



**BY- LAW NUMBER 2018-**

**A By-law of The Corporation of the City of Barrie to expropriate the lands described as Part of Lot 79, w/s High Street, Plan 115, City of Barrie, County of Simcoe as in RO881974; save and except Part 2 on Plan 51R-18504, being all of PIN 58797-0006 (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 18-G-139 the Council of The Corporation of the City of Barrie authorized the commencement of the expropriation of the lands described as Part of Lot 79, w/s High Street, Plan 115, City of Barrie, County of Simcoe as in RO881974; save and except Part 2 on Plan 51R-18504, being all of PIN 58797-0006 (LT) for the purpose of facilitating the reconstruction of Kidd's Creek and improvements to the existing watercourse in order to decrease the risk of flooding, and to increase the development capability of adjacent properties by reducing floodplains;

**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 of Lot 79, w/s High Street, Plan 115, City of Barrie, County of Simcoe as in RO881974; save and except Part 2 on Plan 51R-18504, being all of PIN 58797-0006 (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 July 12, 2018;

**AND WHEREAS** The Council of The Corporation of the City of Barrie deems it appropriate to expropriate the lands described as Part of Lot 79, w/s High Street, Plan 115, City of Barrie, County of Simcoe as in RO881974; save and except Part 2 on Plan 51R-18504, being all of PIN 58797-0006 (LT) for the purpose of facilitating the reconstruction of Kidd's Creek and improvements to the existing watercourse in order to decrease the risk of flooding, and to increase the development capability of adjacent properties by reducing floodplains.

**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 Lot 79, w/s High Street, Plan 115, City of Barrie, County of Simcoe as in RO881974; save and except Part 2 on Plan 51R-18504, being all of PIN 58797-0006 (LT) for the purpose of facilitating the reconstruction of Kidd's Creek and improvements to the existing watercourse in order to decrease the risk of flooding, and to increase the development capability of adjacent properties by reducing floodplains.
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 26<sup>th</sup> day of November, 2018.

**READ** a third time and finally passed this 26<sup>th</sup> day of November, 2018.

**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J. R. LEHMAN**

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**CITY CLERK – WENDY COOKE**