

## ***Schedule 1 – Phase 2 Expropriations***

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### **CITY OF OTTAWA**

#### **BY-LAW NO. \_\_\_\_\_**

A BY-LAW TO APPROVE THE EXPROPRIATION OF PROPERTY IN THE CITY OF OTTAWA, AS MORE PARTICULARLY DESCRIBED IN SCHEDULES “1A” AND “1B” TO THIS BY-LAW.

WHEREAS, the Council of the City of Ottawa (hereinafter “Council”) approved commencement of the application for approval to expropriate lands described in Schedules “1A” and “1B” attached hereto (the “Lands”) for the purposes of facilitating the construction, operation and maintenance of the Ottawa Light Rail Transit system (the “OLRT”) from Tunney’s Pasture to Blair Road including a tunnel corridor, approximately 2.5 km in length, below the downtown core, including light rail infrastructure, tunnel guideway corridors, tunnel portals, at grade guideway corridors, guideways, stations, platforms, and including permanent easements to enter on the lands with all vehicles, machinery, workmen and other material for construction, relocation and maintenance of public utilities, storm drains and watermains, necessary and ancillary to the OLRT and including temporary easements as described in Schedules “1A” and “1B”, for the purposes of storage of excavated materials and construction materials and equipment, temporary power supply and entering on the lands with all vehicles, machinery, workmen and other material for construction, grading, relocation of utilities and construction of berms, walking paths, fences, retaining walls, landscaping features and all other improvements and works ancillary to the OLRT.

AND WHEREAS the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended (hereinafter the Act) authorizes Council to expropriate land for municipal purposes;

AND WHEREAS the application has not been referred to a hearing by any of the owners of the Lands.

AND WHEREAS the City has been unable to reach an agreement with the owners to acquire the Lands.

NOW THEREFORE, Council ENACTS AS FOLLOWS:

1. THAT approval is hereby granted for the expropriation by the City of Ottawa of the Lands described in Schedule “1A” and Schedule “1B” attached to this By-law, for the above described purposes.
2. THAT the City Clerk is hereby authorized to execute the Certificate of Approval and the Expropriation Certificate set out on the draft Expropriation Plan.

3. THAT the City Clerk is hereby authorized to cause the Expropriation Plan to be registered in the Land Registry Office for the Land Titles Division of Ottawa (No. 4) and thereby effect the expropriation of the said Lands.
4. THAT a Notice of Expropriation be served upon the registered owners together with a copy of the Expropriation Plan and a Notice of Election, relating to the date of assessment of compensation.
5. THAT an appraisal report estimating the market value of the Lands be obtained from an accredited appraiser.
6. THAT a Notice of Possession be served requiring possession of the Lands at least three months after the date of service of said notice.
7. THAT the City is hereby authorized to enter and take possession of the expropriated lands on the day permitted under the Act, or pursuant to any Court Order thereunder, or pursuant to any agreement entered into between the relevant owners and the City.
8. THAT an offer of an amount in full compensation for the registered owner's interest in the Lands, and an offer for immediate payment of 100% of market value as estimated by the expropriating authority, all in accordance with s. 25 of the Act be served, together with a copy of the appraisal report on which the offer of compensation is based.
9. THAT the staff and authorized representatives of the City are authorized and directed to do all things required arising from the authorizations provided for by this By-law.
10. THAT this By-law comes into force on the day it is passed.

READ and PASSED this 19<sup>th</sup> day of December, 2012.

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CLERK

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MAYOR

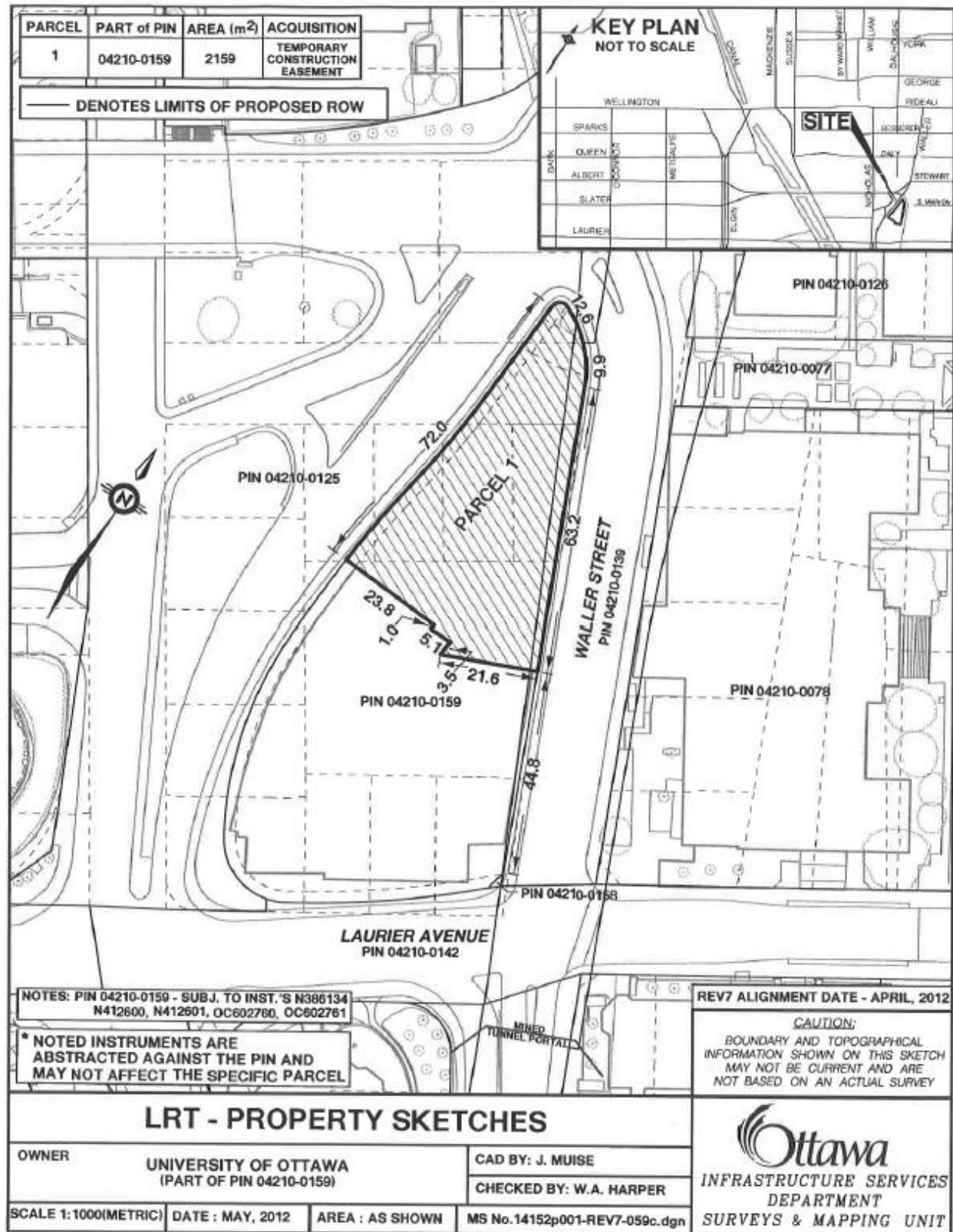
**SCHEDULE “1A”****BY-LAW NO. \_\_\_\_\_**

	<b>LEGAL DESCRIPTION AND TYPE OF INTEREST</b>
1.	PERMANENT EASEMENT - Part Block R, Plan 74, Part of Part 8, 5R10282; Ottawa/Nepean, designated as Parcel 1 on Property Sketch No. 14152p001-REV7-152.dgn dated April, 2012.
2.	FEE SIMPLE - Part of Lots A, B, C & 1, Plan 25270; Lots 2, 3, 4, 5, 6 & 7, Plan 25270, E/S Waller St; Lots 2, 3, 4, 5, 6, 7, 8 & 9, Plan 25270, W/S Hastey Ave; Lot 8, Plan 25270, in Rear of Lot 8, Plan 25270, W/S Hastey; Lot 9, Plan 25270, in Rear of Lot 9, Plan 25270, W/S Hastey; Lots 1, 2 & 3, Plan 15632, N/S Osgoode Ave; Part Lot 17, Plan 3350, E/S Nicholas St, as in CR532831; Lots 18 & 19, Plan 3350, E/S Nicholas St, except Part 3, 5R-10729, Ottawa, designated as Parcels 1 and 6 on Property Sketch No. 14152p001-REV7-039b.dgn dated May, 2012.
3.	FEE SIMPLE - Part of Lot 17, Plan 3350 (within Parts 1 & 4 on 5R4418), closed by N440798, Ottawa, designated as Parcel 1 on Property Sketch No. 14152p001-REV7-061.dgn dated April, 2012.
4.	FEE SIMPLE - Part of Lots 1, 2, 3 & 4, Plan 3613 East Nicholas St & Part of Lots 15 & 16, Plan 3350 East Nicholas St. Ottawa, designated as Parcel 2 on Property Sketch No. 14152p001-REV7-061.dgn dated April, 2012.
5.	FEE SIMPLE - Part of Part Lots 4 & 5, Plan 3613, as Stopped up & Closed by By-law 285-68 registered as CR547924, Part of Part 1, 4R23790, Ottawa, designated as Parcel 3 on Property Sketch No. 14152p001-REV7-061.dgn dated April, 2012.
6.	FEE SIMPLE - Part of Lots 6, 7, 8, 9, 10, 11 & 12, Plan 3613, E/S Nicholas St, except N412596; Ottawa, designated as Parcel 1 on Property Sketch No. 14152p001-REV7-062.dgn dated April, 2012.
7.	FEE SIMPLE - Part of Lot E, Concession D Rideau Front (Formerly Somerset St), Reserve (West of Somerset St), Plan 15632, Part of Parts 2 & 3, 5R9797, closed by N381086, Ottawa, designated as Parcel 1 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012.
8.	FEE SIMPLE - Part of Lot E, Concession D Rideau Front, Ottawa/Nepean, designated as Parcels 2 and 3 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012.
9.	PERMANENT EASEMENT - Part of Lot E, Concession D, Rideau Front, Ottawa/Nepean, designated as Parcel 4 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012.
10.	TEMPORARY EASEMENT (8 months) - Part of Lots A, B, C & 1, Plan 25270; Lots 2, 3, 4, 5, 6 & 7, Plan 25270, E/S Waller St; Lots 2, 3, 4, 5, 6, 7, 8 & 9, Plan 25270, W/S Hastey Ave; Lot 8, Plan 25270, in Rear of Lot 8, Plan 25270, W/S Hastey; Lot 9, Plan 25270, in Rear of Lot 9, Plan 25270, W/S Hastey; Lots 1, 2 & 3, Plan 15632, N/S Osgoode Ave; Part Lot 17, Plan 3350, E/S Nicholas St, as in CR532831; Lots 18 & 19, Plan 3350, E/S Nicholas St, except Part 3, 5R-10729, Ottawa, designated as Parcels 2, 3, 4 and 5 on Property Sketch No. 14152p001-REV7-039b.dgn dated May, 2012. Commencement Date April 15, 2013.

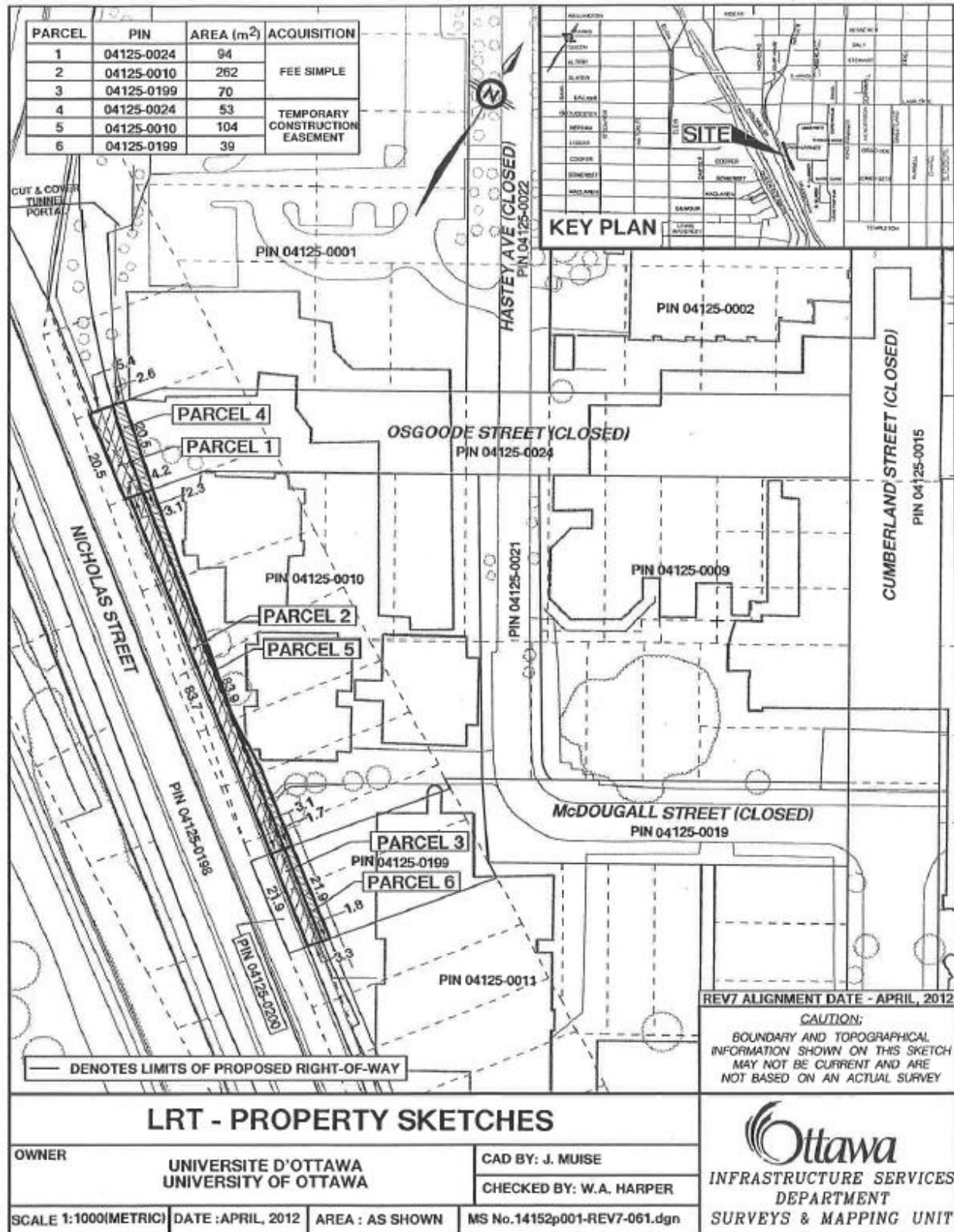
	<b>LEGAL DESCRIPTION AND TYPE OF INTEREST</b>
11.	TEMPORARY EASEMENT (8 months) - Part of Part Lots A, 1, 2, 3 & 4, Plan 9661, South Wilbrod St; Part of Lot 25, Plan 3922, West Waller St; Part Wilbrod St, Plan 3922, Closed by N356592, Parts 2, 4 to 12, 4R-21150, Ottawa, designated as Parcel 1 on Property Sketch No. 14152p001-REV7-059c.dgn dated May, 2012.
12.	TEMPORARY EASEMENT (8 months) - Part of Lot 17, Plan 3350 (within Parts 1 & 4 on 5R4418), closed by N440798, Ottawa, designated as Parcel 4 on Property Sketch No. 14152p001-REV7-061.dgn dated April, 2012 Commencement Date April 15, 2013.
13.	TEMPORARY EASEMENT (8 months) - Part of Lots 1, 2, 3 & 4, Plan 3613, East Nicholas St. & Part of Lots 15 & 16, Plan 3350 East Nicholas St., Ottawa, designated as Parcel 5 on Property Sketch No. 14152p001-REV7-061.dgn dated April, 2012. Commencement Date April 15, 2013.
14.	TEMPORARY EASEMENT (8 months) - Part of Part Lots 4 & 5, Plan 3613, as Stopped up & Closed by By-law 285-68 registered as CR547924, Part 1, 4R23790, Ottawa, designated as Parcel 6 on Property Sketch No. 14152p001-REV7-061.dgn Commencement Date April 15, 2013.
15.	TEMPORARY EASEMENT (8 months) - Part of Lots 6, 7, 8, 9, 10, 11 & 12, Plan 3613, E/S Nicholas St, except N412596; Part of Lot 22, Plan 40654, W/S Cumberland St, Ottawa, designated as Parcel 2 on Property Sketch No. 14152p001-REV7-062.dgn dated April, 2012. Commencement Date April 15, 2013.
16.	TEMPORARY EASEMENT (8 months) - Part of Cumberland St, Plan 15632, Part 8, 4R53, Part Cumberland St, Plan 15632, Part 5, 5R11667, Closed by CR578571 & N440800; Ottawa/Nepean, designated as Parcel 3 on Property Sketch No. 14152p001-REV7-062.dgn dated April, 2012. Commencement Date April 15, 2013.
17.	TEMPORARY EASEMENT (8 months) - Part of Lot 18, Plan 15632, E/S Cumberland St, as in CR532831; Ottawa, designated as Parcel 4 on Property Sketch No. 14152p001-REV7-062.dgn dated April, 2012. Commencement Date April 15, 2013.
18.	TEMPORARY EASEMENT (8 months) - Part of Lot E, Concession D, Rideau Front (Formerly Somerset St), Reserve (West of Somerset St), Plan 15632 & Part Somerset St, Plan 15632 (All within Parts 2, 3, 4, 5, 6 & 7 on 5R9797), closed by N381086, Ottawa, designated as Parcel 5 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012. Commencement Date April 15, 2013.
19.	TEMPORARY EASEMENT (8 months) - Part of Lot E, Concession D, Rideau Front, Nepean & Part of Block 42, Plan 15632, Ottawa, designated as Parcel 6 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012. Commencement Date April 15, 2013.
20.	TEMPORARY EASEMENT (8 months) - Part of Lot E, Concession D, Rideau Front, Ottawa/Nepean, designated as Parcel 7 on Property Sketch No. 14152p001-REV7-063.dgn dated April, 2012. Commencement Date April 15, 2013.



# Schedule 1 – Phase 2 Expropriations



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