

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 18 - 2021

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### **Being a By-law to authorize the acquisition of certain lands for the realignment of Jasperson Drive between Woodycrest Avenue and Road 2 East**

**WHEREAS** the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended authorizes municipalities to expropriate land for municipal purposes;

**AND WHEREAS** the Corporation of the Town of Kingsville requires certain lands between Woodycrest Avenue and Road 2 East to accommodate the realignment and construction of Jasperson Drive between Woodycrest Avenue and Road 2 East, in the Town of Kingsville, in the County of Essex;

**AND WHEREAS** the Corporation of the Town of Kingsville authorized the commencement of an Application for Approval to Expropriate certain lands to allow for the aforesaid realignment and construction of Jasperson Drive between Woodycrest Avenue and Road 2 East, in the Town of Kingsville, in the County of Essex;

**AND WHEREAS** the Corporation of the Town of Kingsville made an Application for Approval to Expropriate Land, dated November 6, 2020, in which Application approval was sought to expropriate the lands designated as Parts 1 and 2 on Reference Plan 12R-28405, all in the Town of Kingsville, in the County of Essex;

**AND WHEREAS** to date the Corporation of the Town of Kingsville has not been successful in negotiating a purchase of the lands designated as Parts 1 and 2 on Plan 12R-28405;

**AND WHEREAS** the owners of the lands designated as Parts 1 and 2 on Plan 12R-28405 have not requested the appointment of an Inquiry Officer by the Attorney General to hold a Hearing of Necessity under the *Expropriations Act*, R.S.O. 1990, Chapter E. 26 as amended for the affected lands.

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. That approval is hereby granted for the expropriation by the Corporation of the Town of Kingsville of the lands described on Schedule "A" attached to this By-law, for municipal purposes in connection with realigning and constructing Jasperson Drive between Woodycrest Avenue and Road 2 East, in the Town of Kingsville, in the County of Essex.
2. That the Mayor and the Clerk of the Corporation of the Town of Kingsville are hereby authorized to execute the Certificate of Approval and the Expropriation Certificate.
3. That the Clerk is hereby authorized to cause the Expropriation Plan to be registered in the Land Titles/Land Registry Office for the County of Essex and thereby effect the expropriation of the said lands.
4. That the Corporation of the Town of Kingsville is hereby authorized to enter and take possession of the expropriated lands on the day permitted under the *Expropriations Act*, as amended, or pursuant to any Court Order thereunder, or pursuant to any agreement entered into between the relevant owners and the Corporation of the Town of Kingsville.
5. That the Clerk is hereby authorized to deliver Notices of Possession, Notices of Expropriation, Notices of Election and Offers and Appraisal Reports in accordance with s.25 of the *Expropriations Act*, as amended and to do all other things and give all other notices required by the *Expropriations Act*, as amended.

6. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 8<sup>th</sup> day of FEBRUARY, 2021.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

### Clerk's Certificate

I, Jennifer Astrologo, Clerk of the Corporation of the Town of Kingsville, do hereby certify that the foregoing is a true and correct copy of **By-law Number 18-2021** passed by the Council of the said Corporation on the **8<sup>th</sup>**, day of **February, 2021**.

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Jennifer Astrologo, Clerk  
Corporation of the Town of Kingsville

## **SCHEDULE "A"**

1. The part of Part of Lot 2, Concession 1 Eastern Division Gosfield as in R493905 except Part 3 on Reference Plan 12R-12076, now specifically designated as Part 1 on Reference Plan 12R-28405; and
2. The part of Part of Lot 2, Concession 1 Eastern Division Gosfield designated as Part 1 on Reference Plan 12R-12076 now specifically designated as Part 2 on Reference Plan 12R-28405,

both in the Town of Kingsville, in the County of Essex.