



Subject: Expropriation of Parts of Bridge, Lock Street and Park Avenue in Central Park Subdivision

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-92

Meeting Date: May 10, 2022

Recommendation:

That Chief Administrative Office Report 2022-92 be received; and

That the expropriation of parts of Bridge Street, Lock Street and Park Avenue in the Central Park subdivision, registered as Central Park Plan of Subdivision 836, for the Village of Humberstone described as Parts 1, 2, 3 and 4 on Reference Plan 59R-17185 be approved; and

That the Acting City Clerk and Mayor be directed to sign the Certificate of Approval pursuant to the *Expropriations Act*, and all other documents necessary to affect the expropriation of the lands subject to the satisfaction of the City Solicitor.

Purpose:

The purpose of this report is to provide the next steps and receive Council approval for the expropriation of Plan 836 PT Lock Street Pt. Bridge Street, Lock Street and Park Avenue in the Central Park subdivision, registered as Central Park Plan of Subdivision 836, for the Village of Humberstone described as Parts 1, 2, 3 and 4 on Reference Plan 59R-17185.

Background:

Plan 836 PT Lock Street Pt. Map attached as Appendix A, and Reference Plan 59R-17185 attached as Appendix B, has been identified as privately owned property running through the City-owned Lockview Park. City tax records and a title search, reveal that the property is owned by two individuals who purchased the property from the City in

1919. Attempts to contact the owners over the past 30 years have been unsuccessful as there is no address or other contact information for the individuals or their estates.

The recommendation from the City solicitor was an expropriation and the *Expropriations Act*, R.S.O 1990, c. E.26 has been followed. A survey has been completed and registered as Reference Plan 59R-17185 and the prescribed public engagement has taken place.

Discussion:

The current laneways, which were registered as part of plan 836, bisect the City-owned property of Lockview Park and it is the City's wish to join all parcels together into one parcel under City ownership. The City has plans to redevelop the park into a more fulsome neighbourhood park/gathering place and prepare for other future development needs in the area. The ownership issue needs to be resolved to help facilitate this.

Financial Implications:

The legal, public notice and survey fees are estimated to be in the \$15,000 - \$20,000 range and will be funded from the Economic Development Land Reserve.

Public Engagement:

As per the *Expropriation Acts*, R.S.O 1990, c. E.26, Public Notice of Application for Approval to Expropriate Land was advertised for three (3) consecutive weeks March 24, March 31, and April 7, 2022, in the Port Colborne Leader and there was no response to request a hearing of necessity. A copy of the newspaper advertisement is attached as Appendix C.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- City-Wide Investments in Infrastructure and Recreational / Cultural Spaces
 - Governance: Communications, Engagement, and Decision Making
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Conclusion:

Plan 836 PT Lock Street Pt. has been identified as privately owned land running through City owned Lockview Park. Staff feel that it is important for the City to have ownership over this area for risk management and liability, and for future redevelopment. Attempts to reach the owner over the past 30 years have been unsuccessful. Therefore, it was determined that expropriation was the best recourse for the City to obtain ownership over the property.

Appendices:

- a. Map (Plan 836)
- b. Reference Plan 59R-17185
- c. Copy of Newspaper Advertisement

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.