

Authority: Item 9, General Issues
Committee Report 20-010
(LS19029(a))
CM: July 17, 2020
Ward: 15

Bill No. 157

CITY OF HAMILTON

BY-LAW NO. 20-157

Being a By-law to Expropriate a Portion of 347 Parkside Drive, Hamilton, Being Part of Lot 6, Concession 4, East Flamborough, as in CD 260033, S/T & T/W CD260033, S/T EF23444, Flamborough, City of Hamilton, Designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100(LT), known municipally as 347 Parkside Drive, Hamilton, for the purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

WHEREAS Section 6 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended empowers a municipality to expropriate land in accordance with the *Expropriations Act*.

AND WHEREAS the City of Hamilton, as expropriating authority, made application to the Council of the City of Hamilton on the 12th day of July, 2019 for approval to expropriate, 347 Parkside Drive, Hamilton, being Part of Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033, S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-20823 , being Part of PIN 17514—0100 (LT), being the land described in Schedule “A” attached hereto (and forming part of this by-law) in accordance with the *Expropriations Act*, R.S.O. 1990, Chapter E.26;

AND WHEREAS the City of Hamilton as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator; a newspaper having general circulation in the City of Hamilton, in accordance with the *Expropriations Act*,

AND WHEREAS 2441066 Ontario Inc. and 2441069 Ontario Inc., being registered owners of the land described in Schedule “A”, requested an Inquiry Hearing pursuant to the *Expropriations Act* and the same was held on June 3, 2020.

AND WHEREAS the inquiry officer’s report was considered by City of Hamilton Council at its meeting on July 17, 2020 and its approval to proceed with expropriation was granted on the same date.

AND WHEREAS the Council of the City of Hamilton, as approving authority deems it expedient to grant the Application to Expropriate the said lands.

NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. That, as approving authority under the *Expropriations Act*, the said Application for Approval to Expropriate the lands more particularly described

Being a By-law to Expropriate a Portion of 347 Parkside Drive, Hamilton, Being Part of Lot 6, Concession 4, East Flamborough, as in CD 260033, S/T & T/W CD260033, S/T EF23444, Flamborough, City of Hamilton, Designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100(LT), known municipally as 347 Parkside Drive, Hamilton, for the purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

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in Schedule "A" attached hereto (and forming part of this By-law), made by the City of Hamilton as expropriating authority, be and the same is hereby granted and Part Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033, S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100 (LT) is hereby expropriated for the purposes of development and construction of North Waterdown Drive (Waterdown East-West Arterial Road).

2. That the Mayor, Clerk and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

PASSED this 17th day of July 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE "A" TO BY-LAW NO. 20-147

CITY OF HAMILTON EXPROPRIATION OF PART OF 347 PARKSIDE DRIVE,
HAMILTON, BEING:

Part Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033,
S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-
20823, being Part of PIN 17514-0100 (LT).