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# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: #2024-W-24  
Date: November 6, 2024

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**Subject:**

Confidential Report of the Commissioner of Works - Expropriation of Lands Required for the Oshawa Zone 4 Reservoir Project at 2981 Grandview Street North, in the City of Oshawa

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**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That authority be granted to Regional Municipality of Durham (Region) staff to initiate expropriation proceedings where necessary for the property requirements at 2981 Grandview Street North, located at the east side of Grandview Street North and between Columbus Road to the north and Winchester Road to the south, in the City of Oshawa, as depicted in Attachment #1 and such other property requirements as may be determined and identified by Regional staff for the Oshawa Zone 4 Reservoir Project;
- B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act, R.S.O. 1990, c. E.26 to give effect to Recommendation C) in this report, including the Notices of Application of Approval to Expropriate;
- C) That authority be granted to Regional staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A) of this report and to forward to the Ontario Land Tribunal any requests for hearing received, to attend the hearings to present the Region's

- position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration;
- D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports as are necessary for settlements pursuant to the Expropriations Act, R.S.O. 1990, c. E.26 related to the Oshawa Zone 4 Reservoir and Pumping Station Project approved in accordance with the Delegation of Authority By-law #04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the Municipal Act, 2001, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a full and final basis; and
- E) That this report be made public at the time Regional staff proceed with initiating steps related to Recommendation C) should negotiations fail, or if the subject property is acquired amicable with the successful negotiations of an agreement of purchase and sale, or an agreement pursuant to section 30 of the Expropriations Act, R.S.O. 1990, c. E.26.
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**Report:****1. Purpose**

- 1.1 The purpose of this report is to obtain approval to expropriate property requirements for the Oshawa Zone 4 Reservoir Project in the City of Oshawa (Oshawa) if the Regional Municipality of Durham (Region) is unable to obtain an amicable agreement through negotiations with property owners.

**2. Background**

- 2.1 The Region identified the site at 2981 Grandview Street North, located on the east side of Grandview Street, Oshawa, as its preferred site to acquire and build the infrastructure required for the Oshawa Zone 4 Reservoir Project (the "Project"). In the Municipal Class Environmental Assessment (EA) report dated May 23, 2022, 2981 Grandview Street North was depicted as the preferred site for water servicing for Zone 4 in north Oshawa. The Region conducted Stage 3 and 4 archaeological studies on the site, which confirmed that the lands are usable for this purpose. The project includes constructing a new Zone 4 pumping station that will be built on the

said site to provide water storage and pumping requirements and adequate water servicing to development lands within Zone 4 north Oshawa water pressure districts to 2031 and beyond. The project will also provide strategic oversizing and long-range planning of the Zone 4 facility to accommodate future water servicing demands in Zone 5 to 2031 and beyond.

### **3. Property Acquisitions**

- 3.1 Regional staff have identified land requirements from the property at 2981 Grandview Street North, Oshawa, on the east side of Grandview Street North between Columbus Road and Winchester Road, that will be affected by this Project. The Region must acquire a portion of this property to facilitate the works. The requirements are over Part 1 (in Fee Simple interest) and Part 2 (temporary easement for Staging purposes) on Plan 40R-31790, an area of 49.979 acres and 1.262 acres, respectively of the overall 86.892-acre Parent Parcel (Attachment #1).
- 3.2 The Region commissioned a third-party appraisal report to determine the fair market value and compensation for the lands. Negotiations with the property owners have stalled, although efforts will continue.
- 3.3 While the Region attempts to obtain land requirements through amicable negotiations, there are situations where negotiations become lengthy, or an agreement cannot be reached with the property owners. Where lengthy negotiations are not an option due to project timelines or an agreement cannot be reached with the landowners, Regional staff may need to consider the option to commence the expropriation process to complete the project in a timely manner.

### **4. Conclusion**

- 4.1 Regional staff will continue negotiating with the property owners to acquire the necessary lands. Should these negotiations fail, this approval will permit staff to commence expropriation proceedings to ensure the timelines are met, allowing the projects to proceed to construction.
- 4.2 Should Regional staff exercise the option to commence expropriation pursuant to the authority being sought through this report, staff will seek further authority from Regional Council to expropriate the property requirements and proceed to serve notices on affected property owners as mandated by the Expropriations Act, R.S.O. 1990, c. E.26.

- 4.3 This report has been reviewed by Legal Services – Office of the CAO.
- 4.4 For additional information, contact Christine Dunkley, Director, Corporate Infrastructure and Strategic Business Services, at 905-668-7711 extension 3475.

**5. Attachments**

Attachment #1: Location Map

Respectfully submitted,

**Original Signed By:**

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Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE  
Commissioner of Works

Recommended for Presentation to Committee

**Original Signed By:**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer



## Location Map 2981 Grandview Street North, City of Oshawa

-  Ownership Parcels
-  To be acquired for the Region's Reservoir
-  Assessment Pin # 181307000500110
-  Temporary Easement for Staging & Construction



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