



Bill No. 072

**BY- LAW NUMBER 2012-**

**A By-law of The Corporation of The City of Barrie to expropriate the lands described as Part of the Common Elements of Simcoe Condominium Plan No. 15, being part of PIN numbers 59015-0001 to 59015-0050 inclusive, further described as Parts 1 & 2 on reference plan 51R-38218.**

**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 12-G-042 the Council of The Corporation of The City of Barrie authorized the commencement of the expropriation of the lands described as for the purpose of a road widening;

**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 the lands described as Part 1 on reference plan 51R-38078;

**AND WHEREAS** reference plan 51R-38218 was prepared to revise the description of the lands required for the road widening;

**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 April 27, 2012;

**AND WHEREAS** The Council of The Corporation of The City of Barrie deems it appropriate to expropriate the lands described as Part of the Common Elements of Simcoe Condominium Plan No. 15, being part of PIN numbers 59015-0001 to 59015-0050 inclusive, further described as Parts 1 & 2 on reference plan 51R-38218 for the purpose of a road widening.

**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 of the Common Elements of Simcoe Condominium Plan No. 15, being part of PIN numbers 59015-0001 to 59015-0050 inclusive as further described as Parts 1 & 2 on reference plan 51R-38218 for the purpose of a road widening.
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 14<sup>th</sup> day of May, 2012.

**READ** a third time and finally passed this 14<sup>th</sup> day of May, 2012.

**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J. R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**