



City of  
**Peterborough**

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**To:** **Members of the Committee of the Whole**

**From:** **Patricia Lester, City Solicitor and Director of Legal Services**

**Meeting Date:** **June 19, 2017**

**Subject:** **Report OCS17-009**  
**Council Delegated authority to Administrative Staff Committee**  
**to acquire properties for improvements to Parkhill Road West**

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## **Purpose**

A report to recommend that Council delegate the authority to the Administrative Staff Committee, to acquire lands for road widenings, temporary construction easements and a permanent construction easement, to support the Parkhill Road Reconstruction Project.

## **Recommendations**

That Council approve the recommendations outlined in Report OCS17-009 dated June 19, 2017, of the City Solicitor and Director of Legal Services:

- a) That a by-law be passed authorizing the Administrative Staff Committee to approve the acquisition of road widenings (Fee Simple), Temporary Construction Easements and a Permanent Construction Easement of the following lands:

<b>Address</b>	<b>Description</b>	<b>Interest Required</b>
1216 Parkhill Road West	Part 9 Plan 45R15962 Part 4 on Plan 45R16273	Fee Simple Temporary Easement
1225 Parkhill Road West	Part 11 Plan 45R15962 Part 8 Plan 45R16273 Part 9 on Plan 45R16273	Fee Simple Fee Simple Temporary Easement

<b>Address</b>	<b>Description</b>	<b>Interest Required</b>
1234 Parkhill Road West	Part 8 Plan 45R15962 Part 3 on Plan 45R16273	Fee Simple Temporary Easement
1236 Parkhill Road West	Part 7 Plan 45R15962 Part 2 on Plan 45R16273	Fee Simple Temporary Easement
1248 Parkhill Road West	Part 6 Plan 45R15962 Part 1 on Plan 45R16273	Fee Simple Temporary Easement
1261 Parkhill Road West	Part 7 Plan 45R16273 Part 6 on Plan 45R16273	Fee Simple Temporary Easement
1289 Parkhill Road West	Part 10 Plan 45R15962 Part 5 on Plan 45R16273	Fee Simple Temporary Easement
1324 Parkhill Road West	Part 2 Plan 45R15962 Part 7 Plan 45R16219 Part 8 Plan 45R16219 Part 12 Plan 45R16301	Fee Simple Permanent Easement Permanent Easement Temporary Easement
1374 Parkhill Road West	Part 6 Plan 45R16219 Part 14 Plan 45R16219 Part 15 Plan 45R16219 Part 8 Plan 45R16301 Part 10 Plan 45R16301 Part 11 Plan 45R16301	Fee Simple Fee Simple Fee Simple Temporary Easement Temporary Easement Temporary Easement
1424 Parkhill Road West	Part 3 Plan 45R16219 Part 13 Plan 45R16219 Part 5 Plan 45R16301 Part 7 Plan 45R16301	Fee Simple Fee Simple Fee Simple Temporary Easement

17 Ackison Road	Part 4 Plan 45R16219 Part 9 on Plan 45R16301	Fee Simple Temporary Easement
1500 Brealey Drive	Part 2 Plan 45R16219 Part 12 Plan 45R16219	Fee Simple Fee Simple
1810 Brealey Drive	Part 1 Plan 45R16219 Part 9 Plan 45R16219 Part 10 Plan 45R16219 Part 11 Plan 45R16219 Part 1 Plan 45R16301 Part 2 Plan 45R16301 Part 3 Plan 45R16301	Fee Simple Fee Simple Fee Simple Fee Simple Temporary Easement Temporary Easement Temporary Easement
1400 Parkhill Road West	Part 5 Plan 45R16219	Fee Simple

- b) That the City Solicitor and Director of Legal Services be authorized and directed to execute all documentation necessary to acquire the lands set out above.

## Budget and Financial Implications

The funding required to complete the property acquisitions for this project has been included in the 2016 Capital Budget, Reference Item 5-2.01 "Parkhill Road West".

At this time, the value of takings has been calculated based upon the initial narrative appraisal reports, prepared by an AACI (Accredited Appraiser Canadian Institute) Appraiser. The total value of the Fee Simple acquisitions is approximately \$590,000.00. The value of the Temporary Construction Easements, is approximately \$180,420.00 and the value of the Permanent Easement for drainage is approximately \$2,150.00.

## Background

Staff received Council approval to initiate the expropriation process in August 2016 to acquire the property located at 1400 Parkhill Road West (Report OCS16-005) and in February 2017 to initiate the proceedings to expropriate portions of 13 properties required for the Parkhill Road Reconstruction Project (Report OCS17-001).

If Council approves the recommendations in Report OCS17-008, dated June 19, 2017, they will have directed staff to take all required steps to expropriate and take possession of the required lands. Staff will then have 90 days to file the Expropriation Plans (the "Plans") with the Land Registry Office. Once the Plans have been filed, the City will acquire title to the lands and staff will no longer be able to negotiate any settlements with property owners outside of the requirements of the **Expropriation Act**.

Prior to the Plans being filed, there may still be an opportunity for the City to negotiate directly with the owners. This could save time and expense but the Council cycle timing may not work. Council delegated authority to the Administrative Staff Committee will allow Staff to acquire title to the lands through agreements of purchase and sale prior to the Plans being filed or if after the Plans are filed, to negotiate Compensation Agreement(s).

Council granted a similar authority in Report PLPD16-015, March 29, 2016 permitting the Administrative Staff Committee to approve purchase of properties on Brealey Drive to support the Brealey Drive road reconstruction project.

Submitted by,

Patricia Lester  
City Solicitor and Director of Legal Services

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Attachments: Appendix "A" –By-law



City of  
Peterborough

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## The Corporation of the City of Peterborough

### By-Law Number 17-XXX

Being a By-law to authorize the Administrative Staff Committee to approve the acquisition of road widenings (Fee Simple), Temporary Construction Easements and a Permanent Construction Easement to support the Parkhill Road Reconstruction Project.

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**Whereas** The Corporation of the City of Peterborough deems it expedient to acquire the lands hereinafter described, such lands are required to support the Parkhill Road Reconstruction Project;

**Now Therefore**, The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. That a by-law be passed authorizing the Administrative Staff Committee to approve the acquisition of road widenings (Fee Simple), Temporary Construction Easements and a Permanent Construction Easement of the following lands:

Address	Description	Interest Required
1216 Parkhill Road West	Part 9 Plan 45R15962 Part 4 on Plan 45R16273	Fee Simple Temporary Easement
1225 Parkhill Road West	Part 11 Plan 45R15962 Part 8 Plan 45R16273 Part 9 on Plan 45R16273	Fee Simple Fee Simple Temporary Easement
1234 Parkhill Road West	Part 8 Plan 45R15962 Part 3 on Plan 45R16273	Fee Simple Temporary Easement
1236 Parkhill Road West	Part 7 Plan 45R15962 Part 2 on Plan 45R16273	Fee Simple Temporary Easement

Address	Description	Interest Required
1248 Parkhill Road West	Part 6 Plan 45R15962 Part 1 on Plan 45R16273	Fee Simple Temporary Easement
1261 Parkhill Road West	Part 7 Plan 45R16273 Part 6 on Plan 45R16273	Fee Simple Temporary Easement
1289 Parkhill Road West	Part 10 Plan 45R15962 Part 5 on Plan 45R16273	Fee Simple Temporary Easement
1324 Parkhill Road West	Part 2 Plan 45R15962 Part 7 Plan 45R16219 Part 8 Plan 45R16219 Part 12 Plan 45R16301	Fee Simple Permanent Easement Permanent Easement Temporary Easement
1374 Parkhill Road West	Part 6 Plan 45R16219 Part 14 Plan 45R16219 Part 15 Plan 45R16219 Part 8 Plan 45R16301 Part 10 Plan 45R16301 Part 11 Plan 45R16301	Fee Simple Fee Simple Fee Simple Temporary Easement Temporary Easement Temporary Easement
1424 Parkhill Road West	Part 3 Plan 45R16219 Part 13 Plan 45R16219 Part 5 Plan 45R16301 Part 7 Plan 45R16301	Fee Simple Fee Simple Fee Simple Temporary Easement
17 Ackison Road	Part 4 Plan 45R16219 Part 9 on Plan 45R16301	Fee Simple Temporary Easement
1500 Brealey Drive	Part 2 Plan 45R16219 Part 12 Plan 45R16219	Fee Simple Fee Simple

Address	Description	Interest Required
1810 Brealey Drive	Part 1 Plan 45R16219 Part 9 Plan 45R16219 Part 10 Plan 45R16219 Part 11 Plan 45R16219 Part 1 Plan 45R16301 Part 2 Plan 45R16301 Part 3 Plan 45R16301	Fee Simple Fee Simple Fee Simple Fee Simple Temporary Easement Temporary Easement Temporary Easement
1400 Parkhill Road West	Part 5 Plan 45R16219	Fee Simple

2. That the City Solicitor and Director of Legal Services be authorized and directed to execute all documentation necessary to acquire the lands set out above.

By-law read a first, second and third time this 26th day of June, 2017.

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Daryl Bennett, Mayor

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John Kennedy, City Clerk