



BY- LAW NUMBER 2018-

A By-law of The Corporation of the City of Barrie to expropriate the lands described as Part Lots 35-39, 46-49, Plan 386, being Parts 1 and 5 on Plan 51R-27820; together with a Right-of-Way as in RO1474193; in the City of Barrie, County of Simcoe, being lands municipally referred to as 150-152 Dunlop Street West; save and except those lands having a frontage of 13.673 metres and a depth of 20.955 metres, being lands consisting of an area of approximately 0.07 acres and municipally referred to as 154 Dunlop Street West; to be described by a future reference plan, being Part of PIN: 58798-0175 (LT).

WHEREAS Section 6 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("the *Municipal Act, 2001*"), provides that the power of a Municipality to acquire land under the Act or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*;

AND WHEREAS Section 10 of the *Municipal Act, 2001*, provides that a single-tier municipality may pass by-laws respecting matters set out therein including, *inter alia*, public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act;

AND WHEREAS by motion 17-G-290 the Council of The Corporation of the City of Barrie authorized the commencement of the expropriation of the lands described as Part Lots 35-39, 46-49, Plan 386, being Parts 1 and 5 on Plan 51R-27820; together with a Right-of-Way as in RO1474193; in the City of Barrie, County of Simcoe, being lands municipally referred to as 150-152 Dunlop Street West; save and except those lands having a frontage of 13.673 metres and a depth of 20.955 metres, being lands consisting of an area of approximately 0.07 acres and municipally referred to as 154 Dunlop Street West; to be described by a future reference plan, being Part of PIN: 58798-0175 (LT), for the purpose of facilitating improvements to Kidd's Creek at Dunlop Street;

AND WHEREAS an application was made by The Corporation of the City of Barrie to the Council of The Corporation of the City of Barrie for approval to expropriate the lands described as Part Lots 35-39, 46-49, Plan 386, being Parts 1 and 5 on Plan 51R-27820; together with a Right-of-Way as in RO1474193; in the City of Barrie, County of Simcoe, being lands municipally referred to as 150-152 Dunlop Street West; save and except those lands having a frontage of 13.673 metres and a depth of 20.955 metres, being lands consisting of an area of approximately 0.07 acres and municipally referred to as 154 Dunlop Street West; to be described by a future reference plan, being Part of PIN: 58798-0175 (LT);

AND WHEREAS a Notice of Application was served on the registered owners of the lands described above, and was published once a week for three successive weeks in the Barrie Advance, commencing May 17, 2018;

AND WHEREAS the Council of The Corporation of the City of Barrie deems it appropriate to expropriate the lands described as Part Lots 35-39, 46-49, Plan 386, being Parts 1 and 5 on Plan 51R-27820; together with a Right-of-Way as in RO1474193; in the City of Barrie, County of Simcoe, being lands municipally referred to as 150-152 Dunlop Street West; save and except those lands having a frontage of 13.673 metres and a depth of 20.955 metres, being lands consisting of an area of approximately 0.07 acres and municipally referred to as 154 Dunlop Street West; to be described by a future reference plan, being Part of PIN: 58798-0175 (LT), for the purpose of facilitating improvements to Kidd's Creek at Dunlop Street.

NOW THEREFORE, the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** The Corporation of the City of Barrie expropriate the fee simple interest in the lands described as Part Lots 35-39, 46-49, Plan 386, being Parts 1 and 5 on Plan 51R-27820; together with a Right-of-Way as in RO1474193; in the City of Barrie, County of Simcoe, being lands municipally referred to as 150-152 Dunlop Street West; save and except those lands having a frontage of 13.673 metres and a depth of 20.955 metres, being lands consisting of an area of approximately 0.07 acres and municipally referred to as 154 Dunlop Street West; to be described by a future reference plan, being Part of PIN: 58798-0175 (LT), for the purposes of facilitating improvements to Kidd's Creek at Dunlop Street.
2. **THAT** the Mayor and the City Clerk are authorized to execute the Certificate of Approval with respect to the expropriation of the lands.
3. **THAT** an Expropriation Plan of the said lands be prepared and registered in accordance with Section 9 of the *Expropriations Act*, R.S.O. 1990, c. E.26.

4. **THAT** the City Clerk is authorized, empowered and directed to have the land appraised and to execute and have served, the Notice of Expropriation, Notice of Election, Notice of Possession, Offer of Compensation and Appraisal.
5. **THAT** this By-law shall come into force and have effect immediately on the final passing thereof.

READ a first and second time this 25th day of June, 2018.

READ a third time and finally passed this 25th day of June, 2018.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE