



City of  
**Peterborough**

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

### **By-Law Number 26-030**

Being a By-law to approve the expropriations of parts of and interests in certain lands for the Lansdowne Street Rehabilitation – Spillsbury Drive to Clonsilla Avenue Project and Lansdowne Street West and Lansdowne Street Rehabilitation - Park Street to Otonabee River Project

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**Whereas** On July 2, 2025, Council of The Corporation of the City of Peterborough passed By-Law 25-091 authorizing an Application for Approval to Expropriate Land in respect of the lands described in Schedule A to this By-law (the “Subject Property Interests”) for the purposes of the widening, urbanization and reconstruction at the intersection of Park Street South and Lansdowne Street West and along Lansdowne Street West from Clonsilla Avenue to Kawartha Height Boulevard for public undertakings, and for works ancillary thereto;

**And whereas** the **Expropriations Act**, R.S.O. 1990, c. E.26 (Act) and section 6 of the **Municipal Act, 2001**, S.O. 2001, c. 25, as amended, authorize the City to expropriate land;

**And whereas** a Notice of Application for Approval to Expropriate Land for the Subject Property Interests was served and published, as required by the Act;

**And whereas** the aforementioned Application for Approval to Expropriate Land has not been referred to a Hearing of Necessity by any of the owners of the Subject Property Interests, and the applicable deadline for requesting a Hearing of Necessity under the Act has passed;

**And whereas** The Corporation of the City of Peterborough now seeks approval of the expropriation of the Subject Property Interests;

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

1. As approving authority in accordance with the Act, approval is hereby granted for the expropriation by The Corporation of the City of Peterborough of all right, title and interest (fee simple) and temporary limited interests (temporary construction easement) in the lands described in Schedule A to this By-law

- (the "Subject Property Interests"), for municipal purposes in relation to the widening, urbanization and reconstruction at the intersection of Park Street South and Lansdowne Street West and along Lansdowne Street West from Clonsilla Avenue to Kawartha Height Boulevard for public undertakings, and for works ancillary thereto;
2. The Mayor and Clerk are hereby authorized to execute, on behalf of the Council of The Corporation of the City of Peterborough, the Certificate of Approval in a form acceptable to the Manager, Realty Services and to the City Solicitor, to be registered in the proper land registry office, and each of the Clerk, City Solicitor, Director, Legal Services and Manager, Realty Services are authorized to execute all other certificates, notices, plans and documents which are necessary to carry out the provisions of this By-law;
  3. The City Solicitor and the Director, Legal Services, are authorized to cause the aforementioned executed Certificate of Approval to be registered in the property land registry office;
  4. The City Solicitor and the Director, Legal Services, are authorized to cause an Expropriation Plan (or Plans) to be prepared and registered in the proper land registry office to thereby effect the expropriations of the Subject Property Interests.
  5. That a Notice of Expropriation be served upon the registered owners, together with a Notice of Election form as to the date of assessment of compensation and a Notice of Possession as to the date the expropriating authority requires possession of the expropriated lands which shall be at least three months after the date of service, all in accordance with the Act;
  6. That an appraisal report be obtained in respect of the market value of the expropriated lands and, if applicable, damages for injurious affection and other compensation;
  7. That an offer of full compensation and an offer for immediate payment of 100 per cent of the market value of the expropriated lands as estimated by the expropriating authority be served, together with a copy of the appraisal report, all in accordance with section 25 of the Act;
  8. That compensation be paid to the owners following the acceptance of the offer made pursuant to section 25 of the Act;
  9. The Corporation of the City of Peterborough is authorized to enter and take possession of the Subject Property Interests on the date permitted under the Act, or pursuant to any Court Order thereunder, or pursuant to any agreement between the relevant owners and The Corporation of the City of Peterborough.

10. Each of the Clerk, City Solicitor, Director, Legal Services and Manager, Realty Services are authorized to take all necessary steps to effect the expropriations and to obtain possession of the Subject Property Interests.

11. This By-law is in effect when it is passed.

By-law passed this 9<sup>th</sup> day of March 2026.

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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.

**Temporary Construction Easement:** A temporary limited interest being a temporary easement or rights in the nature of a temporary easement for a term of six (6) years commencing on registration of the plan of expropriation in, under, over, along and upon the lands for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workmen and other material for construction purposes, which may include (1) relocation of existing services and utilities, (2) work that supports the construction of municipal infrastructure within the City's permanent takings, (3) staging and storage of materials and equipment, (4) geo-technical testing, borehole testing, and other investigative works, (5) removal, relocation and/or installation of signage, (6) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of the municipal road fronting the lands herein described, (7) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures (v) traffic signals, (vi) fencing, and (vii) handrails and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of implementing road and intersection improvements along Lansdowne Street West.

- i. 1495 Lansdowne Street West  
Legal description – 28054-0374 (LT)  
PT LT 8 CON 11 NORTH MONAGHAN AS IN R588189; PETERBOROUGH  
  
Fee Simple Acquisition - Part 8 Plan 45R-17793  
  
Temporary Construction Easement - Part 9 on Plan 45R-17793
- ii. 843 Park Street South  
Legal description – 28078-0012 (LT)  
PT PK LT 20, LT 13, CON 11, NORTH MONAGHAN, AS IN R465163;  
PETERBOROUGH  
  
Fee Simple Acquisition - Part 1 Plan 45R-17803