



Bill No. 016

BY- LAW NUMBER 2016-

A By-law of The Corporation of The City of Barrie to expropriate an easement in perpetuity over the lands described as Part of North 1/2 of Lot 12, Concession 11, designated as Part 2, Plan 51R-40324, City of Barrie for the purpose of creek realignment and watercourse drainage.

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 15-G-245 the Council of The Corporation of The City of Barrie authorized the commencement of the expropriation of an easement in perpetuity over the lands described as Part of North 1/2 of Lot 12, Concession 11, designated as Part 2, Plan 51R-40324, City of Barrie for the purpose of creek realignment and watercourse drainage;

AND WHEREAS 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 an easement in perpetuity over the lands described as Part of North 1/2 of Lot 12, Concession 11, designated as Part 2, Plan 51R-40324, City of Barrie;

AND WHEREAS a Notice of Application was served on the registered owners of the lands described above, and was published once a week for 3 successive weeks in the Barrie Examiner, commencing December 23, 2015;

AND WHEREAS The Council of The Corporation of The City of Barrie deems it appropriate to expropriate an easement in perpetuity over the lands described as Part of North 1/2 of Lot 12, Concession 11, designated as Part 2, Plan 51R-40324, City of Barrie for the purpose of creek realignment and watercourse drainage.

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 an easement in perpetuity over the lands described as Part of North 1/2 of Lot 12, Concession 11, designated as Part 2, Plan 51R-40324, City of Barrie for the purpose of creek realignment and watercourse drainage.
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 8th day of February, 2016.

READ a third time and finally passed this 8th day of February, 2016.

THE CORPORATION OF THE CITY OF BARRIE

ACTING MAYOR – UBIRAJARA (PETER) SILVEIRA

CITY CLERK – DAWN A. MCALPINE