

BY-LAW NO. _____

A by-law to provide for the making of an application for approval to expropriate temporary easements in property at Queensview Drive in the City of Ottawa for the purposes of the Stage 2 Ottawa Light Rail Transit System project, as more particularly described in Schedules "A" and "B" attached hereto.

WHEREAS the City of Ottawa requires certain temporary easements in property, varying in duration from 12 to 26 months, as described in Schedule "A" and in Schedule "B" attached hereto for the purposes of the Stage 2 Ottawa Light Rail Transit System project (the "Stage 2 LRT Project") including, but not limited to, for all purposes required to facilitate the construction, assembly, excavation, installation, testing, commissioning and operation of a light rail system which includes but is not limited to light rail infrastructure, guideway corridors, guideways, temporary power supply, grading, utilities, berms, walking paths, fences, retaining walls and landscaping features and including but not limited to storage of excavated materials and construction materials, the use of construction machinery and equipment and all other improvements and works ancillary to the Stage 2 LRT Project together with the free, exclusive, uninterrupted, and unobstructed right for the City of Ottawa, its servants, agents, employees, contractors and subcontractors to enter in and to pass and repass at any and all times, in, over, under, along, across, upon and through, with or without vehicles, supplies, machinery, materials and equipment the property described in Schedule "A" hereto for all purposes necessary or convenient to the exercise and enjoyment of the easements described herein, and all other improvements and works ancillary to the Stage 2 LRT Project;

AND WHEREAS pursuant to Section 6(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended (hereinafter referred to as the "Expropriations Act");

AND WHEREAS pursuant to Section 4 of the Expropriations Act, an expropriating authority, in this case, the City of Ottawa, shall not expropriate land without the approval of the approving authority, in this case, the Council of the City of Ottawa;

AND WHEREAS the City of Ottawa shall conduct the expropriation in accordance with the Expropriations Act.

THEREFORE the Council of the City of Ottawa hereby enacts as follows:

1. THAT the Council of the City of Ottawa hereby approves the making of an application for approval to expropriate land by the City of Ottawa, in respect of the temporary easements described in Schedule "A" and Schedule "B", appended hereto.

2. THAT the Mayor, the City Clerk, and the Director of the Corporate Real Estate Office, or any one of them are hereby authorized to execute, on behalf of the City of Ottawa, an Application for Approval to Expropriate the temporary easements described in Schedule "A" and Schedule "B" appended hereto.

3. THAT the Mayor, the City Clerk, and the Director of the Corporate Real Estate Office, or any one of them are hereby authorized to execute, on behalf of the City of Ottawa, Notices of Application for Approval to Expropriate Land for the temporary easements described in Schedule "A" and Schedule "B" appended hereto and that such Notices be served and published, as required by the Expropriations Act.

4. THAT, in the event an owner or registered owner requests a hearing of necessity, and a report of the inquiry officer is issued, the report of the inquiry officer shall come before Council of the City of Ottawa for consideration.

5. THAT the officers and authorized agents of the City of Ottawa be and they are hereby otherwise authorized and directed to do all things required arising from the authorizations provided for by this by-law.

6. THAT this by-law comes into force on the day it is passed.

ENACTED and PASSED this _____ day of _____, 2020.

CITY CLERK

MAYOR

SCHEDULE "A"

Confederation Line – West

An estate, right or interest, for a limited time in the nature of a temporary easement for a period of 12 months in the following lands:

Part of lands municipally known as 2650 Queensview Drive

1. Part of PIN 03957-0642(LT) LOT 326 PLAN 372212, SAVE AND EXCEPT PARTS 3 AND 4 EXPROPRIATION PLAN OC2043640 ; S/T INTERESTS, IF ANY, AS IN CR384866 & CR369486; SUBJECT TO AN EASEMENT OVER PARTS 1, 2, 5, 6 AND 7 EXPROPRIATION PLAN OC2043640 IN FAVOUR OF CITY OF OTTAWA UNTIL 2024/09/30 AS IN OC2043640; CITY OF OTTAWA designated as Parcel 1 on drawing 18689-PRP_016d(AL).dgn
2. Part of PIN 03957-0644(LT) LOT 325 PLAN 372212, SAVE AND EXCEPT PARTS 10 AND 11 EXPROPRIATION PLAN OC2043640; S/T INTERESTS, IF ANY, AS IN CR384866 & CR369486; SUBJECT TO AN EASEMENT OVER PARTS 8 AND 9 EXPROPRIATION PLAN OC2043640 IN FAVOUR OF CITY OF OTTAWA UNTIL 2024/09/30 AS IN OC2043640; CITY OF OTTAWA designated as Parcel 2 on drawing 18689-PRP_016d(AL).dgn

An estate, right or interest, for a limited time in the nature of a temporary easement for a period of 26 months in the following lands:

Part of land municipally known as 2680 Queensview Drive

3. Part of PIN 03957-0640(LT) PART OF LOT 329 PLAN 372212, PARTS 3 AND 4 PLAN 4R1473, SAVE AND EXCEPT PARTS 1 AND 3 EXPROPRIATION PLAN OC2043623; S/T INTERESTS, IF ANY, AS IN CR384866 & CR369486; SUBJECT TO AN EASEMENT OVER PART 2 EXPROPRIATION PLAN OC2043623 IN FAVOUR OF CITY OF OTTAWA UNTIL 2024/09/30 AS IN OC2043623; CITY OF OTTAWA designated as Parcel 1 on drawing 18689-PRP_015d(AL).dgn

SCHEDULE "B"

Confederation Line – West





