



Township of Brock Interoffice Memorandum

To: Mayor and Members of Council

From: Adnan Naeem, Solicitor, Regional Municipality of Durham
Fernando Lamanna, Clerk & Deputy CAO

Subject: Expropriation of lands required by the Township of Brock for Economic Development Purposes (#C-2023-018).

Date: Monday, February 26, 2024

On February 27, 2023, the Council of the Township of Brock adopted the recommendations by passing Resolution (#C-2023-018).

Township Council resolved to grant authority to staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described Resolution (#C-2023-018) and to forward to the Ontario Land Tribunal any requests for hearings received.

These notices have been served and published according to the Expropriations Act. There have been no hearing of necessity requests received by the Township Clerk.

Having met those Expropriations Act conditions, the Council of the Township of Brock may now proceed to approve the proposed expropriations by adopting the draft resolutions (Attachment 1).

If the Council of the Township of Brock gives its approval to expropriate, please present the draft expropriation by-laws to the Council of the Township of Brock.

Attachments

- Attachment 1: Draft resolutions approving the expropriation of
 - All estate, right, title and interest in Part of Public Square, Registered Plan 112, in the Geographic Township of Thorah, in the Township of Brock, in the Regional Municipality of Durham identified with PIN 72045-0055(LT); described further as Part 1 on 40R-32274. (**Morrison Avenue**).
 - All estate, right, title and interest in Lot 10, Registered Plan 706 and Part of the East Half of Lot 5, Concession 11, in the Geographic Township of Thorah, in the Township of Brock, in The Regional Municipality of Durham identified with PINS 72050-0057(LT) and 72050-0135(LT); described further as Parts 1, 2, 3, and 4 on 40R-32275. (**Shier Avenue**)
 - All estate, right, title and interest in the form of an access easement in Part of Public Promenade and Beach, Registered Plan 112 in the Geographic Township

If this document is required in an alternate format upon request.
Please contact the Clerk's Department at 705-432-2355.

of Thorah, in the Township of Brock, in the Regional Municipality of Durham identified with PIN 72045-0230(R); described further as Part 1 on 40R-32285 and Part 1 on 40R-32286.

- Attachment 2: Draft expropriation By-law 3244-2024
- Attachment 3: Draft expropriation By-law 3245-2024
- Attachment 4: Draft expropriation By-law 3246-2024

End of Memorandum

Respectfully submitted,

Adnan Naeem, Solicitor, Regional Municipality of Durham
Fernando Lamanna, Clerk & Deputy CAO

Attachment 1

Resolution

Whereas in the matter of the proposed expropriation by The Township of Brock being

All estate, right, title and interest in Part of Public Square, Registered Plan 112, in the Geographic Township of Thorah, in the Township of Brock, in the Regional Municipality of Durham identified with PIN 72045-0055(LT); described further as Part 1 on 40R-32274.

for the purposes of economic development and all activities ancillary thereto (the “**proposed expropriation**”);

And Whereas more than 30 days have passed after service and first publication of the notice of application for approval to expropriate the lands herein and the owner, having notified the approving authority of its desire to have a hearing, and having withdrawn that request, and since no other party having interest in the lands has notified the approving authority of its desire to have a hearing, therefore, the Council of The Township of Brock approves the proposed expropriation and grants a certificate of approval;

Be It Resolved That

- A) Township Council, as approving authority under the *Expropriations Act*, R.S.O. 1990, c. E.26, approve the property requirements for the expropriation of the property as described in the registered reference plan as Part 1 on Reference Plan 40R-32274; and
- B) That Township Council, as expropriating authority under the *Expropriations Act*, authorize all steps necessary 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, notice of election as to a date for compensation and notices of possession; and
- C) That Township grant authority to the Township Mayor and Clerk to execute any notices and forms as may be statutorily mandated by the *Expropriations Act* to give effect to recommendation B), 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; and
- D) That expropriation by-law 3244-2024 be presented to Township Council for adoption.

Attachment 2

Resolution

Whereas in the matter of the proposed expropriation by The Township of Brock being

All estate, right, title and interest in Lot 10, Registered Plan 706 and Part of the East Half of Lot 5, Concession 11, in the Geographic Township of Thorah, in the Township of Brock, in The Regional Municipality of Durham identified with PINS 72050-0057(LT) and 72050-0135(LT); described further as Parts 1, 2, 3, and 4 on 40R-32275.

for the purposes of economic development and all activities ancillary thereto (the “**proposed expropriation**”);

And Whereas more than 30 days have passed after service and first publication of the notice of application for approval to expropriate the lands herein and the owner, having notified the approving authority of its desire to have a hearing, and having withdrawn that request, and since no other party having interest in the lands has notified the approving authority of its desire to have a hearing, therefore, the Council of The Township of Brock approves the proposed expropriation and grants a certificate of approval.

Be It Resolved That

- A) Township Council, as approving authority under the *Expropriations Act*, R.S.O. 1990, c. E.26, approve the property requirements for the expropriation of the property as described in the registered reference plan as Part 1, 2, 3 and 4 on Reference Plan 40R-32275;
- B) That Township Council, as expropriating authority under the *Expropriations Act*, authorize all steps necessary 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, notice of election as to a date for compensation and notices of possession; and
- C) That Township grant authority to the Township Mayor and Clerk to execute any notices and forms as may be statutorily mandated by the *Expropriations Act* to give effect to recommendation B), 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.
- D) That expropriation by-law 3245-2024 be presented to Township Council for adoption.

Attachment 3

Resolution

Whereas in the matter of the proposed expropriation by The Township of Brock being

All estate, right, title and interest in the form of an access easement in Part of Public Promenade and Beach, Registered Plan 112 in the Geographic Township of Thorah, in the Township of Brock, in the Regional Municipality of Durham identified with PIN 72045-0230(R); described further as Part 1 on 40R-32285 and Part 1 on 40R-32286

for the purposes of economic development and all activities ancillary thereto (the “**proposed expropriation**”);

And Whereas more than 30 days have passed after service and first publication of the notice of application for approval to expropriate the lands herein and the owner, having notified the approving authority of its desire to have a hearing, and having withdrawn that request, and since no other party having interest in the lands has notified the approving authority of its desire to have a hearing, therefore, the Council of The Township of Brock approves the proposed expropriation and grants a certificate of approval;

Be It Resolved That

- A) Township Council, as approving authority under the *Expropriations Act*, R.S.O. 1990, c. E.26, approve the property requirements for the expropriation of the property as described in the registered reference plan as Part 1 on 40R-32285 and Part 1 on 40R-32286.
- B) That Township Council, as expropriating authority under the *Expropriations Act*, authorize all steps necessary 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, notice of election as to a date for compensation and notices of possession.
- C) That Township grant authority to the Township Mayor and Clerk to execute any notices and forms as may be statutorily mandated by the *Expropriations Act* to give effect to recommendation B), 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.
- D) That expropriation by-law 3246-2024 be presented to Township Council for adoption.