATION DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil d'adopter un règlement municipal, dans la forme présentée dans le document 1 ci-joint, qui approuve la présentation d'une demande, en vertu de l'article 4 de la *Loi sur l'expropriation*, visant à autoriser l'expropriation des terrains nécessaires pour réaliser le projet de revitalisation du chemin de Montréal.

BACKGROUND

The [Montreal Road revitalization project](#) involves significant reconstruction of the 2-kilometre section of Montreal Road between North River Road and St Laurent Boulevard. The objective of the project is to renew underground infrastructure; (watermain and segments of sewer pipe) transforming the corridor into a vibrant and welcoming main street with a well-balanced transportation network that will allow residents and businesses to thrive. The above surface works involve reducing the existing four-lane cross-section to three-lanes with cycle tracks on both side of the corridor between the Vanier Parkway and St. Laurent Boulevard, sidewalk and curb replacement and significant street scaping improvements.

As well, the project includes reconstruction of North River Road (north of Montreal Road) and a multi-use-path (MUP) between Greensway Avenue and the Vanier Parkway which will serve as a cycling connection between the Rideau River and Vanier Parkway.

The planning phase of the project involved completion of the Montreal Road Functional Planning Study (June 2017) and a Road Modification Approval (RMA) signed July 2017 by the Ward Councillors for both Ward 12 (Rideau-Vanier) and Ward 13 (Rideau Rockcliffe).

On March 6, 2019, Council approved the Transportation Committee [2019 Budget](#), which included funding for the Montreal Road Revitalization Project – North River Road to St. Laurent Boulevard. The contract tender is to be awarded in the fall 2019.

DISCUSSION

Property interests such as road widenings and temporary construction easements are required to support the Montreal Road Revitalization project. Some of these have already been acquired under delegated authority pursuant to Delegation of Authority By-law No. 2018-397. In order to protect construction timing; however, Corporate Real Estate Office (CREO) is recommending the initiation of expropriation proceedings with respect to the property interests identified in the Draft By-law attached hereto as Document 1.

In accordance with Section 4 of the *Expropriations Act*, R.S.O., 1990, c. E-26, as amended (the "*Expropriations Act*"), the City must apply to City Council, acting as the approval authority, to acquire land by expropriation.

Upon Council approval of the recommendations contained in this report, staff will proceed with expropriation procedures by providing the statutory notices to the owners together with publishing the required notice in newspapers having general circulation in the locality in which the lands are located.

A further report will be brought before Council prior to registration of Plans of Expropriation.

Notwithstanding the initiation of expropriation proceedings, staff will continue to pursue negotiations with affected property owners to acquire the required property interests and negotiate settlements.

RURAL IMPLICATIONS

All requirements are within the Urban Boundary of the City of Ottawa. The acquisition of property required for the Montreal Road Revitalization project will not generate any rural implications.

CONSULTATION

The planning phase of the project involved completion of the Montreal Road Functional Planning Study (June 2017) and a Road Modification Approval (RMA) signed July 2017 by the Ward Councillors for both Ward 12 (Rideau-Vanier) and Ward 13 (Rideau Rockcliffe).

To the extent possible, the real estate acquisition team has been in contact with the owners of property interests required to support the Montreal Road Revitalization

project. This work has been ongoing since June of 2018 and is expected to continue over the coming year.

COMMENTS BY THE WARD COUNCILLORS

Councillor Fleury provided the following comments:

“I am so happy this project is going ahead, and I am looking forward to the end result.”

LEGAL IMPLICATIONS

Provided that the City follows the procedures set out in the *Expropriation Act* and outlined in this report and the Draft By-law attached hereto as Document 1, there are no legal impediments to implementing the recommendations set out in this report.

RISK MANAGEMENT IMPLICATIONS

The acquisition of certain property interests is required to complete the Montreal Road Revitalization Project. Failure to approve the expropriation may delay completion of the project and could impact the City’s ability to meet its contractual obligations under the construction contract which is to be awarded in the fall 2019.

FINANCIAL IMPLICATIONS

Funds for the expropriations are available within CP000209 Montreal Road and North River Road.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- TM3 – Provide infrastructure to support mobility choices and
- TM4 – Promote alternative mobility choices

SUPPORTING DOCUMENTATION

Document 1 Draft By-law

DISPOSITION

Following Council's approval, CREO will work with external legal counsel to serve and publish Notice of Application for Approval to Expropriate.