



## **Administrative Report**

### **Office of the Director of Infrastructure Services**

**To: Warden McNamara and Members of County Council**

**From: Jane Mustac, P. Eng.  
Director of Infrastructure Services/County Engineer**

**Date: Wednesday, January 15, 2020**

**Subject: County Road 42 – Expropriation Phases 2,3, and 5**

**Report #: 2020-0115-IS-R03-JM**

---

#### **Purpose**

The purpose of this report is to provide County Council information and recommendations pertaining to County Road 42 and the diversion of County Road 43 (Banwell Road) related to the required land acquisitions.

#### **Background**

The County completed the County Road 43/Banwell Road Preliminary Design and Class Environmental Assessment Study which included the widening of County Road 43 (Banwell Road) from the City of Windsor limits to County Road 42 as well as the diversion of County Road 43/Banwell Road to align with 11<sup>th</sup> Concession Road at County Road 42. More information is provided in a report to County Council in November 2019 (<https://coe-pub.escribemeetings.com/filestream.ashx?DocumentId=13041>)

#### **Discussion**

For County Road 42 a total of 109 parcels are required. Expropriation of the noted parcels are expected to be completed in a phased approach as identified in the attached Phasing Plan (Appendix A). The County engaged the services of a professional surveyor, Fuerland Realty Ltd. to complete an appraisal of each property. The appraisals contain an investigation and valuation analysis to estimate the current market value to be utilized in

---

Jane Mustac, P.Eng, Director of Infrastructure Services/County Engineer  
Corporation of the County of Essex, Suite 315, 360 Fairview Ave. W., Essex, ON N8M 1Y6  
Phone: 519-776-6441, ext. 1397; Email: [jmustac@countyofessex.ca](mailto:jmustac@countyofessex.ca)

## **Administrative Report**

Page 2

January 15, 2020

County Road 42 – Expropriation Phases 2,3, and 5

---

negotiations for road improvement purposes. The Direct Comparison Method was utilized and considers that a property's value is directly related to process paid for other competitive and like properties. This approach to value has been used on previous property acquisitions.

Approval to expropriate properties identified as Phase 1 was provided by County Council on January 15 (2020-0115-IS-R02-JM). In order to proceed with the next phases, property is required as identified on Reference Plans 12R-27999, 12R-28003 and 12R-28000 (Appendix B-1, B-2 and B-3) and expropriation is recommended to commence immediately.

## **Financial Implications**

It is recommended that Administration, with the assistance of the County Solicitor, be directed to complete negotiations with all property owners within Phase 1,2, 3 & 5 for the purposes of acquiring the parcels of land for the CR 42 widening.

Funds are available in the 2020 Infrastructure Services budget.

## **Recommendation**

That County Council adopt By-Law Number 2020-02 and authorize Administration to commence the Expropriation Process to acquire lands required to complete the widening of CR 42 as identified on Reference Plan 12R-27999; Reference Plan 12R-28003; and Reference Plan 12R-28000 respectively.

Respectfully Submitted

*Jane Mustac*

Originally Signed by

Jane Mustac, P.Eng, Director of Infrastructure Services/County Engineer

**Administrative Report**

Page 3

January 15, 2020

County Road 42 – Expropriation Phases 2,3, and 5

---

Concurred With,

*Robert Maisonville*

Originally Signed by

Robert Maisonville, Chief Administrative Officer

<b>Appendix No.</b>	<b>Title of Appendix</b>
A	CR 42 – Phasing Plan
B-1, B-2, B-3	Reference Plans – Phases 2, 3 & 5