

# Notice of Expropriation

Form 7

*Expropriations Act, R.R.O. 1990, Reg. 363*

**To: Members of Public of the Township of Brock holding an interest in the lands**

## Take notice that:

1. The lands shown on a plan registered in the Land Registry Office for the Land Titles Division of Durham (No. 40) on the 17th day of April, 2024 as **No. DR2310932** have been expropriated and are now vested in the expropriating authority.
2. The name and address of the expropriating authority for service and further communications is:  
  
The Corporation of the Township of Brock  
Attention: Clerk  
1 Cameron Street East  
PO Box 10  
Cannington ON L0E 1E0
3. A copy of the relevant portion of the plan of expropriation can be found on the Township's website.
4. Under the Act a qualified owner, may elect, by notice in writing served upon the expropriating authority within thirty days after the service of this notice, to have the compensation to which a qualified owner is entitled assessed,
  - (a) where there has been a hearing under section 7 of the Act, as of the date the notice of hearing was served;
  - (b) as of the date of the registration of the plan; or
  - (c) as of the date of on which a qualified owner was served with this notice, or
  - (d) if a process prescribed by a regulation made under section 8.1 applied, as of the date specified by the regulation,and, where the election is not made within the prescribed time, a qualified owner, shall be deemed to have elected to have the compensation assessed as of the date of the registration of the plan.
5. For convenience, a copy of a Notice of Election is also posted on the Township's website.

6. Under the Act, the expropriating authority will notify a qualified owner of the amount of compensation it is willing to pay for interest in the land.
7. If a qualified owner is not satisfied with the offer, a qualified owner is entitled to apply to the Ontario Land Tribunal for determination of compensation in accordance with the Act. Contact information for the Ontario Land Tribunal is:

Ontario Land Tribunal

655 Bay Street, Suite 1500

Toronto, ON M5G 1E5

<https://olt.gov.on.ca/> General Inquiries e-mail: [OLT.General.Inquiry@ontario.ca](mailto:OLT.General.Inquiry@ontario.ca)

Tel: 416-212-6349 or toll free 866-448-2248

TTY: 800-855-1155 via Bell relay

8. For information and convenience, certain provisions of the Act that apply to,
  - (a) determination of compensation, and
  - (b) the payment of a qualified owner's legal and appraisal costsare set out as follows:

### **Application, if compensation not agreed to**

**26** (1) If the statutory authority and the owner do not agree on the compensation payable under this Act, the statutory authority or the owner may, subject to subsection(2), apply to the Tribunal for the determination of compensation by way of a hearing or as otherwise provided for under the *Ontario Land Tribunal Act, 2021*.

### **Same**

(2) Subsection (1) applies,

- (a) in the case of injurious affection, if section 22 has been complied with; or
- (b) in the case of expropriation, if section 25 has been complied with or the time for complying with it has expired.

### **Costs**

**32** (1) Where the amount to which an owner is entitled upon an expropriation or claim for injurious affection is determined by the Tribunal and the amount awarded by the Tribunal is 85 per cent, or more, of the amount offered by the statutory authority, the Tribunal shall make an order directing the statutory authority to pay the reasonable legal, appraisal and other costs actually incurred by the owner for the purposes of determining the compensation payable, and may fix the costs in a lump sum or may

order that the determination of the amount of such costs be referred to an assessment officer who shall assess and allow the costs in accordance with this subsection and the tariffs and rules prescribed under clause 44 (d).

**Same**

(2) Where the amount to which an owner is entitled upon an expropriation or claim for injurious affection is determined by the Tribunal and the amount awarded by the Tribunal is less than 85 per cent of the amount offered by the statutory authority, the Tribunal may make such order, if any, for the payment of costs as it considers appropriate, and may fix the costs in a lump sum or may order that the determination of the amount of such costs be referred to an assessment officer who shall assess and allow the costs in accordance with the order and the tariffs and rules prescribed under clause 44 (d) in like manner to the assessment of costs awarded on a party and party basis.

**Same**

(3) If no tariffs or rules are prescribed under clause 44 (d), the assessment officer shall instead have reference to the rules made by the Tribunal for the purposes of section 20 of the *Ontario Land Tribunal Act, 2021*.

Dated at the Township of Brock, this 13<sup>th</sup> day of May 2024.

The Corporation of the Township of Brock



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Walter Schummer, Mayor



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Fernando Lamanna, Clerk