

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf. 09-95-01604-013
Your File/V/Réf.

DATE 7 August 1997

TO/DEST. Co-ordinator
Corporate Services and Economic Development Committee

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **PROPERTY ACQUISITION
BASELINE ROAD RECONSTRUCTION - GREENBANK TO
CEDARVIEW - OWNER: REDWOOD RESIDENCES LIMITED**

DEPARTMENTAL RECOMMENDATIONS

That the Corporate Services and Economic Development Committee approve a final settlement with Redwood Residences Limited in the amount of \$320,336 for the following property rights required to facilitate the reconstruction of Baseline Road from Greenbank Road to Cedarview Road in the City's of Ottawa and Nepean:

- 1. Road widenings, described as Parts 5 and 7 on Plan 4R-12333 and Parts 1, 3, 6 and 8 to 16 on Plan 4R-12329, containing an area of 12,131 ft²;**
- 2. Permanent utility easements, described as Part 8 on Plan 4R-12333 and Part 2, 4, 5 and 7 on Plan 4R-12329, containing an area of 4,930 ft²;**
- 3. Temporary working easements containing an area of approximately 78,310 ft².**

BACKGROUND

Regional Council, at its meeting of July 12, 1995, approved the Transportation Committee's Report No. 10 authorizing the acquisition of lands required for the widening and reconstruction of Baseline Road, between Greenbank Road and Cedarview Road.

The requirements for this project necessitated obtaining road widenings, permanent utility easements and temporary working easements from properties owned by Redwood Residences Limited on Baseline Road between Greenbank Road and Morrison Drive.

DISCUSSION

The owner's properties, located on both sides of Baseline Road, are improved with a total of 616 rental townhouse units. To facilitate the construction, road widenings, described as Parts 5 and 7 on Plan 4R-12333 and Parts 1, 3, 6, and 8 to 16 on Plan 4R-12329, which contain a total area of 12,131 ft² were necessary. Permanent easements, described as Part 8 on Plan 4R-12333 and Part 2, 4, 5, and 7 on Plan 4R-12329, containing an area of 4,930 ft² were necessary for utility relocation. In addition, temporary working easements containing 78,310 ft² were required to facilitate construction, grading and landscaping. The vacant land requirements are shown on Annex A attached.

In accordance with the Region's appraisal, an offer of \$134,535 was submitted to the owner for the required road widenings and permanent easements. The offer did not include allowances for the temporary/working easements, damages or injurious affection. The owners subsequently offered to settle at \$586,000. Their request included compensation for disturbance damage for relocating a tennis court and injurious affection but did not include legal, appraisal or engineering/consulting fees.

In order to allow construction to proceed, an agreement pursuant to Section 30 of the *Expropriations Act* was executed. This agreement, based on staff's preliminary offer, was in the amount of \$144,000, including compensation for road widenings, permanent easements, damages, legal and appraisal fees. It was approved by Council on February 4, 1997 and was without prejudice to the owner's right to negotiate and, if necessary, have the compensation determined in accordance with the provisions of the *Expropriations Act*.

The matter was scheduled to proceed to the Board of Negotiation for mediation. Staff continued to negotiate with the owner's solicitor and arrived at an agreement prior to the scheduled Board meeting. The settlement includes \$98,000 for road widenings, \$16,500 for permanent easements, \$69,000 for working easements, \$60,000 for disturbance damages, \$175,200 for injurious affection (a fence), plus \$45,636 for consultant costs, appraisal fees and legal fees for a total amount of \$464,336. Council approved payment in the amount of \$144,000 February 4, 1997, leaving \$320,336 to be approved.

The project included the installation of a fence adjacent to residential properties along Baseline Road. The project did not include the erection of a similar fence adjacent to the Redwood Residences properties. Neither the Region nor the City of Ottawa were prepared to maintain such a fence. As part of our negotiations, the owner requested the fence and agreed to construct it to our specifications on their property and maintain the fence. The proximity of the townhouses to Baseline Road warrants installation of the fence. The settlement included \$175,200 for design, construction and inspection of the fence. The settlement also included compensation for the working easements in the amount of \$69,000, which was not included in the Region's original offer.

PUBLIC CONSULTATION

Public consultation was in accordance with the Environmental Assessment for this project.

EXPENDITURE JUSTIFICATION

The lands are required in connection with the widening and reconstruction of Baseline Road from Greenbank Road to Highway 416, which work commenced July 1996. Failing to acquire these lands would have adversely affect this project. This expenditure is required to complete outstanding property requirement acquired pursuant to Section 30 of the *Expropriation Act*.

FINANCIAL STATEMENT

	\$
Approved Budget to Date	12,835,000
Total Paid & Committed to date	<u>(11,854,508)</u>
Balance Available	980,492
THIS REQUEST	<u>(320,336)</u>
Balance Remaining	<u>660,156</u>

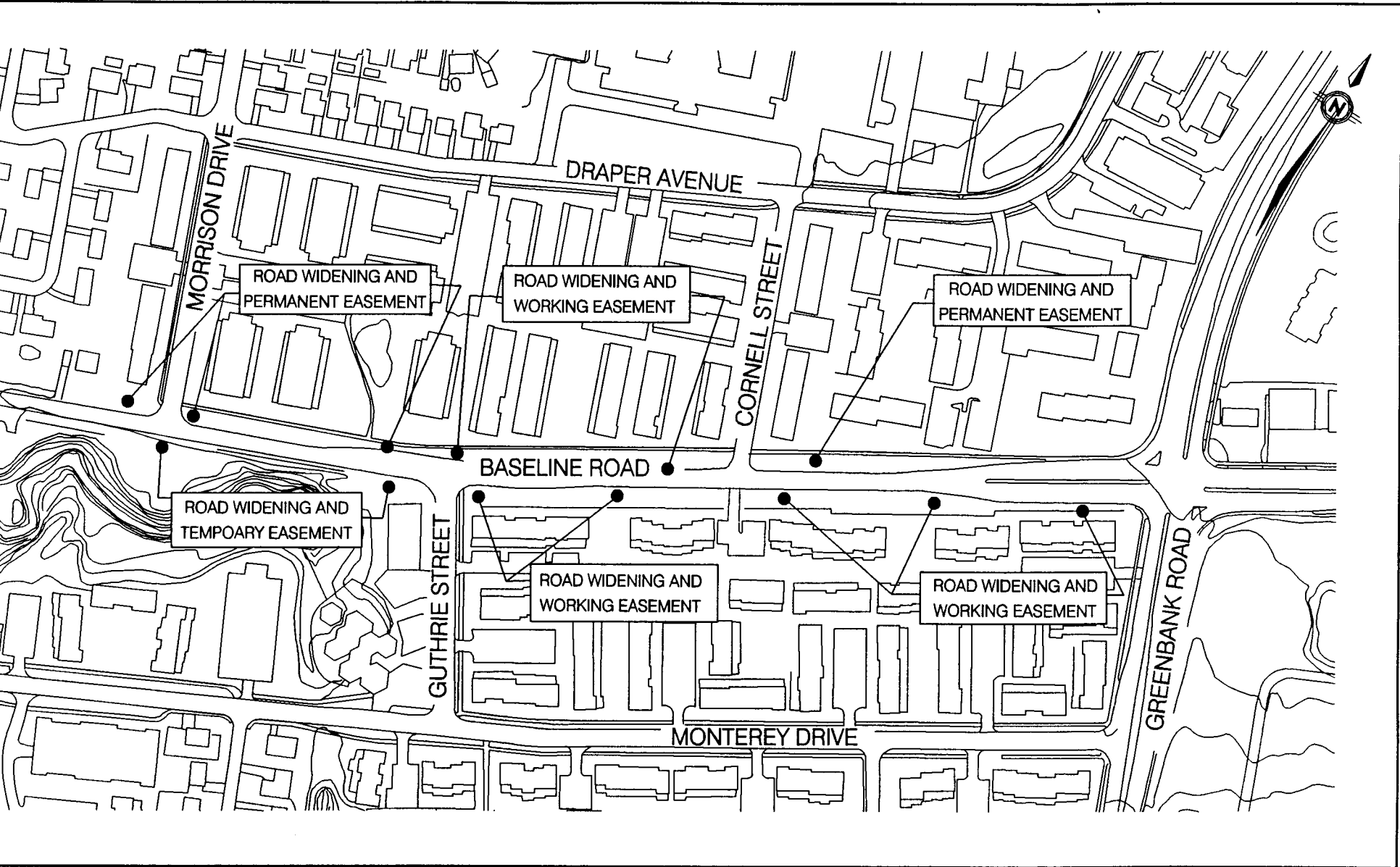
Funds have been provided in the 1996 Capital Budget, Account No. 912-30674, Baseline Road (Highway 416 to Greenbank) (Reference Page 149)

Approved by Nick Tunnacliffe

FINANCE DEPARTMENT COMMENT

Funds are available as indicated

*Approved by T. Fedec
on behalf of the Finance Commissioner*



REDWOOD RESIDENCES LIMITED		
BASELINE ROAD RECONSTRUCTION		
P.F.A.	Checked	Approved
912 - 30674	Scale N.T.S.	ANNEX - A

OTTAWA - CARLETON	
PLANNING AND DEVELOPMENT APPROVALS DEPARTMENT	
Branch	ACQUISITIONS SERVICES