



Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-03

Subject: **Expropriation of Lands for the Road Improvement along Williams Parkway Boulevard – Ward 7**

Contact: Clifton Johnson, Real Estate Coordinator, Strategic Services and Initiatives

Report number: CAO's Office-2024-521

RECOMMENDATIONS:

1. That the report from Clifton Johnson, Real Estate Coordinator, Strategic Services and Initiatives to the Committee of Council Meeting of July 10, 2024, re: **Expropriation of Lands for the Road Improvement along Williams Parkway Boulevard – Ward 7**, be received;
2. That Council acting as the Approving Authority, pursuant to the Expropriations Act, R.S.O. 1990, c.E.26, as amended, enact a by-law in the form attached approving the expropriation of the property described as Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3, Parts 8, 9 and 10 on Plan 43R-3239 as set out in 227161VS being all of PIN 14150-0906 (LT) for the purposes of Complete Street Improvements to Williams Parkway near the intersection with North Park Drive and Howden Boulevard, Ward 7; and,
3. That the by-law provide that the Commissioner, Public Works and Engineering, be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said property based on terms and conditions acceptable to the Senior Manager, Realty Services , and in a form acceptable to the City Solicitor or designate.

OVERVIEW:

- **At its meeting of June 1, 2022, City Council passed By-law 132-2022, authorizing The Corporation of the City of Brampton, as expropriating**

authority, to make application for approval to expropriate lands required in connection with the Williams Parkway Complete Street Improvements Project from McLaughlin Road to North Park Drive.

- **In accordance with the approved Capital Program, Williams Parkway will undergo complete street improvements that include road improvements, intersection improvements, and active transportation improvements, enhanced landscaping and enhanced streetscaping.**
- **“Notices of Application for Approval to Expropriate” as required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended (the “Act”) have been sent to the owner of and others having an interest in Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3, Parts 8, 9 and 10 on Plan 43R-3239, as set out in 227161VS, being all of PIN 14150-0906 (LT) (the “Subject Property”) including the Trustee of the bankruptcy estate of the registered owner. As of the date of this report, no owners, or persons with an interest in the Subject Property have requested an Inquiry under Section 6(2) of the Act.**
- **Sufficient funding is available in the Public Works and Engineering capital budget.**

BACKGROUND:

Williams Parkway will undergo complete street improvements that include road improvements, intersection improvements, active transportation improvements, enhanced landscaping and enhanced streetscaping, from McLaughlin Road to North Park Drive. Please see Attachment 1 for Property Map.

At the June 1, 2022, meeting, City Council passed By-law 132-2022, authorizing The Corporation of the City of Brampton, as expropriating authority, to make application for approval to expropriate lands required in connection with the Williams Parkway Complete Street Improvements Project from McLaughlin Road to North Park Drive. Please see Attachment 1.

On June 21, 2022, a Notice of Application for Approval to Expropriate Lands was sent by registered mail to Bramalea Ltd., and the required publications of the Notice of Application for Approval to Expropriate Lands were completed. On June 29, 2022, the notice to Bramalea Ltd. was returned to sender.

CURRENT SITUATION:

Council approved the scope of work for complete street improvements to Williams Parkway and cancelled the six-lane widening. The existing road is in poor condition and requires rehabilitation, and or resurfacing. The current boulevard lacks active transportation infrastructure, and enhanced landscaping and streetscaping.

Following the service of the City's Notice of Application for Approval to Expropriate, the City was informed that MNP Ltd. is the trustee of the bankruptcy estate of Bramalea Ltd. Accordingly, the City also served the trustee with the Notice of Application for Approval to Expropriate on November 10, 2023. The City's external counsel advised that the trustee was seeking judicial authority in order to engage in negotiations with the City regarding the Subject Property. The City is currently moving forward to complete the expropriation and will negotiate compensation if and when the trustee receives court authorization.

No owners or persons with an interest in the Subject Property have requested an Inquiry under Section 6(2) of the Act as of the date of this report. Accordingly, Council as the Approving Authority, pursuant to the Act is in a position to enact a by-law to approve the expropriation of the Subject Property in the form attached hereto as Attachment 2 and authorize the City as the expropriating authority pursuant to the Act to proceed with the registration of the Certificate of Approval and Plan of Expropriation and the issuance of any and all required notices and statutory offer and to settle compensation payable pursuant to the Act.

Public Works & Engineering is in agreement with the expropriation of the Subject Property, as outlined in Attachment 2.

CORPORATE IMPLICATIONS:

Financial Implications:

Sufficient funding is available in the Public Works and Engineering capital budget.

Other Implications:

Legal Implications

Legal Services advises that external counsel is retained for the Williams Parkway widening expropriations.

STRATEGIC FOCUS AREA:

This report achieves the Growing Urban Centres and Neighbourhoods priority by focusing on transportation and connected infrastructure that is safe, convenient, efficient, and sustainable.

CONCLUSION:

This report recommends that a by-law be enacted by City Council to approve the expropriation of the Subject Property in the form set out in Attachment 2 and that the Commissioner, Public Works and Engineering be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the *Expropriations Act*, in order to complete the expropriation of and settle the compensation payable under the Act for the said property based on terms and conditions acceptable to the Senior Manager, Realty Services and in a form acceptable to the City Solicitor or designate.

Authored by:

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Attachments:

- Attachment 1 – Property Map
- Attachment 2 – Draft By-law