

**By-law Number 48-2020**

**of The Regional Municipality of Durham**

Being a by-law to expropriate all estate, right, title and interest in Part of Lots 296, 300, 301, 302 & 303, Plan H50036, designated as Parts 1, 2 & 3 on 40R30663, Town of Whitby, in the Regional Municipality of Durham.

Whereas under the Expropriations Act, R.S.O. 1990, c. E.26 an expropriation authority is required to seek approval from its approving body to expropriate property.

And Whereas The Regional Municipality of Durham is the expropriation authority under the Act and the approving body is Regional Council.

And Whereas the authority for such approval to expropriate is obtained by Regional Council passing the required by-law.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That all estate, right, title and interest in the lands described as:

An estate in fee simple in the lands described as follows:

Lands in the City of Pickering, in the Regional Municipality of Durham, being composed of those lands described as Parts on a Plan deposited in the Land Registry Office for the Land Titles Division of Durham Region more particularly described as follows:

Fee Simple Interests in:

Part of Lots 296, 300, 301, 302 & 303, Plan H50036, designated as Parts 1, 2 & 3 on 40R30663, Town of Whitby, in the Regional Municipality of Durham,

save and except easement D391776 registered July 9, 1992, is hereby taken and expropriated for the purposes of the reconstruction and for all ancillary requirements and related construction activities for the proposed reconstruction and rehabilitation with respect to the property requirements for part of a widening to the Regional Road Right of Way for the construction and use of a Multi-Use Path on Victoria Street East (Regional Road 22), in the Town of Whitby, in the Regional Municipality of Durham.

2. That Regional Council, as expropriating authority under the Expropriations Act, authorize all necessary steps to comply with the Expropriations Act, including, but not limited to, the preparation and registration of Expropriation Plans and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession.
3. That Regional Council grants authority to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give affect Clause 2 including the Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession, including the Certificate of Approval to be affixed to the Expropriation Plan.

This By-law Read and Passed on the 28<sup>th</sup> day of October, 2020.

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J. Henry, Regional Chair and CEO

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R. Walton, Regional Clerk