

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NUMBER 8426

A By-law to grant approval to an Application for Approval to Expropriate certain lands for waterfront and parkland development within the Town of LaSalle.

Whereas the Corporation's Official Plan and Economic Development Plan identifies the strategic importance of the waterfront district as a major destination and gateway to the waterfront, wherein future investments should consider opportunities for enhanced year-round programming, improved design, heritage interpretive features, and the establishment of marine-oriented commercial uses such as restaurants and/or sports equipment/watercraft rentals;

And whereas the Corporation has approved the acquisition of lands within the waterfront district, which lands include Part Lot 32, Concession 1, in the Town of LaSalle, in the County of Essex, designated as Parts 1 & 3 on Reference Plan 12R-10440 and Part Lot 32, Concession 1, as in R784261 except R825702, in the Town of LaSalle, in the County of Essex;

And whereas the Corporation has made an Application for Approval to Expropriate Land dated June 14, 2019, to expropriate Part Lot 32, Concession 1, in the Town of LaSalle, in the County of Essex, designated as Parts 1 & 3 on Reference Plan 12R-10440 and Part Lot 32, Concession 1, as in R784261 except R825702, in the Town of LaSalle, in the County of Essex;

And whereas the owner of Part Lot 32, Concession 1, as in R784261 except R825702, in the Town of LaSalle, in the County of Essex, Richelle Dolan, withdrew a request to the Attorney General to appoint an Inquiry Officer to hold a Hearing of Necessity under the *Expropriations Act*, R.S.O. 1990, Chapter E. 26 as amended;

And whereas the owner of Part Lot 32, Concession 1, in the Town of LaSalle, in the County of Essex, designated as Parts 1 & 3 on Reference Plan 12R-10440, Mosquito Coast Investments Inc., requested from the Attorney General to appoint an Inquiry Officer to hold a Hearing of Necessity under the *Expropriations Act*, R.S.O. 1990, Chapter E. 26 as amended;

And whereas the Inquiry Officer reported that the expropriation of Part Lot 32, Concession 1, in the Town of LaSalle, in the County of Essex, designated as Parts 1 & 3 on Reference Plan 12R-10440 was fair, sound and reasonable;

And whereas to date the Corporation has not been successful in negotiating the purchase of the above-noted properties from the property owners on terms and conditions satisfactory to the Corporation;

Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:

1. That the Corporation, as the Approving Authority, hereby grants approval to The Corporation of the Town of LaSalle, as the Expropriating Authority to expropriate Part Lot 32, Concession 1, in the Town of LaSalle, in the County of Essex, designated as Parts 1 & 3 on

Reference Plan 12R-10440 and Part Lot 32, Concession 1, as in R784261 except R825702.

2. That the Mayor and the Clerk be and the same are hereby authorized to execute the Certificates of Approval and the Expropriation Certificates set out on the draft Expropriation Plans, a copy of which are attached to this By-law, and to execute any and all other documentation required to expropriate the lands referred to in Section 1 herein and to proceed with the expropriation process.
3. That the Clerk and the solicitor of the Corporation are hereby authorized to cause the Expropriation Plans to be registered in the Land Registry Office for the County of Essex and thereby effect the expropriation of the said lands.
4. That the Corporation is hereby authorized to enter onto and take possession of the expropriated lands on the date permitted under the *Expropriations Act*, as amended or pursuant to any Court Order thereunder, or pursuant to any agreement entered into between the property owner and the Corporation.
5. That the Clerk and the solicitor of the Corporation are hereby authorized to cause to be delivered all of the required Notices, offers, appraisal reports and other documents, and to do all other things and to give all other Notices in accordance with the provisions of *Expropriations Act*, as amended.
6. That By-law shall come into force and take effect on the final passing thereof.

Read a first and second time and finally passed this 28th day of April, 2020.

1st Reading – April 28, 2020

Mayor

2nd Reading – April 28, 2020

3rd Reading – April 28, 2020

Clerk