



H5-1

Report

Committee of Council

Standing Committee of the Council
of the Corporation of the City of Brampton

COMMITTEE OF COUNCIL

DATE: January 20, 2010**Date:** January 5, 2010**File:** AG-08-200**Subject:** Expropriation of property for the Shoppers World Transit
Terminal Upgrade, Ward 4**Contact:** Ann Pritchard, Manager, Realty Services, 905-874-2131**Overview:**

- At its meeting of April 8, 2009, City Council passed By-law 111-2009 to authorize the issuance of Notice of Application for Approval to Expropriate certain property rights in connection with the Shoppers World Transit Terminal Upgrade.
- On September 9, 2009 Council passed By-law 252-2009 to approve the expropriation of the required property rights for which the notices were served.
- Subsequently it was determined that there is a need for additional property rights in a small land parcel, which was not included in the above-noted authorizing and approving by-laws. In order to ensure delivery of the property in a timely manner so as not to delay the construction schedule, this report recommends that Council authorize the issuance of the Notice of Application to Expropriate the said land parcel, designated as Part 5 on Plan 43R-33012.
- The authorization being sought in this report to issue Notices of Application for Approval to Expropriate Part 5 on Plan 43R-33012 is the first required step. After the Notices have been served and the Inquiries, if any, have been completed, staff will seek approval of an additional by-law to authorize the expropriation of Part 5 on Plan 43R-33012.

Recommendations:

1. That the report from Ann Pritchard, Manager, Realty Services, dated January 5, 2010, to the Committee of Council meeting of January 20, 2010, re: **Expropriation of property for the Shoppers World Terminal Transit Terminal upgrade, Ward 4**, be received; and,
2. That a by-law be passed authorizing The Corporation of the City of Brampton, as expropriating authority, to make an application for approval to expropriate those property interests described in Schedule "A" to this report in connection with the upgrade of the Shoppers World Transit Terminal; and,
3. That the Mayor and City Clerk be authorized to execute, serve, and publish on behalf of The Corporation of the City of Brampton all notices, applications, advertisements and other documents required by the *Expropriations Act*, RSO 1990, c.E.26, as amended, in order to effect the expropriation of the said property rights, based on terms and conditions acceptable to the Commissioner of Buildings and Property Management, and in a form acceptable to the City solicitor.

Background:

On April 8, 2009, City Council passed By-law 111-2009, to authorize the issuance of Notices of Application for Approval to Expropriate certain property rights required in connection with the Shoppers World Transit Terminal upgrade at the northwest corner of Main St. South and Steeles Avenue West. Acquisition by expropriation ensures timely delivery of property to maintain construction schedule.

As the next step in the expropriation process, after the notices were served/published and the requests for a Hearing of Necessity were waived, Council passed By-law 252-2009 on September 9, 2009 that approved the expropriation of the identified property rights.

Subsequent to passage of By-law 252-2009, it was determined that there is a need to add the description of property rights pertaining to a small land parcel (designated as Part 5, Plan 43R-33012), which was not included in the above-noted authorizing and approving by-laws.

Current Situation:

The addition of Part 5, Plan 43R-33012 to the list of property rights will complete the private property requirements to implement the Shoppers World Transit Terminal upgrade. Although the City will not obtain possession of this very small parcel of land as early as the other properties identified for expropriation, the construction schedule will be maintained. Part 5 is a 4.4 square metre parcel that will form part of a driveway access, which may be accommodated late in the construction schedule.

The requested authorization to serve Notices of Application for Approval to Expropriate Part 5, Plan 43R-33012 is the first step in the Expropriation process. Once the Notices of Application for Approval to Expropriate are served/published and the Hearing(s) of Necessity, if any, have been completed, staff will seek Council approval of an additional by-law, which authorizes the expropriation of Part 5 on Plan 43R-33012, in fee simple.

Interdepartmental Comments

Works and Transportation is in agreement with the report.


Corporate Services, Legal Services is in agreement with the report.

Financial Comments

Funding required for expropriated acquisition is available from Capital Project #084800- Acceleride-Züm, which has an approved budget of \$10,500,000 with commitments and/or expenditures of \$591,275 to date.

Project #	Prog #	Original Budget	Expenditures and/or Commitments to Date	Commitment per this report	Budget Balance Available
084800	015	\$10,500,000	\$591,275	\$1,100	\$9,907,625

Original Signed By


Ann Pritchard
Manager, Realty Services

Original Signed By


Julian Patteson
Commissioner of Buildings and Property Management

H5-4

SCHEDULE "A"

Property to be expropriated for the Shoppers World Transit Terminal Upgrade

Property Owner	1388688 Ontario Limited c/o Riocan Holdings Inc. 2300 Yonge Street, Suite 500, P.O. Box 2386 Toronto, ON M4P 1E4
Property Rights Being Expropriated	Fee Simple interest described as Part of Lot 1, Concession 1, WHS (Ching), designated as Part 5 on Reference Plan 43R-33012, Brampton, Ontario
Address of Property	499 Main Street South
PIN	14052-0137 (LT)
Roll No.	21-10-030-022-04800-0000