

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER ●●-2019

A by-law to authorize the expropriation of lands for the the purposes of the reconstruction, realignment, widening and improvement of Waterdown Road from Craven Avenue to Mountain Brow Road and works ancillary thereto.

File: 575-03-W47

WHEREAS The Corporation of the City of Burlington has applied for approval to expropriate certain lands required for the reconstruction, realignment, widening and improvement of Waterdown Road between Craven Avenue and Mountain Brow Road and works ancillary thereto;

AND WHEREAS section 5 of the *Expropriations Act* R.S.O. 1990 c. C.26 as amended provides that the municipal council is the approving authority for expropriations by a municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. That Council has received and considered the Inquiry Officer's Report dated June 14, 2019, and enclosed as Appendix A.
2. That Council adopts the reasons for approval set out in Appendix B, entitled Decision and Reasons for Approval to Expropriate Land, and that the Mayor and Clerk are hereby directed and authorized to execute the said document.
3. That the expropriation of the lands described in Appendix C (hereinafter the "Subject Lands") for the reconstruction, realignment, widening and improvement of Waterdown Road between Craven Avenue and Mountain Brow Road is hereby approved.

4. That the City Solicitor is hereby authorized to obtain Plans of Expropriation for the Subject Lands, and register said Plans on title of the Subject Lands.
5. That the City Solicitor is hereby authorized and directed to serve any notices or any other documents required under the *Expropriations Act* to give effect to the expropriation of the Subject Lands.
6. That appraisal reports be prepared by an accredited appraiser to appraise the market value of the Subject Lands and, if applicable, damages for injurious affection under the *Expropriations Act*.
7. That offers of compensation be served upon the registered owners of the Subject Lands in accordance with section 25 of the *Expropriations Act*.
8. That payment of compensation be made to the registered owners of the Subject Lands pursuant to section 25 of the *Expropriations Act*, upon acceptance of the offers by the registered owners.
9. That all necessary steps to obtain possession of the Subject Lands be taken in accordance with the *Expropriations Act*.
10. That the Mayor and City Clerk are hereby authorized to execute any and all plans, notices, offers, certificates, settlements, agreements and any other documents necessary to complete the expropriation of the Subject Lands and take possession of the Subject Lands, subject to the satisfaction of the City Solicitor.

ENACTED AND PASSED THIS • day of • 2019.

Marianne Meed Ward, MAYOR

Angela Morgan, CITY CLERK

APPENDIX A to BY-LAW NUMBER ●●-2019

[Inquiry Officer's Report dated June 14, 2019, being Appendix 'A' to Report L-19-19]

APPENDIX B to BY-LAW NUMBER ●●-2019

[Decision and Reasons for Approval to Expropriate Land, being Appendix 'B' to Report
L-19-19]

APPENDIX C to BY-LAW NUMBER ●●-2019

[Description of Subject Lands, being Appendix 'C' to Report L-19-19]