



City of  
**Peterborough**

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## **The Corporation of the City of Peterborough**

### **By-Law Number 25-121**

Being a by-law to approve the Initiation of Expropriation Proceedings of a portions of Mervin Line, Cavan Monaghan

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### **Recital**

1. The Corporation of the City of Peterborough (the “City of Peterborough”) requires lands described in Schedule “A” hereto for the purpose of expansion of the airport taxi runway and for placement of an Obstacle Protection Easement (OPE) or public undertakings, and for works ancillary thereto;
2. Sections 10(1) and 70 of the **Municipal Act, 2001, S.O. 2001, c.25**, as amended (the “**Municipal Act, 2001**”) confers on the City of Peterborough jurisdiction to provide services, including airports;
3. Section 6 of the Municipal Act, 2001 confers on the City of Peterborough the power to expropriate land;
4. The Council of the City of Peterborough has by resolution on November 3th, 2025, authorized the commencement of procedures to expropriate land;

**Now therefore**, The Corporation of the City of Peterborough by its Council hereby enacts as follows:

1. That Application for Approval to Expropriate Land be made by the City of Peterborough in respect of the lands described in Schedule “A” and that the Application be executed by the City Solicitor.
2. That a Notice of Application for Approval to Expropriate Land be executed on behalf of the City of Peterborough by the City Solicitor and that the Notice be served and published in accordance with the Expropriations Act, R.S.O. 1990, c. E.26, as amended (the “Expropriations Act”)

3. That any valid request from an owner for a hearing be referred to the Ontario Land Tribunal (“Tribunal”) for the appointment of a single member of the Tribunal, and that the City of Peterborough be represented at any hearing of necessity proceedings, as necessary, under the Expropriations Act.
4. That, in the event that there is a hearing of necessity conducted and a report of the Tribunal issued, the report of Tribunal shall come before the Council of The Corporation of the City of Peterborough for consideration as the approving authority under the Expropriations Act.

By-law passed this 3<sup>rd</sup> day of November, 2025.

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Jeff Leal, Mayor

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John Kennedy, City Clerk

## Schedule A

**Fee Simple:** All right, title and interest in the lands.

**Obstacle Protection Easement:** A permanent easement registered on title to the Lands that grants the City the right to enter upon, over, in and across the Lands to inspect, cut, fell or remove any trees, buildings, structures or other obstructions that exceed defined height limits or fail to comply with Transport Canada's Obstacle Limitation Surface (OLS) regulations. The easement establishes a height restriction of 624 feet above sea level plus 2 feet for every 100 feet distant from Point X, prohibits the landowner from constructing or maintaining objects above that threshold, and ensures that the easement and its covenants run with and bind the Lands and all future owners.

i) 0 Mervin Line

Legal description – 28031-0107 (LT)

PT LT 5, CON 8, NORTH MONAGHAN AS IN R669969 and R671937; CVN-MIL-NMO

Fee Simple Acquisition – To be Referenced approximately 4.5 acres

Obstacle Protection Easement – To be Referenced Approximately 23.5 acres