

Town of Riverview

COUNCIL REPORT FORM



Presented to: Mayor & Council

Department: Corporate Services

Date: November 21, 2018

Subject: Expropriation of Land – Orin Drive

BACKGROUND

In order to allow for a local improvement project that is scheduled for Orin Drive in 2019, the Town of Riverview needs to acquire a portion of land for an eight metre wide easement that will run through the middle of a large piece of property. Negotiations with the property owner have not resulted in a satisfactory agreement which has led the Town to begin the expropriation process to acquire the land.

As a first step in the expropriation process, Council must pass a resolution authorizing staff and their agents to enter the land in order to survey and obtain an appraisal.

This resolution, which is presented at the Committee of the Whole for Council's recommendation to the next Regular Council Meeting, will read as follows:

WHEREAS it is council's intention to investigate expropriating land located at Orin Drive and identified as PID #00981373; and

WHEREAS Section 5(1) of the Expropriations Act states that *"any expropriating authority...may, without the consent of the owner, enter upon any land to ascertain its suitability for the purposes for which its expropriation is required"*, et al; and

WHEREAS Section 5(4) of the Expropriations Act states that *"No agent or employee of an expropriating authority that is a local government shall enter on land under the authority of subsection (1) unless the entry has been previously authorized by a resolution of the council of the local government"*;

THEREFORE the Town Council of the Town of Riverview authorizes its employees and/or a designated agent of the town to enter the premises identified as PID #00981373 in order to perform a survey and appraisal of the land.

CONSIDERATIONS

Legal:

Staff have met with legal counsel to discuss the necessary steps required to expropriate land. Staff will be following these steps and keeping council apprised of the situation as it progresses.

Financial:

There will obviously be some costs associated with the expropriation process in terms of purchase of the land, appraisal fees, etc.

Interdepartmental Consultation:

Communication has been and will continue to take place between departments regarding this project.

Communication Plan:

All communication with the property owner will take place according to the Expropriations Act and Regulations.

RECOMMENDATION FROM STAFF

Staff recommends that Council approve the passing of the resolution at the next Regular Meeting of Council on December 10, 2018.