



County of
Renfrew
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COUNTY of RENFREW

Discontinued

Canadian Pacific Corridor

Press Kit



April 2016

Fact Sheet

- In 2010 Canadian Pacific (CP) announces its discontinuation of the 296 km stretch of rail line and its intent to sell it off.
- CP also expressed a preference to transfer the discontinued corridor to a single entity.
- The corridor runs 296 km from Smiths Falls to Mattawa, with 218 km of that cutting through Renfrew County.
- In 2011 the County of Renfrew, County of Lanark and the Township of Papineau-Cameron form a partnership to engage in discussions to acquire the discontinued rail corridor.
- The goal of the partnered municipalities is to acquire the corridor in one contiguous piece.
- Antec Appraisal Group appraised the discontinued rail corridor with a value of \$77,692,039 which will be the basis for a tax receipt to be provided by the Partners.
- The cash portion of the purchase is \$500,000.
- The corridor is split into three closings based on ability to produce transferable descriptions starting with the most easterly section. At the same time it is agreed that the Partners will lease the lands while the transfers are proceeding. The lease cost is \$10 per year and the corresponding municipal taxes, pending the completion of the phases.
- Public consultations will be an important component in shaping the development of the corridor once purchased.

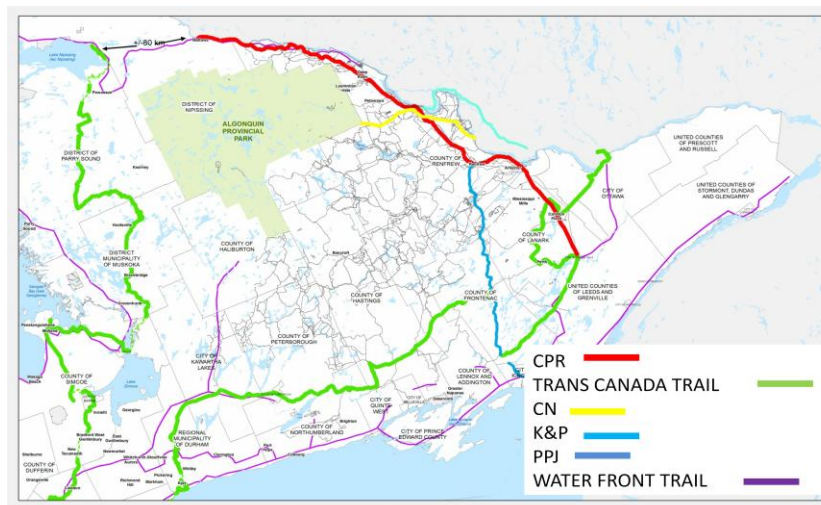


“We are now entering a new era in community connectivity across the County and across the entire trail user group, clubs and associations. While the rails are now gone, the CP corridor continues to connect us through delivery of communications via fibre optic networks and as a transportation corridor for all of us by a range of modes and vehicles.”

Warden Emon



“The acquisition of this discontinued rail corridor creates a lasting legacy for many communities in the Region by linking Renfrew County to Southern and Northern Ontario by creating a backbone access to existing and future trails. The Partners and CP are pleased with the outcome of this agreement that will benefit our communities for generations to come.” Chair of Development and Property Committee, and Chair of the CP Rail Corridor Advisory Committee, County of Renfrew, Councillor Robert Sweet.



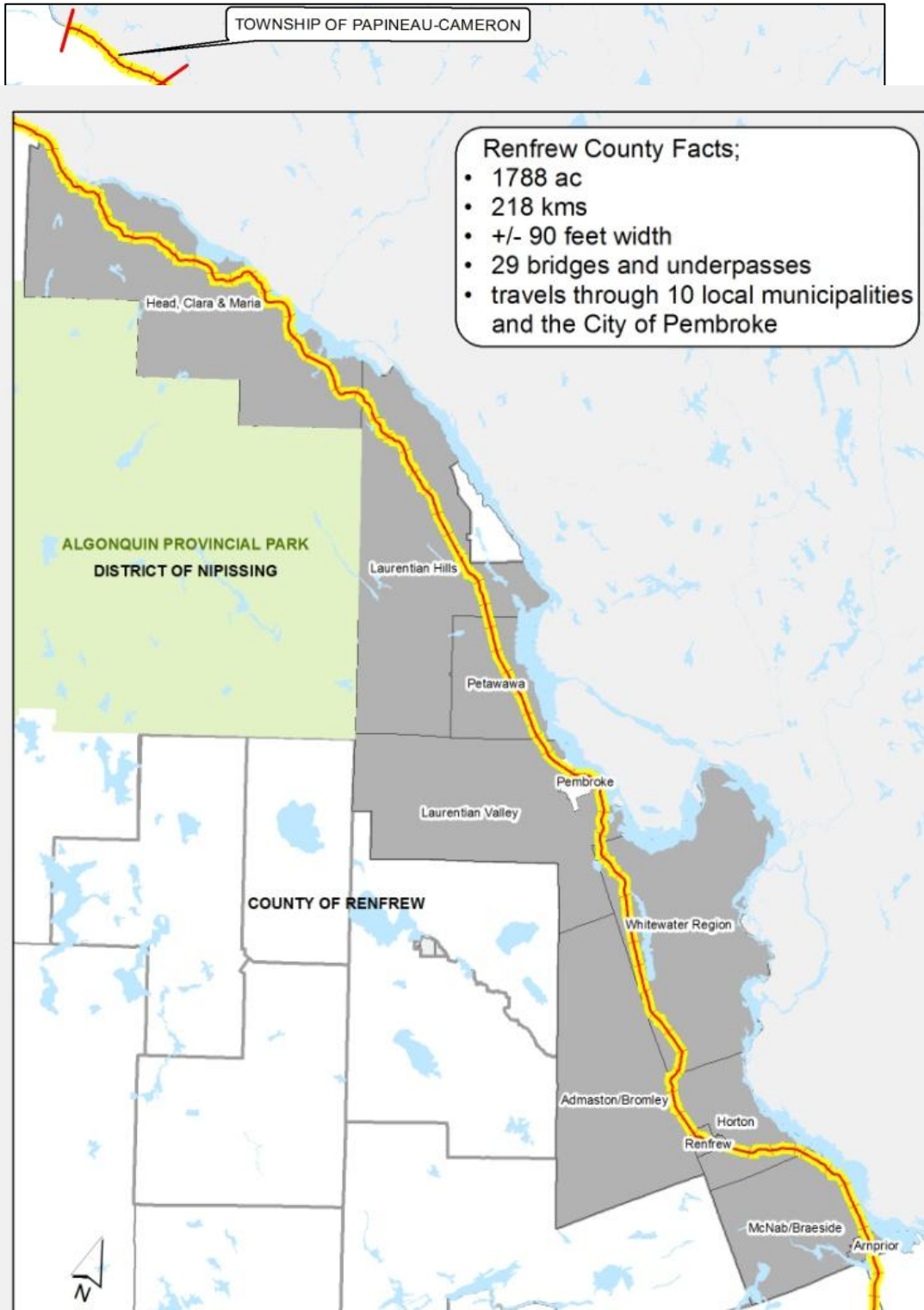
“Canadian Pacific is pleased to have this almost 300 km right of way maintained as a continuous corridor and the transfer of it into public hands. The Partnership of County of Renfrew, County of Lanark and the Township of Papineau-Cameron is an excellent example of how a group with a common goal can make a positive decision for generations to come. We commend your vision and look forward to the transformation of this discontinued rail corridor.”

Canadian Pacific, Kevin Paul

The Corridor

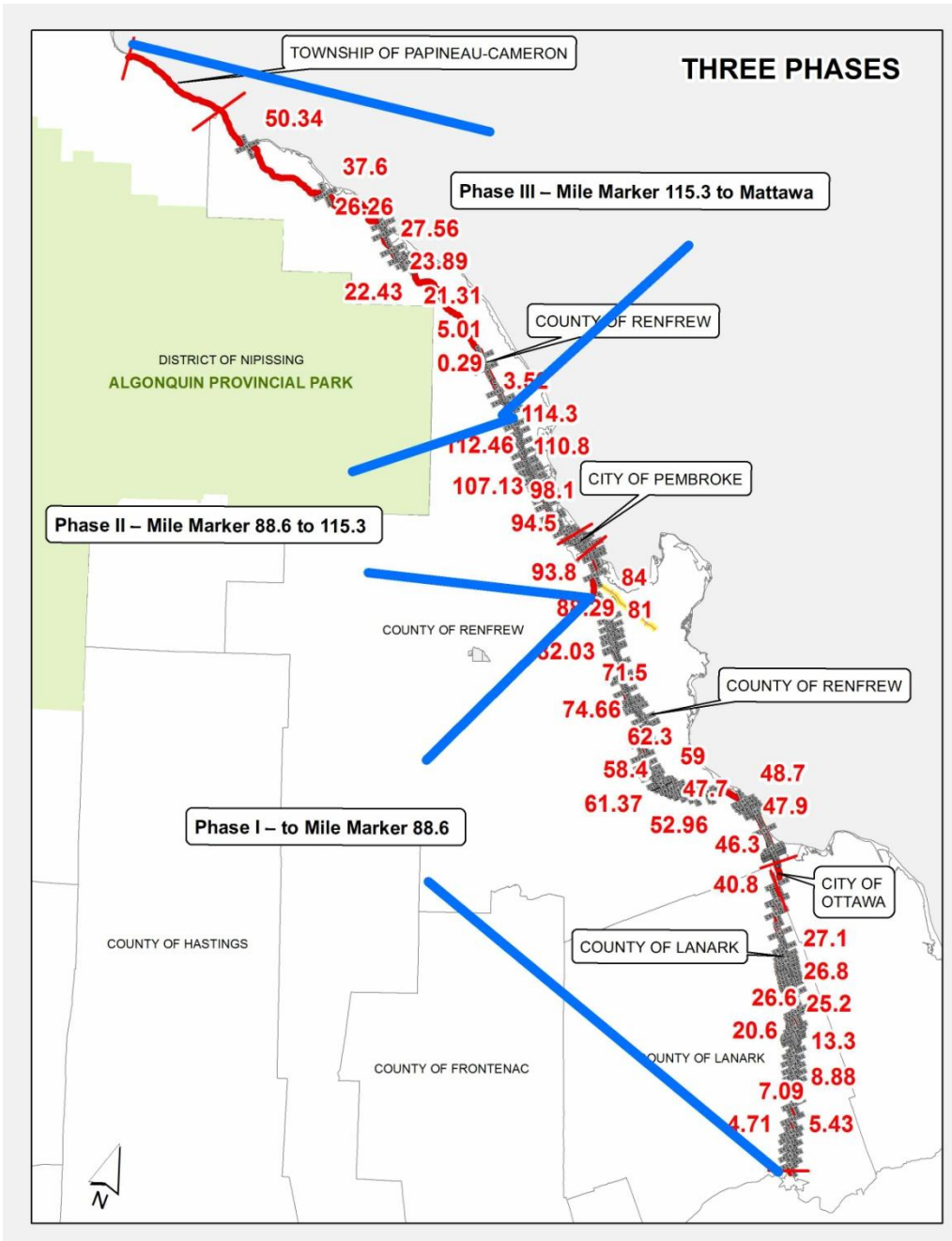
The discontinued rail corridor runs from Smiths Falls to Mattawa with the following facts:

- 2,447 ac
- 296 kms in length
- +/- 90 feet width
- 37 bridges and underpasses



Phases

The corridor is split into three closings based on ability to produce transferable descriptions starting with the most easterly section. At the same time it is agreed that the Partners will lease the lands while the transfers are proceeding. The lease cost is \$10 per year and the corresponding municipal taxes, pending the completion of the phases.



	<i>Phase I</i>	<i>Phase II</i>	<i>Phase III</i>	<i>Total</i>
	\$250,000	\$200,000	\$50,000	\$500,000
<i>Pap Cameron</i>	\$0	\$0	\$43,650	\$43,650
<i>Lanark</i>	\$96,050	\$0	\$0	\$96,050
<i>Renfrew County</i>	<i>\$153,950 (82km)</i> <i>Closing Date Oct 05, 2016</i>	<i>\$200,000 (43 km)</i> <i>Closing Date April 01, 2017</i>	<i>\$6,350 (93 km)</i> <i>Closing Date April 01, 2018</i>	<i>\$360,300</i>

Cost Sharing

The Partners have reviewed a number of options on how to share the costs associated with purchase of the corridor (examples: legal services, appraisals and purchase price). The Partners have agreed to use the averaging of appraisal value percentage, length percentage & area percentage of corridor in each jurisdiction for the percentage of cost sharing for each Partner.

	<u>Averaging the percentage of length, appraisal & area</u>
Papineau-Cameron	8.73%
Lanark	19.21%
Renfrew	72.06%

*City of Ottawa percentages with Lanark & City of Pembroke percentages with Renfrew



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Co-Owners Information

Once the rail corridor was abandoned by CP Rail, CP Rail began to communicate with the County of Renfrew and all the affected communities on their intention to dispose of the 296 km rail corridor running from Smiths Falls to Mattawa. In 2011, CP Rail expressed a preference to discuss the transfer of the discontinued rail corridor with a single entity. This preference resulted in the Township of Papineau-Cameron, the County of Renfrew and the County of Lanark forming a partnership and signing a Memorandum of Understanding (MOU By-Law 64-13) for the purpose to acquire the corridor in one contiguous piece.

One main directive of the MOU was the creation of a governance model for the management of the abandoned corridor if purchased. The Partners agreed to use the legal firm of Borden Ladner Gervais (BLG) of Ottawa to provide guidance on a governance model. Legal counsel provided the Partners with the following four types of governance models with pros and cons of each:

1. Sole Ownership by one of the Partners
2. All three participating municipalities jointly acquire the whole of the Corridor
3. Acquisition of the Corridor by a Municipal Service Corporation
4. Divide ownership of the Corridor into several parcels

The recommended governance model by legal counsel that protects the Corridor over the long term, distribute/mitigate the liability and minimize the complexity is to divide the ownership into three parcels (option 4) with Lanark County acquiring the City of Ottawa section and Renfrew County acquiring the City of Pembroke section.

Guiding Principles of the Co-Owners Agreement

The Co-Owners acknowledge that they have entered into this Agreement for the purpose of establishing a framework in which to co-ordinate the operation, management, maintenance and use of the Trail. In this regard the Co-Owners commit to co-operate with each other guided by the principals of good faith, mutual respect, understanding and harmony.

USE

The Co-Owners acknowledge that it is their intent to establish a Trail that will be maintained and operated as a contiguous whole for present and future generations. It is to be planned and operated with the expectation that it will promote recreation and tourism and stimulate economic development.

It is further acknowledged that the Co-Owners will consider and promote land uses on properties adjacent to the Trail that will foster and stimulate the local economy and be compatible with the proposed use of the Trail.

COUNTY OF RENFREW BY-LAW NUMBER 64-13
A BY-LAW TO AMEND BY-LAW 77-11, BEING A BY-LAW AUTHORIZING THE COUNTY OF RENFREW
TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF LANARK AND THE
TOWNSHIP OF PAPINEAU-CAMERON

WHEREAS the Municipal Act, 2001. S.O. 2001, as amended, authorizes Council to enter into agreements;

AND WHEREAS the County of Renfrew entered into an agreement with the County of Lanark and the Township of Papineau-Cameron for the purpose of creating a Partnership to allow for the continuation of discussions for the acquisition of the abandoned CP Rail right-of-way when it becomes available.

AND WHEREAS, it is necessary to amend the existing agreement to delete the provision "Municipal funds cannot be used for acquisition".

NOW THEREFORE the Council of the Corporation of the County of Renfrew hereby enacts as follows:

1. The revised Memorandum of Understanding marked as Schedule "A" attached to and made part of this by-law is hereby approved and deemed an agreement between the Corporation of the County of Renfrew, County of Lanark and the Township of Papineau-Cameron.
2. That the Warden and Clerk are hereby empowered to do and execute all things, papers, and documents necessary to the execution of this by-law.
3. That this Bylaw comes into force and effect once all parties have agreed to Amend the Agreement.
4. That By-law Number 87-11 be hereby repealed.

READ a first time this 26th day of June 2013.

READ a second time this 26th day of June 2013.

READ a third time this 26th day of June 2013.

PETER R. EMON, WARDEN

W. JAMES HUTTON, CLERK

CP Rail Corridor
Memorandum of Understanding
Stage 1

June 26, 2013

Purpose:

Acquire the abandoned CP Rail right-of-way when it becomes available for acquisition in one contiguous piece by the County of Renfrew, Lanark County and Township of Papineau-Cameron (hereinafter called the Partnership).

Partnerships:

- The Partnership will consist of the County of Renfrew, Lanark County and the Township of Papineau-Cameron.
- The CP Corridor will be managed by the Partnership.
- The Partnership will agree to the Terms of Reference/Memorandum of Understanding.
- The Partnership will develop a governance model.

Finance

- The Partnership will seek funding opportunities from federal and provincial governments, and other sources.

Consultation:

- The Partnership will ensure consultation with stakeholders.

Encumbrances:

- The Partnership will require CP to address issues associated with the encroachments.
- The Partnership will undertake its due diligence to ensure that issues associated with contamination are identified by CP and resolved ensuring compliance with MOE guidelines.
- CP and the Partnership will identify environmental constraints. These will be examined through a risk-based approach by CP and the Partnership.
- Crossings and trestles will be assessed to determine structural integrity and to ensure that a reasonable factor of safety is present before the Partnership acquires the abandoned corridor.

Future Use:

- The Partnership will have the right to determine the future use of the corridor.

IN WITNESS WHEREOF the parties hereto have executed this Memorandum of Understanding as of the _____ day of _____, 2013.

Warden Peter R. Emon
County of Renfrew

W. James Hutton, CAO/Clerk
County of Renfrew

Warden William Dobson
Lanark County

Kurt Greaves, CAO
Lanark County

Mayor Robert Corriveau
Township of Papineau-Cameron

Sandra Morin, Clerk-Treasurer
Township of Papineau-Cameron



COUNTY OF RENFREW

ABANDONED RAILWAY RIGHTS-OF-WAY POLICY

(taken from Minutes of August 27, 1997 County Council meeting)

1. The County of Renfrew shall purchase future surplus abandoned railway rights-of-way as they become available, from time-to-time, for use as future transportation and utility corridors. In order to implement this policy, County Council shall seek to enter into an agreement with the owners of railway rights-of-way in Renfrew County to secure the opportunities to acquire surplus abandoned rights-of-way when such rights-of-way become available for acquisition by the County of Renfrew. Individual agreements will define in greater detail the location of lands to be made available for acquisition.

The Ottawa Valley Economic Development Committee recognizes that the costs of acquiring such rights-of-way will be funded through a variety of programs sponsored at the federal, provincial and municipal level. Public and private sector partnerships shall be encouraged for use as future transportation utility corridors, outdoor recreation, parks and open spaces.

2. That County Council, through the Ottawa Valley Economic Development Committee, develop a comprehensive abandoned railway rights-of-way corridor strategy. Municipalities with abandoned railway corridors will be asked to participate in the development and implementation of the strategy. The strategy shall be approved by County Council.
3. That the County of Renfrew consider the purchase of spurs and other associated railway corridor properties and utility corridors as such properties become available for acquisition from time-to-time. It is recognized that individual municipalities have/will be initiating actions on their own as it relates to individual abandoned railway corridors in their jurisdiction. The County of Renfrew, through the Ottawa Valley Economic Development Committee, shall only become involved in these instances if the land is to be used for purposes other than public use.
4. The Ottawa Valley Economic Development Committee, in concert with the Renfrew County Planning Committee, will develop a draft policy on abandoned railway corridors for inclusion in a County of Renfrew Official Plan, and that prior to the development of this policy an interim control by-law be established to control permitted uses and other provisions relating to the Land Planning Act. This interim control by-law will be developed in concert with the Renfrew County Planning Department, the Ottawa Valley Economic Development Department and the Renfrew County Roads Department.
5. Use of all surplus abandoned railway rights-of-way acquired or managed by the County of Renfrew shall be used for transportation facilities, utility corridors, outdoor recreation, parks and open space. For such rights-of-way which the County of Renfrew acquires, recreational and agricultural uses shall be considered interim and will only be permitted where the use is compatible with the use of such rights-of-way as future transportation and utility corridors. Use as a transportation or utility corridor will always have priority over any interim use. Public use shall be encouraged.