

**THE CORPORATION OF THE TOWN OF OAKVILLE****BY-LAW NUMBER 2023-082**

A by-law to authorize the expropriation of easements and fee simple interests along Eighth Line at Iroquois Shore Road as described in Appendix “A” to this by-law

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

**WHEREAS** the Council of The Corporation of the Town of Oakville enacted By-Law 2022-090, authorizing the commencement of the application for approval to expropriate the Required Interests and notice of the application for approval to expropriate the Required Interests was served on the affected owners and published pursuant to the provisions of the *Expropriations Act*;

**WHEREAS** requests for hearings of necessity in respect of the Required Interests have been withdrawn; and

**WHEREAS** The Corporation of the Town of Oakville has been unable to acquire the Required Interests from the owners.

**COUNCIL ENACTS AS FOLLOWS:**

1. That the expropriation of the Required Interests is hereby approved for the municipal purposes of road widening, reconstruction and improvements to a segment of North Service Road East and Eighth Line and all ancillary works thereto.
2. That the CAO and Town Clerk are hereby authorized and directed to sign expropriation plans and Certificates of Approval showing the Required Interests being expropriated.
3. That the Town Solicitor is hereby authorized and directed to cause the said expropriation plans, when so signed and sealed, to be registered in the Land

Registry Office for Halton and thereby effect the expropriation of the Required Interests.

4. That the Manager of Realty Services, CAO, Town Solicitor, or any one of them, are hereby authorized and directed to execute and serve all notices and other documents and take such steps which are necessary to carry out the provisions of this By-Law or which are required by the *Expropriations Act* in respect of the Required Interests.
5. That a Notice of Possession be served requiring possession of the Required Interests at least three (3) months after the date of service of the said notice, and all necessary steps be taken to obtain possession of the Required Interests on the day permitted under the *Expropriations Act*.
6. That an offer of an amount in full compensation for the registered owners' interest in the Required Interests, and an offer for immediate payment of 100% of the market value, as estimated by the Town's appraiser, be served, together with a copy of the appraisal report, all in accordance with section 25 of the *Expropriations Act*.
7. That the Manager of Realty Services, Town Solicitor, CAO or any one of them are hereby authorized and directed to do all things required by the Expropriations Act or arising from the authorization provided for by the By-Law.
8. That this By-Law comes into force on the day it is passed.

PASSED this 19th day of June, 2023

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Rob Burton

MAYOR

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Vicki Tytaneck

CLERK

**Appendix 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.

**“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 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