

Bill No. 134
2024

By-law No. L.S.P.- _____ - _____

A by-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Rapid Transit East London Link Project Phase 4.

WHEREAS The Corporation of the City of London has made application to the Council of The Corporation of the City of London for approval to expropriate lands for the East London Link Project Phase 4;

THEREFORE The Corporation of the City of London, as the expropriating authority, enacts as follows:

1. An application be made by The Corporation of the City of London as Expropriating Authority, to the Council of The Corporation of the City of London as approving authority, for approval to expropriate lands for the Rapid Transit East London Link Project Phase 4; which land is more particularly described in attached Appendix "A" of this by-law.
2. The Corporation of the City of London as Expropriating Authority serve and publish notice of the application referred to in section 1 of this by-law in the form attached hereto as Appendix "B", being the "Notice of Application for Approval to Expropriate Lands," in accordance with the requirements of the *Expropriations Act*.
3. The Corporation of the City of London as Expropriating Authority forward to the Ontario Land Tribunal, any requests for a hearing that may be received in connection with the notice of this expropriation and report such to the Council of The Corporation of the City of London for its information.
4. The Civic Administration be hereby authorized to carry out all necessary administrative actions in respect of the said expropriation.
5. This by-law comes into force on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

PASSED in Open Council on April 23, 2024 subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 23, 2024
Second Reading – April 23, 2024
Third Reading – April 23, 2024

APPENDIX "A"
To By-law L.S.P.-_____

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE EAST LONDON LINK PROJECT

Fee Simple:

1374 Oxford Street East

Part of Lot 35, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-21810 being Part of PIN 08105-0038(LT)

1376 Oxford Street East

Part South 1/2 Lot 8, Concession 2 (Geographic Township of London) in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-21810 being Part of PIN 08105-0040(LT)

1380 Oxford Street East

Part of Lot 24, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 5 on Plan 33R-21810 being part of Part of PIN 08105-0027(LT)

1384 Oxford Street East

Part of Lot 23, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-21810 being Part of PIN 08105-0026(LT)

1388 Oxford Street East

Part of Lot 22, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 8 on Plan 33R-21810 being part of Part of PIN 08105-0025(LT)

1390 Oxford Street East

Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 9 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

1449 Oxford Street East

Part of Lot 1, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 35 on Plan 33R-21810 being Part of PIN 08106-0010(LT)

1451 Oxford Street East

Part of Lot 2, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 34 on Plan 33R-21810 being Part of PIN 08106-0011(LT)

1635 Oxford Street East

Part of Lot 73, Registered Plan 19(C) (Geographic Township of London) in the City of London, County of Middlesex, designated as Part 19 on Plan 33R-21810 being Part of PIN 08108-0001 (LT)

670 First Street

Part of Lot 69, Registered Plan 19(C) (Geographic Township of London), in the City of London, County of Middlesex, designated as Part 24 on Plan 33R-21810 being Part of PIN 08107-0001 (LT)

1001 Fanshawe College Boulevard

Part of South 1/2 Lot 7, Concession 2 (Geographic Township of London), in the City of London, County of Middlesex, designated as Parts 12, 38, 39, 41, 42, and 49 on Plan 33R-21810 being Part of PIN 08105-0390(LT)

Limited Interest (Temporary Easement):

1384 Oxford Street East

Part of Lot 23, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 7 on Plan 33R-21810 being Part of PIN 08105-0026(LT)

1390 Oxford Street East

Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Parts 10 and 11 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

1449 Oxford Street East

Part of Lot 1, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 36 on Plan 33R-21810 being Part of PIN 08106-0010(LT)

1451 Oxford Street East

Part of Lot 2, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 33 on Plan 33R-21810 being Part of PIN 08106-0011(LT)

1635 Oxford Street East

Part of Lot 73, Registered Plan 19(C) (Geographic Township of London) in the City of London, County of Middlesex, designated as Part 46 on Plan 33R-21810 being Part of PIN 08108-0001 (LT)

670 First Street

Part of Lot 69, Registered Plan 19(C) (Geographic Township of London), in the City of London, County of Middlesex, designated as Part 23 on Plan 33R-21810 being Part of PIN 08107-0001 (LT)

1001 Fanshawe College Boulevard

Part Of South 1/2 Lot 7, Concession 2 (Geographic Township of London), in the City of London, County of Middlesex, designated as Parts 13, 14, 15, 16, 37, 40, 44, 45 and 48 on Plan 33R-21810 being Part of PIN 08105-0390(LT)

Limited Interest (Permanent Easement):

1390 Oxford Street East

Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 11 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

1001 Fanshawe College Boulevard

Part of South 1/2 Lot 7, Concession 2 (Geographic Township of London), in the City of London, County of Middlesex, designated as Parts 14, 15, 16, 44 and 45 on Plan 33R-21810 being Part of PIN 08105-0390(LT)

APPENDIX "B"
To By-law L.S.P.- _____

EXPROPRIATIONS ACT, R.S.O. 1990, CHAPTER E.26

NOTICE OF APPLICATION FOR APPROVAL TO EXPROPRIATE LAND
Expropriations Act

IN THE MATTER OF an application by The Corporation of the City of London for approval to expropriate lands being all of the lands listed below for the purpose of the Rapid Transit East London Link Project Phase 4.

NOTICE IS HEREBY GIVEN that application has been made for approval to expropriate the following lands described as follows:

Fee Simple:

1374 Oxford Street East

Part of Lot 35, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-21810 being Part of PIN 08105-0038(LT)

1376 Oxford Street East

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1384 Oxford Street East

Part of Lot 23, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-21810 being Part of PIN 08105-0026(LT)

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Part of Lot 22, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 8 on Plan 33R-21810 being part of Part of PIN 08105-0025(LT)

1390 Oxford Street East

Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 9 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

1449 Oxford Street East

Part of Lot 1, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 35 on Plan 33R-21810 being Part of PIN 08106-0010(LT)

1451 Oxford Street East

Part of Lot 2, Registered Plan 703 in the City of London, County of Middlesex, designated as Part 34 on Plan 33R-21810 being Part of PIN 08106-0011(LT)

1635 Oxford Street East

Part of Lot 73, Registered Plan 19(C) (Geographic Township of London) in the City of London, County of Middlesex, designated as Part 19 on Plan 33R-21810 being Part of PIN 08108-0001 (LT)

670 First Street

Part of Lot 69, Registered Plan 19(C) (Geographic Township of London), in the City of London, County of Middlesex, designated as Part 24 on Plan 33R-21810 being Part of PIN 08107-0001 (LT)

1001 Fanshawe College Boulevard

Part of South 1/2 Lot 7, Concession 2 (Geographic Township of London), in the City of London, County of Middlesex, designated as Parts 12, 38, 39, 41, 42, and 49 on Plan 33R-21810 being Part of PIN 08105-0390(LT)

Limited Interest (Temporary Easement):

1384 Oxford Street East

Part of Lot 23, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 7 on Plan 33R-21810 being Part of PIN 08105-0026(LT)

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Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Parts 10 and 11 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

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Part of Lot 69, Registered Plan 19(C) (Geographic Township of London), in the City of London, County of Middlesex, designated as Part 23 on Plan 33R-21810 being Part of PIN 08107-0001 (LT)

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Limited Interest (Permanent Easement):

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Part of Lot 21, Registered Plan 696 in the City of London, County of Middlesex, designated as Part 11 on Plan 33R-21810 being Part of PIN 08105-0024(LT)

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Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

- a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;

- b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is:

The Council of The Corporation of the City of London
City Hall
300 Dufferin Avenue
P.O. Box 5035
London ON N6A 4L9

The expropriating authority is:

THE CORPORATION OF THE CITY OF LONDON

MICHAEL SCHULTHESS
CITY CLERK

Notes:

1. The *Expropriations Act, R.S.O. 1990, c. E.26*, provides that:
 - (a) where a hearing is requested, it shall be conducted by a single member of the Ontario Land Tribunal;
 - (b) Subject to the regulations, the Tribunal may recommend to the approving authority that a party to the hearing be paid a fixed amount for the party's costs of the hearing, and the approving authority may in its discretion order the expropriating authority to pay the recommended costs.
2. "Owner" and "Registered Owner" are defined in the *Act* as follows:

"Owner" includes a mortgagee, tenant, execution creditor, a person entitled to a limited estate or interest in land, a guardian of property, and a guardian, executor, administrator or trustee in whom land is vested;

"Registered Owner" means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the proper land registry or sheriff's office, and includes a person shown as a tenant of land on the last revised assessment roll;
3. The Expropriating Authority, each owner who notifies the approving authority that he desires a hearing in respect of the lands intended to be expropriated and any owner added as a party by the Tribunal are parties to the hearing.

This notice first published on the _____ day of _____, 2024.