



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2017-070

A by-law to authorize an application to expropriate lands along Speers Road

WHEREAS the Corporation of the Town of Oakville requires certain lands as more particularly described in Appendix "A" to this by-law (the "**Lands**"), for the municipal purpose of facilitating the reconstruction and improvement of a segment of Speers Road between Third Line and Fourth Line; 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 Appendix "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 Appendix "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 Appendix "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 Chief Inquiry Officer, any requests for a hearing that may be received in connection with the notice of this expropriation.

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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 21st day of August, 2017.

MAYOR

CLERK

APPENDIX “A”

Parcel 1: Part of Lot 1, Plan 785, designated as Part 1 on 20R-20119;

Parcel 2: Part of Lots 46, 47 and 48, Plan 350, designated as Part 4 on 20R-20704;

Parcel 3: Part of Lots 44, 45, 46, 47 and 48 and Maplehurst Avenue (closed by order 48249), Plan 350, designated as Part 9 on 20R-20150 and Part 2 on 20R-20704; together with a temporary easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 3 on 20R-20704 for a term of 24 months, to allow the Town to enter with all necessary vehicles, machinery, equipment and other material required to facilitate the reconstruction and improvement of Speers Road between Third Line and Fourth Line, 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; and together with a permanent easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 2 on 20R-20861 granting the Town, its successors, assigns and invitees the right to enter, construct, maintain, inspect, alter, repair and operate the overhead hydro lines for the purpose of supplying or distributing hydro or related services, but reserving to the Transferor the right to use the surface of the said lands for any purpose which does not conflict with the Town's rights hereunder, and respecting any required clearances according to the latest version of the CSA C22.3 No1 Overhead System Canadian Standard;

Parcel 4: Part of Lots 45 and 46, Plan 350, designated as Part 12 on 20R-20150;

Parcel 5: Part of Lot 21, Concession 3 South of Dundas Street, designated as Part 8 on 20R-20150;

Parcel 6: Part of Lot 23, Concession 3 South of Dundas Street, designated as Part 20 on 20R-20119;

Parcel 7: Part of Lot 24, Concession 3, South of Dundas Street, designated as Part 18 on 20R-20119;

Parcel 8: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 17 on 20R-20119;

Parcel 9: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 16 on 20R-20119;

Parcel 10: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 15 on 20R-20119;

Parcel 11: Part of Lot 25, Concession 3 South of Dundas Street, designated as Part 7 on 20R-20119;

Parcel 12: Part of Lot 1, Plan 785, designated as Part 3 on 20R-20119; and

Parcel 13: Part of Lot 1, Plan 785, designated as Part 2 on 20R-20119.

APPENDIX "B"

Application for Approval to
Expropriate Land
Form 1
Expropriations Act, R.R.O. 1990, Reg.
363

To: Approving authority

Council of The Corporation of the Town of Oakville

Address

Unit number	Street number	Street name	
N/A	1225	Trafalgar Road	
City/Town	Province	Postal code	
Oakville	Ontario	L6H 0H3	

In the matter of the proposed expropriation of land by

The Corporation of the Town of Oakville

Name of expropriating authority

being part of

Lot 1, Plan 785; part of Lots 44, 45, 46, 47 and 48 and
Maplehurst Avenue (Closed by Order 48249), Plan 350; and part
of Lots 21, 23, 24 and 25, Concession 3 South of Dundas Street

in the

Town of Oakville

Name of local municipality

Regional Municipality of Halton

County or district

For the purposes of

Road widening, reconstruction, and improvements to Speers Road

Description of project or work

Application is hereby made for approval to expropriate the fee simple interest in the land described as follows:

Parcel 1: Part of Lot 1, Plan 785, designated as Part 1 on 20R-20119;

Parcel 2: Part of Lots 46, 47 and 48, Plan 350, designated as Part 4 on 20R-20704;

Parcel 3: Part of Lots 44, 45, 46, 47 and 48 and Maplehurst Avenue (closed by order 48249), Plan 350, designated as Part 9 on 20R-20150 and Part 2 on 20R-20704; together

with a temporary easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 3 on 20R-20704 for a term of 24 months, to allow the Town to enter with all necessary vehicles, machinery, equipment and other material required to facilitate the reconstruction and improvement of Speers Road between Third Line and Fourth Line, 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; and together with a permanent easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 2 on 20R-20861 granting the Town, its successors, assigns and invitees the right to enter, construct, maintain, inspect, alter, repair and operate the overhead hydro lines for the purpose of supplying or distributing hydro or related services, but reserving to the Transferor the right to use the surface of the said lands for any purpose which does not conflict with the Town's rights hereunder, and respecting any required clearances according to the latest version of the CSA C22.3 No1 Overhead System Canadian Standard;

Parcel 4: Part of Lots 45 and 46, Plan 350, designated as Part 12 on 20R-20150;

Parcel 5: Part of Lot 21, Concession 3 South of Dundas Street, designated as Part 8 on 20R-20150;

Parcel 6: Part of Lot 23, Concession 3 South of Dundas Street, designated as Part 20 on 20R-20119;

Parcel 7: Part of Lot 24, Concession 3, South of Dundas Street, designated as Part 18 on 20R-20119;

Parcel 8: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 17 on 20R-20119;

Parcel 9: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 16 on 20R-20119;

Parcel 10: Part of Lot 24, Concession 3 South of Dundas Street, designated as Part 15 on 20R-20119;

Parcel 11: Part of Lot 25, Concession 3 South of Dundas Street, designated as Part 7 on 20R-20119;

Parcel 12: Part of Lot 1, Plan 785, designated as Part 3 on 20R-20119; and

Parcel 13: Part of Lot 1, Plan 785, designated as Part 2 on 20R-20119.

Dated at Oakville, this _____ day of _____, _____.
City of jurisdiction Date Month Year

Name of expropriating authority

The Corporation of the Town of Oakville

Name of officer or agent of expropriating authority	Signature of officer or agent of expropriating authority

APPENDIX "C"

**Notice of Application for
Approval to Expropriate Land
Form 2**
*Expropriations Act, R.R.O. 1990, Reg.
363*

In the matter of an application by

The Corporation of the Town of Oakville

Name of expropriating authority

for approval to expropriate land being part of Lot 1, Plan 785; part of Lots 44, 45, 46, 47 and 48 and Maplehurst Avenue (Closed by Order 48249), Plan 350; and part of Lots 21, 23, 24 and 25, Concession 3 South of Dundas Street

in the Town of Oakville

Name of local municipality

Regional Municipality of Halton

County or district

For the purposes of

Road widening, reconstruction, and improvements to Speers Road

Description of project or work

Notice is hereby given that application has been made for approval to expropriate the fee simple interest in the land described as follows:

Parcel 1: Part of Lot 1, Plan 785, designated as Part 1 on 20R-20119;

Parcel 2: Part of Lots 46, 47 and 48, Plan 350, designated as Part 4 on 20R-20704;

Parcel 3: Part of Lots 44, 45, 46, 47 and 48 and Maplehurst Avenue (closed by order 48249), Plan 350, designated as Part 9 on 20R-20150 and Part 2 on 20R-20704; together with a temporary easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 3 on 20R-20704 for a term of 24 months, to allow the Town to enter with all necessary vehicles, machinery, equipment and other material required to facilitate the reconstruction and improvement of Speers Road between Third Line and Fourth Line, 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; and together with a permanent easement over the lands described as Part of Lots 46, 47 and 48, Plan 350, designated as Parts 1 and 2 on 20R-20861 granting the Town, its successors, assigns and invitees the right to enter, construct, maintain, inspect, alter, repair and operate the overhead hydro lines for the

purpose of supplying or distributing hydro or related services, but reserving to the Transferor the right to use the surface of the said lands for any purpose which does not conflict with the Town's rights hereunder, and respecting any required clearances according to the latest version of the CSA C22.3 No1 Overhead System Canadian Standard;

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Parcel 11: Part of Lot 25, Concession 3 South of Dundas Street, designated as Part 7 on 20R-20119;

Parcel 12: Part of Lot 1, Plan 785, designated as Part 3 on 20R-20119; and

Parcel 13: Part of Lot 1, Plan 785, designated as Part 2 on 20R-20119.

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 Council of The Corporation of the Town of Oakville
is _____

Address

Unit number	Street number	Street name	
	1225	Trafalgar Road	
City/Town	Province	Postal code	
Oakville	Ontario	L6H 0H3	

Name of expropriating authority

The Corporation of the Town of Oakville

Name of officer or agent of expropriating authority	Signature of officer or agent of expropriating authority