

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 048-2020

A By-law to authorize the Mayor and Clerk to execute an Application to Expropriate certain lands.

WHEREAS the Corporation of the City of Vaughan deems it necessary to expropriate lands situated in City of Vaughan, Regional Municipality of York, being Part of Lot 6, Concession 4 (formerly Township of Vaughan) as in VA15071, Save and Except Part 13 on Expropriation Plan VA54904, being all of PIN 03276-0498 (LT), required to secure property that is necessary to form part of the future Edgeley Pond and Park.

AND WHEREAS Section 6 of *the Municipal Act, 2001*, SO 2001, c 25 confers on municipalities the power to expropriate land in accordance with the *Expropriations Act*, RSO 1990, c E. 26.

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

1. THAT an Application for Approval to Expropriate the lands described in Attachment 1 (the “Lands”), for the construction of the Edgeley Pond and Park, in the City of Vaughan within the Vaughan Metropolitan Centre, is hereby authorized.
2. THAT for purposes of this Application, the Mayor and Clerk are authorized to take any and all necessary actions and proceedings required by the Expropriations Act (the “Act”), including the execution, publication and service of Notices of Application for Approval to Expropriate Land (the “Notice”), with the assistance of Legal Services.
3. THAT the Clerk is authorized to forward to the Chief Inquiry Officer for Ontario any requests for an inquiry that are received, and Legal Services is directed to represent the City, as necessary, at any such Inquiry (Hearing of Necessity) or proceeding held under the Act.

4. THAT staff report back to Council in the event a report is received from an Inquiry Officer pursuant any Hearing of Necessity held under the Act.
5. THAT the expropriation of the Lands be approved where no Hearing of Necessity is requested, or such request is withdrawn in accordance with the Act. Council approval is deemed to be given 31 days following the first publication of the Notice where no Hearing of Necessity is requested in accordance with the Act.
6. THAT where approval to expropriate the Lands is given, the following steps are authorized to be taken with respect to the expropriation:
 - a. The Clerk is authorized and directed to sign and execute on behalf of the City a Certificate of Approval and to execute and serve any document or notice required under the Act;
 - b. That a plan of expropriation be prepared and registered in the proper land registry office in accordance with the Act;
 - c. That a Notice of Expropriation be served together with a Notice of Election as to the date of the assessment and compensation and a Notice of Possession as to the date the expropriating authority requires possession of the expropriated lands which shall be at least three months after the date of service of the Notice of Possession, all in accordance with the Act;
 - d. That an appraisal report be obtained in respect of the market value of the expropriated lands and, if applicable, damages for injurious affection and other compensation, all in accordance with the Act;
 - e. That an offer of full compensation and an offer for immediate payment of 100 per cent of the market value of the expropriated lands as estimated by the expropriating authority be served, together with a copy of the appraisal report, all in accordance with section 25 of the Act;
 - f. That compensation be paid to the owner(s) of the expropriated lands following the acceptance of the offer made pursuant to section 25 of the Act; and
 - g. That all necessary steps be taken to obtain possession of the expropriated lands.

Enacted by City of Vaughan Council this 21st day of April, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 4 of Report No. 17
of the Committee of the Whole
Adopted by Vaughan City Council on
April 21, 2020.