



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 61-2005

To approve the expropriation of Part of Lot 9,
Concession 1 EHS, designated as Part 2 on
Plan 43R-27642 (Main Street North widening) and
To repeal By-law 144-2004

WHEREAS The Corporation of the City of Brampton, in its capacity as the expropriating authority, has applied to the Council of the Corporation of the City of Brampton in its capacity as the approving authority to obtain the approval to expropriate the lands described in Schedule A attached hereto;

AND WHEREAS the Council of The Corporation of the City of Brampton in its capacity as approving authority, on the 10th day of February, 2003, passed By-law 35-2003, authorizing the expropriation of the lands described in Schedule A to this by-law, and further, authorizing the Clerk to sign notice and advertisements on behalf of The Corporation of the City of Brampton as required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended;

AND WHEREAS the Council of The Corporation of the City of Brampton, in its capacity as approving authority, on the 26th day of May, 2005, passed By-law 144-2004 (1) approving the expropriation of Part of Lot 9, Concession 1 EHS, designated as Part 2 on Plan 43R-27642, (2) expropriating the lands for the purpose of widening Main Street North in conjunction with intersection improvements at Williams Parkway, and (3) authorizing the Mayor and Clerk to execute, on behalf of The Corporation of the City of Brampton all documents necessary to carry out the expropriation;

AND WHEREAS The Corporation of the City of Brampton complied with all of the requirements of the Expropriations Act regarding service of notice of the application for approval to expropriate and the advertisement of said notice;

AND WHEREAS no requests for a hearing of necessity were received by the City Clerk within the 30 day time period following first publication of the notice;

AND WHEREAS the Plan of Expropriation was not registered within the statutory three month time period following the approval by the approving authority, such that the expropriation could not be carried out;

AND WHEREAS the above-noted notice process has been repeated and no hearing was requested, and a second by-law for the same purpose as By-law 144-2004 must be passed in order to register the Plan of Expropriation and carry out the expropriation;

AND WHEREAS the Council of The Corporation of the City of Brampton, in its capacity as the approving authority, has considered the application of The Corporation of the City of Brampton to expropriate the lands described in Schedule A to this by-law;

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

1. By-law 144-2004, to approve the expropriation of Part of Lot 9, Concession 1 EHS, designated as Part 2 on Plan 43R-27642, is hereby repealed;
2. The expropriation of the lands described in Schedule A to this by-law is hereby approved by the Council of The Corporation of the City of Brampton;
3. The lands described in Schedule A to this by-law are hereby expropriated for the purpose of widening Main Street North in conjunction with intersection improvements at Williams Parkway; and
4. The Mayor and Clerk are hereby authorized to execute on behalf of The Corporation of the City of Brampton all documents necessary to carry out this expropriation.

READ A FIRST, SECOND AND THIRD TIME and PASSED in Open Council this 28th day of February, 2005.

Approved as to
form
10/02/05
C. Linkug

Approved as to
content
05/02/10
WCC

Susan Fennell
SUSAN FENNELL, MAYOR

Kathryn Zammit
~~LEONARD J. MIKULICH, CLERK~~
KATHRYN ZAMMIT, ACTING CITY CLERK

SCHEDULE A TO BY-LAW 61-2005

Part of Lot 9, Concession 1, East of Hurontario Street
Designated as Part 2 on Reference Plan 43R-27642
City of Brampton, Regional Municipality of Peel