



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 106-2000

To authorize an application for approval
to expropriate land in fee simple for
the purposes of a Hydro Transformer Station

WHEREAS the Brampton Hydro Electric Commission (the "Commission") was established by the City of Brampton and continued by Sections 9(1) and 9(2) of the *Regional Municipality of Peel Act*, R.S.O. 1990, c.R.15;

AND WHEREAS pursuant to Section 10 of the *Regional Municipality of Peel Act* the Commission was entrusted as agent of and trustee for the Corporation of the City of Brampton (the "Corporation") with the operation and management of the municipal hydro electric system;

AND WHEREAS the Corporation has caused Brampton Hydro Networks Inc. ("BHNI") to be incorporated pursuant to Part XI of the *Electricity Act*, 1998, S.O. 1998, c. 15 for the purpose of transmitting and distributing electricity;

AND WHEREAS the Corporation is the sole shareholder of BHNI;

AND WHEREAS lands more particularly described in Schedule "A" are required for the purpose of a transformer station and such works as are more generally described in Part III of the *Public Utilities Act*, R.S.O. 1990, c.P.52;

AND WHEREAS the Commission and BHNI have been unable to acquire the lands so required and therefore have advised the Corporation to apply to expropriate the said lands;

AND WHEREAS Section 191 of the *Municipal Act*, R.S.O. 1990, c.M.45 confers upon the Corporation the power to expropriate for municipal purposes;

AND WHEREAS pursuant to Section 210, para.58, of the *Municipal Act*, R.S.O. 1990, c.M.45, it is established as a municipal purpose the completion, improvement, alteration or enlargement of any public utility undertaking including that of the Commission;

AND WHEREAS the Corporation may rely in the alternative on the powers granted to it under Section 21 of the *Public Utilities Act*, R.S.O. 1990, c.P.52.

NOW THEREFORE the Council of The Corporation of the City of Brampton
ENACTS AS FOLLOWS:

1. That an Application for Approval to expropriate the land described in Schedule "A" for the purposes of a hydro transformer station and ancillary works is

2. That the Mayor and Clerk of the Corporation are hereby authorized to execute on behalf of the Corporation the said Application for Approval to Expropriate Land, together with all other documents that in the City Solicitor's opinion are necessary to facilitate the Application for Approval.
3. The City Solicitor is hereby authorized to take any and all other steps necessary and expedient in order to effect the expropriation, including service of the Notice of Application for Approval to Expropriate Land in accordance with Section 6 of the *Expropriations Act*, R.S.O. 1990, c.E.26.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 5th day of June, 2000.

Approved as to
content and form.
00/05/31
wcr


PETER ROBERTSON MAYOR


LEONARD J. MIKULICH CLERK

SCHEDULE A TO BY-LAW 106-2000

Part of Lot 1, Concession 3 West of Hurontario Street, in the City of Brampton, in the Regional Municipality of Peel designated as Part 1 on Plan 43R-24265.