

Appendix B to L-19-19

*Expropriations Act*

**DECISION AND REASONS  
FOR APPROVAL TO EXPROPRIATE LAND**

To:           **2362302 Ontario Inc.**  
                  c/o Jennifer Meader  
                  Turkstra Mazza Associates  
                  15 Bold Street  
                  Hamilton, ON L8P 1T3  
                  Telephone: 905-529-3476 x 274  
                  Email: [jmeader@tmalaw.ca](mailto:jmeader@tmalaw.ca)

And to:       Gillian M. Burton  
                  44 Charles Street West, Suite 4305  
                  Toronto, ON M4Y 1R8  
                  ***Inquiry Officer***

**In the matter of** the proposed expropriation of land, defined in Schedule ‘A’ attached hereto (hereinafter the “Lands”), by the Corporation of the City of Burlington, for the purposes of the reconstruction, realignment, widening and improvement of Waterdown Road, and works ancillary thereto.

**And in the matter of** a Hearing of Necessity (Inquiry) having been conducted on Wednesday, the 15<sup>th</sup> day of May, 2019, at the hour of 10 o’clock at Hearing Room 202, Halton Court Services, 4085 Palladium Way, Burlington, ON L7M 2A6.

**And in the matter of** a Report of Inquiry Officer Gillian M. Burton, issued on June 14, 2019.

The Council of the Corporation of the City of Burlington has received the Report of the Inquiry Officer and has considered the Report, including the findings and opinions therein.

The Council of the Corporation of the City of Burlington has granted to the Corporation of the City of Burlington, on July 15, 2019, approval to expropriate the Lands for the following reasons:

1. The objective of the City is to reconstruct, realign, widen and improve Waterdown Road from Craven Avenue to Mountain Brow Road, and works ancillary thereto, and the Lands are required for this objective.
2. The proposed works are necessary to improve transportation capacity and to address long-term travel demands along Waterdown Road.

3. The area in the vicinity of Waterdown Road has experienced significant population increases and significant development is currently planned or underway. It is anticipated that traffic volumes will exceed the capacity of the existing road network.
4. The City's project will upgrade Waterdown Road from a rural two-lane road to a fully-illuminated urban four-lane platform from north of Craven Avenue to Mountain Brow Road. The project will include construction of a multi-use asphalt pathway on the west side of Waterdown Road, an auxiliary northbound left turn lane at Flatt Road as well as the installation of traffic signals at Mountain Brow Road.
5. The Report of the Inquiry Officer contains the finding that the proposed taking of the Lands is reasonably defensible.
6. To date, attempts by the City to acquire the Lands by means of amicable negotiations with the owners have been unsuccessful.
7. Further delay with respect to the acquisition of the Lands will adversely impact the construction schedule for the planned project, while prolonging and intensifying the deficiencies affecting Waterdown Road.

**DATED** at Burlington, this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

Marianne Meed Ward, MAYOR

---

Angela Morgan, CITY CLERK

