

# Notice of Application for Approval to Expropriate Land

## Form 2

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

**IN THE MATTER OF** an application by Metrolinx for approval to expropriate lands in the City of Oshawa as described in Schedule "A" set out herein, for the purposes of constructing and operating the Lakeshore East Line GO Expansion (Bowmanville GO Rail Service Extension) Project and all works ancillary thereto as well as potential future disposition in furtherance of Metrolinx's statutory objects being:

#### 1) All Right, Title and Interest (Fee Simple)

**2) Temporary Limited Interest (Temporary Easement - Grading and Tie In - 1 year)** for the purposes of a free, uninterrupted and unobstructed temporary easement in gross, or rights in the nature of a temporary easement in gross, for a term of one (1) year commencing upon a minimum of three (3) months' prior written notice to take possession and expiring no later than December 20th, 2030 to access, enter, occupy and re-enter by Metrolinx and all users authorized by Metrolinx including, but not limited to, employees, workers, servants, contractors, sub-contractors, representatives and agents, along with all necessary vehicles, machinery, tools, equipment, materials and supplies in, on, under, over, above, below, through, along, across and upon the lands, on an exclusive basis as necessary, for all purposes including but not limited to grading and regrading, paving and placement of asphalt, line painting, removal, relocation, replacement and/or installation of utilities and/or utility installations including poles, conduits, and other utility infrastructure, removal, relocation and replacement of stairs, ramps, fencing and/or signage, construction and installation of retaining walls and curbs, tree removal, landscaping, installation and removal of temporary construction fencing, staging and laydown and other temporary works associated with roadway improvements and all works and/or uses ancillary to the said purposes.

**3) Temporary Limited Interest (Temporary Easement - Grading and Tie In - 6 months)** for the purposes of a free, uninterrupted and unobstructed temporary easement in gross, or rights in the nature of a temporary easement in gross, for a term of six (6) months commencing upon a minimum of three (3) months' prior written notice to take possession and expiring no later than December 20th, 2030 to access, enter, occupy and re-enter by Metrolinx and all users authorized by Metrolinx including, but not limited to, employees, workers, servants, contractors, sub-contractors, representatives and agents, along with all necessary vehicles, machinery, tools, equipment, materials and supplies in, on, under, over, above, below, through, along, across and upon the lands, on an exclusive basis as necessary, for all purposes including but not limited to grading and regrading, paving and placement of asphalt, line painting, removal, relocation, replacement and/or installation of utilities and/or utility installations including poles, conduits, and other utility infrastructure, removal, relocation and replacement of stairs, ramps, fencing and/or signage, construction and installation of retaining walls and curbs, tree removal, landscaping, installation and removal of temporary construction fencing, staging and laydown and other temporary works associated with roadway improvements and all works and/or uses ancillary to the said purposes.

**4) Temporary Limited Interest (Temporary Easement - Construction - 2 years)** for the purposes of a free, uninterrupted and unobstructed temporary easement in gross or rights in the nature of a temporary easement in gross for a term of two (2) years commencing upon a minimum of three (3) months' prior written notice to take possession and expiring no later than December 20th, 2030 to access, enter, occupy and re-enter by Metrolinx and all users authorized by Metrolinx including, but not limited to, employees, workers, servants, contractors, sub-contractors, representatives and agents, along with all necessary vehicles, machinery, tools, equipment, materials and supplies in, on, under, over, above, below, through, along, across and upon the lands on an exclusive basis as necessary, for all purposes including but not limited to construction, staging and laydown, hoarding, shoring and formwork and all other temporary works, fencing, ramps, stairs, grading, landscaping and improvements and all means and measures associated with the construction of bridges, ramps, stairs, bridge approaches, retaining walls and other infrastructure and all works and/or uses ancillary to the said purposes.

**NOTICE IS HEREBY GIVEN** that application has been made for approval to expropriate the lands and interests described in Schedule "A" set out herein. Any owner of lands in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing in accordance with the following timelines

- in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;
- in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The drawing(s)/plan(s) referred to in Schedule "A" forming part of this Notice can be requested by a person having an interest in the land described herein by contacting Brian Matthews at Brian.Matthews@metrolinx.com.

The approving authority is:  
Minister of Transportation  
3rd Floor, Ferguson Block,  
77 Wellesley Street West  
Toronto, Ontario M7A 1Z8  
Name of expropriating authority:  
Metrolinx  
Attn: Director, Property Acquisitions  
20 Bay Street, Ste. 600,  
Toronto, Ontario M5J 2W3

**Metrolinx**  
**Original signed by Brian Matthews, Director, Property Acquisitions**  
I have the authority to bind the Corporation.

## SCHEDULE "A"

Those lands and/or interests in lands in the City of Oshawa, in the Province of Ontario described as follows:

#### 1. All Right, Title and Interest - Fee Simple

All of 415 Simcoe Street South, Oshawa  
All of PIN 16370-0366(LT)  
PT CANADIAN PACIFIC RAILWAY LANDS SHEET  
20 PL 335 OSHAWA PT 2, 40R16714; OSHAWA;  
TOGETHER WITH AN EASEMENT AS IN  
DR1031497

IN OS219529; OSHAWA  
Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163700026 Revision 0

#### 2. All Right, Title and Interest - Fee Simple

All of 424 Simcoe Street South, Oshawa  
All of PIN 16367-0238 (LT)  
LT C52 SHEET 22 PL 335 OSHAWA EXCEPT PT 10  
EXPROP PL 142; TAW D528736; OSHAWA

10. **Temporary Limited Interest - Temporary Easement - Grading and Tie In (6 months)**

Part of 11 Hall Street, Oshawa  
Part of PIN 16367-0239 (LT)

LT C54 SHEET 22 PL 335 OSHAWA; OSHAWA  
Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163670239 Revision 0

#### 3. All Right, Title and Interest - Fee Simple

All of 426 Simcoe Street South, Oshawa  
All of PIN 16367-0237 (LT)  
LT C51 SHEET 22 PL 335 OSHAWA T/W D440629;  
OSHAWA

11. **Temporary Limited Interest - Temporary Easement - Grading and Tie In (1 year)**

Part of 387 Simcoe Street South, Oshawa  
Part of PIN 16370-0011 (R)

LT C16 SHEET 20 PL 335 OSHAWA; OSHAWA  
Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163700011 Revision 0

#### 4. All Right, Title and Interest - Fee Simple

All of 428 Simcoe Street South, Oshawa  
All of PIN 16367-0236 (LT)  
LT C50 SHEET 22 PL 335 OSHAWA; LT C53 SHEET  
22 PL 335 OSHAWA; PT LT C49 SHEET 22 PL 335  
OSHAWA AS IN D361612; S/T D361612; CITY OF  
OSHAWA

12. **All Right, Title and Interest - Fee Simple**

Part of 374 Farewell Street, Oshawa  
Part of PIN 16374-0667 (LT)

PART LOT 6 CONCESSION 1 EAST WHITBY,  
DESIGNATED AS PARTS 2 AND 3, PLAN  
40R30582; SUBJECT TO AN EASEMENT OVER  
PART 2, 40R30582 IN FAVOUR OF PART LOT 6  
CONCESSION 1, PART 1, 40R30582 AS IN DR1992938  
Designated as Parts 1 and 3 on Drawing No.  
CPG\_SCL3756\_P163740667 Revision 5

#### 5. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Temporary Easement -  
Grading and Tie In (2 years)

Part of 433 Simcoe Street South, Oshawa  
Part of PIN 16370-0025 (LT)

LT C37 SHEET 20 PL 335 OSHAWA; LT C38 SHEET 20 PL  
335 OSHAWA; LT C41 SHEET 20 PL 335 OSHAWA; LT  
26 PL 41 OSHAWA; PT LT 25 PL 41 OSHAWA; PT LT  
27 PL 41 OSHAWA; PT LT 28 PL 41 OSHAWA; PT CELINA  
ST PL 41 OSHAWA (CLOSED BY BYLAW OSS1052) AS IN  
D137210; OSHAWA; SUBJECT TO AN EASEMENT IN  
FAVOUR OF PT CANADIAN PACIFIC RAILWAY LANDS  
SHEET 20 PL 335 OSHAWA PART 2 PLAN 40R16714 AS  
IN DR1031497

Designated as Part 2 on Drawing No.  
CPG\_SCL3756\_P163700025 Revision 5

#### 6. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Temporary Easement -  
Grading and Tie In (1 year)

Part of 433 Simcoe Street South, Oshawa  
Part of PIN 16370-0025 (LT)

LT C37 SHEET 20 PL 335 OSHAWA; LT C38 SHEET 20 PL  
335 OSHAWA; LT C41 SHEET 20 PL 335 OSHAWA; LT  
26 PL 41 OSHAWA; PT LT 25 PL 41 OSHAWA; PT LT  
27 PL 41 OSHAWA; PT LT 28 PL 41 OSHAWA; PT CELINA  
ST PL 41 OSHAWA (CLOSED BY BYLAW OSS1052) AS IN  
D137210; OSHAWA; SUBJECT TO AN EASEMENT IN  
FAVOUR OF PT CANADIAN PACIFIC RAILWAY LANDS  
SHEET 20 PL 335 OSHAWA PART 2 PLAN 40R16714 AS  
IN DR1031497

Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163700025 Revision 5

#### 7. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Temporary Easement -  
Grading and Tie In (6 months)

Part of 437 Simcoe Street South, Oshawa  
Part of PIN 16370-0026 (LT)

LT C40 SHEET 20 PL 335 OSHAWA;  
PT LT C39 SHEET 20 PL 335 OSHAWA AS

13. **All Right, Title and Interest - Fee Simple**

Part of Farewell Street, Oshawa  
Part of PIN 16374-0152 (LT)

FIRSTLY WID OF FAREWELL AV PL 674 OSHAWA;  
FAREWELL AV PL 674 OSHAWA; PT LT 5 CON 1  
EAST WHITBY AS IN EW616 BEING FAREWELL AV  
(AKA FAREWELL ST) BTN TENNYSON AV;  
CANADIAN PACIFIC RAILWAY; OSHAWA  
Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163740152 Revision 3

#### 8. All Right, Title and Interest - Fee Simple

14. **Temporary Limited Interest - Temporary Easement - Construction and Staging (2 years)**

Part of 399 Farewell Street, Oshawa  
Part of PIN 16374-0655 (LT)

PT LT 5, CON 1, EAST WHITBY AS IN OS131590  
EXCEPT OS134365 AND PT 1 ON 40R20399;;  
CITY OF OSHAWA  
Designated as Part 1 on Drawing No.  
CPG\_SCL3756\_P163740655 Revision 0

#### 9. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Servitude temporaire -  
niveaulement et raccordement (6 mois)

Part of 437 Simcoe Street South, Oshawa  
Part of PIN 16370-0026 (LT)

LT C40 SHEET 20 PL 335 OSHAWA;  
PT LT C39 SHEET 20 PL 335 OSHAWA; TELLE QUE  
DÉCRITE DANS OS219529; OSHAWA; SUBJECT TO  
AN EASEMENT IN FAVOUR OF PT CANADIAN  
PACIFIC RAILWAY LANDS SHEET 20 PL 335 OSHAWA  
PART 2 PLAN 40R16714 TELLE QUE DÉCRITE  
DANS DR1031497

Designated as Part 1 on the dessin n°  
CPG\_SCL3756\_P163700025 Révision 5

#### 10. All Right, Title and Interest - Servitude temporaire - niveaulement et raccordement (6 mois)

One partie du 11, rue Hall, Oshawa  
Une partie de la parcelle numéro  
PIN 16367-0239 (LT)

LT C54 SHEET 22 PL 335 OSHAWA; OSHAWA  
Désigné comme partie 1 sur le dessin n°  
CPG\_SCL3756\_P163670239 Révision 0

#### 11. Intérêt limité temporaire - Servitude temporaire - niveaulement et raccordement (1 an)

One partie du 387, rue Simcoe Sud, Oshawa  
Une partie de la parcelle numéro  
PIN 16370-0011 (R)

LT C16 SHEET 20 PL 335 OSHAWA; OSHAWA  
Désigné comme partie 1 sur le dessin n°  
CPG\_SCL3756\_P163700011 Révision 0

#### 12. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Servitude temporaire -  
Construction and Staging (2 years)

Part of 374 Farewell Street, Oshawa  
Part of PIN 16374-0667 (LT)

PART LOT 6 CONCESSION 1 EAST WHITBY,  
DESIGNATED AS PARTS 2 AND 3, PLAN  
40R30582; SUBJECT TO AN EASEMENT OVER  
PART 2, 40R30582 IN FAVOUR OF PART LOT 6  
CONCESSION 1, PART 1, 40R30582 AS IN DR1992938  
Designated as Parts 1 and 3 on Drawing No.  
CPG\_SCL3756\_P163740667 Revision 5

#### 13. All Right, Title and Interest - Fee Simple

Temporary Limited Interest - Servitude temporaire -  
Construction and Staging (2 years)

Part of 374 Farewell Street, Oshawa  
Part of PIN 16374-0667 (LT)

PART LOT 6 CONCESSION 1 EAST WHITBY,  
DESIGNATED AS PARTS 2 AND 3, PLAN  
40R30582; SUBJECT TO AN EASEMENT OVER  
PART 2, 40R30582 IN FAVOUR OF PART LOT 6  
CONCESSION 1, PART 1, 40R30582 AS IN DR1992938  
Designated as Parts 1 and 3 on Drawing No.  
CPG\_SCL3756\_P163740667 Revision 5

#### 14. Intérêt limité temporaire - Servitude temporaire - Construction et mise en scène du chantier (2 ans)

One partie du 387, rue Simcoe Sud, Oshawa  
Une partie de la parcelle numéro  
PIN 16374-0655 (LT)

PT LT 5, CON 1, EAST WHITBY TELLE QUE  
DÉCRITE DANS OS219529; OSHAWA; SUBJECT TO  
AN EASEMENT IN FAVOUR OF PT CANADIAN  
PACIFIC RAILWAY LANDS SHEET 20 PL 335 OSHAWA  
PART 2 PLAN 40R16714 TELLE QUE DÉCRITE  
DANS DR1031497

Designé comme partie 1 sur le dessin n°  
CPG\_SCL3756\_P163740655 Révision 0

#### 15. Tous droits, titres et intérêts - en fief simple

Partie de la rue Farewell, Oshawa  
Une partie de la parcelle numéro  
PIN 16374-0152 (LT)

FIRSTLY WID OF FAREWELL AV PL 674 OSHAWA;  
WID OF FAREWELL AV PL 568 OSHAWA; FAREWELL  
AV PL 674 OSHAWA; PT LT 5 CON 1 EAST WHITBY  
TELLE QUE DÉCRITE DANS EW616 BEING  
FAREWELL AV (AKA FAREWELL ST) BTN TENNYSON  
AV; CANADIAN PACIFIC RAILWAY; OSHAWA  
Designé comme partie 1 sur le dessin n°  
CPG\_SCL3756\_P163740152 Révision 3

#### 16. Tous droits, titres et intérêts - en fief simple

Temporary Limited Interest - Servitude temporaire -  
Construction et mise en scène du chantier (2 ans)

One partie du 387, rue Simcoe Sud, Oshawa  
Une partie de la parcelle numéro  
PIN 16374-0655 (LT)

PT LT 5, CON 1, EAST WHITBY TELLE QUE  
D