

Authority: Item 18, General Issues
Committee Report 19-013
(LS19026/PW19067/PED19141)
CM: July 12, 2019
Ward: 15

Bill No. 011

CITY OF HAMILTON

BY-LAW NO. 20-011

Being a By-law to Expropriate 309-311 Parkside Drive, Hamilton, Being Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD21146, S/T EF21993, Designated as Parts 1 and 2, Plan 62R-21243, Being Part of PIN 17514-0071(LT), known municipally as 309-311 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, 309-311 Parkside Drive, Hamilton, being Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD241146, S/T EF21993, designated as Parts 1 and 2, Plan 62R-21243, being Part of PIN 17514-0071 (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 no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" attached hereto and accordingly no Inquiry Hearing has been held;

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

Being a By-law to Expropriate 309-311 Parkside Drive, Hamilton, Being Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD21146, S/T EF21993, Designated as Parts 1 and 2, Plan 62R-21243, Being Part of PIN 17514-0071(LT), known municipally as 309-311 Parkside Drive, Hamilton, for the Purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

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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 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 of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD241146, S/T EF21993, designated as Parts 1 and 2, Plan 62R-21243, being Part of PIN 17514-0071 (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 and this 22nd day of January, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Being a By-law to Expropriate 309-311 Parkside Drive, Hamilton, Being Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD21146, S/T EF21993, Designated as Parts 1 and 2, Plan 62R-21243, Being Part of PIN 17514-0071(LT), known municipally as 309-311 Parkside Drive, Hamilton, for the Purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

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SCHEDULE "A" TO BY-LAW NO.

CITY OF HAMILTON EXPROPRIATION OF 309-311 PARKSIDE DRIVE, HAMILTON,
BEING:

Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD241146, S/T EF21993, designated as Parts 1 and 2, Plan 62R-21243, being Part of PIN 17514-0071 (LT)