



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2022-090**

A by-law to authorize an application to expropriate lands along Eighth Line and North Service Road

**WHEREAS** the Corporation of the Town of Oakville requires certain lands as more particularly described in Schedule “A” to this by-law (the “**Lands**”), for the municipal purposes of road widening, reconstruction and improvements to North Service Road and Eighth Line and all works ancillary thereto; and

**WHEREAS** The Corporation of the Town of Oakville has made application to the Municipal Council of the Corporation of the Town of Oakville for approval to expropriate the required lands;

**COUNCIL ENACTS AS FOLLOWS:**

1. That the Council of The Corporation of the Town of Oakville hereby approves the making of an Application for Approval to Expropriate Land by The Corporation of the Town of Oakville in Form 1, attached hereto as Schedule “B”, in respect of the Lands.
2. That the Manager of Realty Services, Town Solicitor, CAO or any one of them are hereby authorized to execute, on behalf of The Corporation of the Town of Oakville, the Application for Approval to Expropriate Land in Form 1 attached hereto as Schedule “B” in respect of the Lands.
3. That the Manager of Realty Services, Town Solicitor, CAO or any one of them are hereby authorized to execute, on behalf of The Corporation of the Town of Oakville, the Notice of Application for Approval to Expropriate Land in Form 2 attached hereto as Schedule “C” and that it be served and published, as required by the *Expropriations Act*.
4. That the Corporation of the Town of Oakville forward to the Ontario Land Tribunal, any requests for a hearing that may be received in connection with the notice of this expropriation.

5. That the Manager of Realty Services, Town Solicitor, CAO or any one of them are hereby authorized and directed to do all things required arising from the authorization provided for by this by-law.
6. That this by-law comes into force on the day it is passed.

PASSED this 19th day of September, 2022

\_\_\_\_\_  
Rob Burton

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Mayor

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Vicki Tytaneck

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Town Clerk

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## **SCHEDULE “A”**

### **List of property interests required for Expropriation**

**“Fee Simple”** means all right, title and interest to the lands

**“Permanent Hydro Easement”** means a free, uninterrupted and unobstructed permanent easement in gross to enter, occupy, and re-enter by the Town, its successors and assigns, contractors, agents, invitees and employees with all necessary material, including but not limited to, vehicles, machinery, supplies and equipment at all times in, on, over, through, under, above and along the said lands for the municipal purpose of facilitating the construction, installation, maintenance and repair of associated public utilities including aerial and/or subsurface hydro lines, tiebacks, poles, anchors, guywires and associated materials and equipment for the purpose of supplying or distributing hydro or related services, but reserving to the owner the right to use the surface of the said lands for any purpose which does not conflict with the Town’s rights hereunder, and specifically excluding the planting of any trees, and the erection of any building or structure.

**“Permanent Hydro Aerial Easement”** means a free, uninterrupted and unobstructed permanent easement in gross to allow the Town, its successors and assigns, contractors, agents, invitees and employees the right to enter, construct, maintain, inspect, alter, repair and operate overhead hydro lines for the purpose of supplying or distributing hydro or related services, but reserving to the owner the right to use the surface of the said lands for any purpose which does not conflict with the Town’s rights hereunder, respecting any required clearances according to the latest version of the CSA C22.3 No. 1 Overhead System Canadian Standard, and specifically excluding the planting of any trees, and the erection of any building or structure.

**“Temporary Construction Easement”** means a free, uninterrupted and unobstructed temporary easement in gross for a term of 24 months commencing on April 1, 2025 to allow the Town, its successors and assigns, contractors, agents, invitees and employees the right to enter for construction purposes to facilitate the reconstruction and improvement of the adjacent road, including, but not limited to, excavation, grading, placement and storage of soil and sod, placement of granular and asphalt for driveways and curbs, construction staging and construction and works ancillary thereto.

#### **1) Part of Lot 1 on Plan 608**

Fee Simple: Part of Lot 1 on Plan 608, Oakville, designated as Part 2 on Plan 20R-22144

Temporary Construction Easement: Part of Lot 1 on Plan 608, Oakville, designated as Part 1 on Plan 20R-22144

#### **2) Part of 505 - 525 Iroquois Shore and 1130 - 1150 Eighth Line**

Fee Simple: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Part 24 on Plan 20R-22144

Permanent Hydro Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 19, 20 and 26 on Plan 20R-22144

Permanent Aerial Hydro Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 22 and 25 on Plan 20R-22144

Temporary Construction Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 18, 19, 22, 23 and 25 on Plan 20R-22144

**3) Part of 1099 Eighth Line**

Fee Simple: Part of Lot 2 on Plan 608, Oakville, designated as Part 7 on Plan 20R-22144

Permanent Hydro Easement: Part of Lot 2 on Plan 608, Oakville, designated as Parts 4 and 6 on Plan 20R-22144

Temporary Construction Easement: Part of Lot 2 on Plan 608, Oakville, designated as Parts 3, 4 and 5 on Plan 20R-22144

**4) Part of Unit 1 at 504 Iroquois Shore Road**

Fee Simple: Part of Unit 1 on Halton Condominium Plan No. 180, Oakville, designated as Part 1 on Plan 20R-22130

Permanent Hydro Easement: Part of Unit 1 on Halton Condominium Plan No. 180, Oakville, designated as Parts 5 and 7 on Plan 20R-22130

Permanent Aerial Hydro Easement: Part of Unit 1 on Halton Condominium Plan No. 180, Oakville, designated as Parts 6 and 8 on Plan 20R-22130

Temporary Construction Easement: Part of Unit 1 on Halton Condominium Plan No. 180, Oakville, designated as Parts 4, 5, 6, 7 and 8 on Plan 20R-22130

**5) Part of the condominium common elements at 504 Iroquois Shore Road**

Fee Simple: Part of the common elements on Halton Condominium Plan No. 180, Oakville, designated as Part 2 on Plan 20R-22130

Temporary Construction Easement: Part of the common elements on Halton Condominium Plan No. 180, Oakville, designated as Part 3 on Plan 20R-22130

**6) Part of 531 North Service Road**

Permanent Hydro Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 27, 28 and 29 on Plan 20R-22144

Permanent Aerial Hydro Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 30 and 31 on Plan 20R-22144

Temporary Construction Easement: Part of Lot 11, Concession 2 South of Dundas Street, Oakville, designated as Parts 29, 31 and 32 on Plan 20R-22144

**7) Part of 1031-1055 North Service Road**

Fee Simple: Part of Lot 3 on Plan 608, Oakville, designated as Part 16 on Plan 20R-22144

Permanent Hydro Easement: Part of Lot 3 on Plan 608, Oakville, designated as Part 15 on Plan 20R-22144

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Permanent Aerial Hydro Easement: Part of Lot 3 on Plan 608, Oakville, designated as Part 17 on Plan 20R-22144

Temporary Construction Easement: Part of Lot 3 on Plan 608, Oakville, designated as Parts 15 and 17 on Plan 20R-22144

**8) Part of 1101-1115 North Service Road**

Fee Simple: Part of Lot 4 on Plan 608, Oakville, designated as Part 3 on Plan 20R-22126

Permanent Hydro Easement: Part of Lot 4 on Plan 608, Oakville, designated as Part 4 on Plan 20R-22126

Permanent Aerial Hydro Easement: Part of Lot 4 on Plan 608, Oakville, designated as Part 2 on Plan 20R-22126

Temporary Construction Easement: Part of Lot 4 on Plan 608, Oakville, designated as Parts 1 and 2 on Plan 20R-22126

**9) Part of 1135 North Service Road**

Fee Simple: Part of Lot 10 on Plan 608, Oakville, designated as Part 7 on Plan 20R-22126

Permanent Hydro Easement: Part of Lot 10 on Plan 608, Oakville, designated as Parts 6 and 10 on Plan 20R-22126

Permanent Aerial Hydro Easement: Part of Lots 9 and 10 on Plan 608, Oakville, designated as Parts 5, 8 and 9 on Plan 20R-22126

Temporary Construction Easement: Part of Lots 9 and 10 on Plan 608, Oakville, designated as Parts 5, 6, 9 and 10 on Plan 20R-22126

**10) Part of 1137 North Service Road**

Permanent Hydro Easement: Part of Lot 10, Plan 608, Oakville, designated as Parts 15, 17, 18 and 21 on Plan 20R-22126

Permanent Aerial Hydro Easement: Part of Lot 10, Plan 608, Oakville, designated as Parts 11, 12, 13, 14, 16, 19 and 20 on Plan 20R-22126

Temporary Construction Easement: Part of Lot 10, Plan 608, Oakville, designated as Parts 11, 12, 14, 15, 17, 18, 19, 20 and 21 on Plan 20R-22126

**11) Part of 1173 North Service Road**

Permanent Aerial Hydro Easement: Part of Lot 10, Plan 608, Oakville, designated as Parts 22 and 23 on Plan 20R-22126

Temporary Construction Easement: Part of Lot 10, Plan 608, Oakville, designated as Part 23 on Plan 20R-22126

**12) Part of 1185 North Service Road**

Fee Simple: Part of Lot 9, Concession 2 South of Dundas Street, Oakville, designated as Parts 32 and 36 on Plan 20R-22126

Permanent Hydro Easement: Part of Lot 9, Concession 2 South of Dundas Street, Oakville, designated as Parts 28, 30 and 31 on Plan 20R-22126

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Permanent Aerial Hydro Easement: Part of Lot 9, Concession 2 South of Dundas Street, Oakville, designated as Parts 25, 27, 29, 33, 34 and 35 on Plan 20R-22126

Temporary Construction Easement: Part of Lot 9, Concession 2 South of Dundas Street, Oakville, designated as Parts 24, 25, 26, 27, 28, 30, 33 and 35 on Plan 20R-22126

**13) Part of 1195 North Service Road**

Permanent Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Part 38 on Plan 20R-22126

Permanent Aerial Hydro Easement: Part of Lots 8 and 9, Concession 2 South of Dundas Street, Oakville, designated as Part 37 on Plan 20R-22126

**14) Part of 1209 North Service Road**

Fee Simple: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Part 3 on Plan 20R-22117

Permanent Aerial Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 1 and 2 on Plan 20R-22117

Temporary Construction Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Part 2 on Plan 20R-22117

**15) Part of 1221 North Service Road**

Fee Simple: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Part 12 on Plan 20R-22117

Permanent Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 5, 7, 8, 9, 13, 14, 16, 17, 19 and 20 on Plan 20R-22117

Permanent Aerial Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 4, 6, 10, 11, 15 and 18 on Plan 20R-22117

Temporary Construction Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 6, 7, 9, 10, 11, 14, 15, 17, 18 and 20 on Plan 20R-22117

**16) Part of 1273-1303 North Service Road**

Fee Simple: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 26, 29 and 32 on Plan 20R-22117

Permanent Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 23, 33 and 34 on Plan 20R-22117

Permanent Aerial Hydro Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 22, 24, 25, 27, 28, 30 and 31 on Plan 20R-22117

Temporary Construction Easement: Part of Lot 8, Concession 2 South of Dundas Street, Oakville, designated as Parts 21, 22, 23, 25, 28, 31, 33 and 34 on Plan 20R-22117

**SCHEDULE "B"**

**Form 1**

*Expropriations Act, R.S.O. 1990, Reg. 363*

**APPLICATION FOR APPROVAL TO EXPROPRIATE LAND**

**To:** The Council of The Corporation of the Town of Oakville (Approving Authority) at 1225 Trafalgar Road, Oakville, Ontario, L6H 0H3

**In the matter of** the proposed expropriation of land in the Town Of Oakville, in the Regional Municipality of Halton as more particularly described in Schedule A attached to this by-law by The Corporation of the Town of Oakville, for the municipal purposes of road widening, reconstruction and improvements to North Service Road and Eighth Line and all works ancillary thereto.

Application is hereby made for approval to expropriate the lands described in Schedule "A" attached to this by-law.

Dated at Oakville this \_\_\_ day of \_\_\_\_\_, 2022

**The Corporation of the Town of Oakville**

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Jim Knighton, in his capacity as Manager of Realty Services

**SCHEDULE "C"**

**Form 2**

*Expropriations Act, R.S.O. 1990, Reg. 363*

**NOTICE OF APPLICATION FOR APPROVAL TO EXPROPRIATE LAND**

**In the matter of** an application by The Corporation of the Town of Oakville for approval to expropriate land in the Town of Oakville, in the Regional Municipality of Halton as more particularly described in Schedule "A" attached to this by-law, for the municipal purposes of road widening, reconstruction and improvements to North Service Road and Eighth Line and all works ancillary thereto.

**Notice is hereby given** that application has been made for approval to expropriate the lands described in Schedule "A" attached to this by-law.

Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonable necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

- a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;
- b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

**The approving authority is:**

The Council of The Corporation of the Town of Oakville  
1225 Trafalgar Road, Oakville, Ontario L6H 0H3

**The expropriating authority is:**

The Corporation of the Town of Oakville  
1225 Trafalgar Road, Oakville, Ontario L6H 0H3

Dated at Oakville this \_\_\_ day of \_\_\_\_\_, 2022

**The Corporation of the Town of Oakville**

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Jim Knighton, in his capacity as Manager of Realty Services