

Authority: Corporate Services Committee Report No. 2(9), March 4, 5 and 6, 1998
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Adopted by Council: March 6, 1998

CITY OF TORONTO

BY-LAW No. 89-1998

To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)

WHEREAS notice of an application to the Council of the Municipality of Metropolitan Toronto for approval to expropriate the interests in land hereinafter described for or in connection with the Sheppard Subway Project of the Rapid Transit Expansion Program (R.T.E.P.) has been served on the registered owners thereof and has been published pursuant to the provisions of the *Expropriations Act*;

AND WHEREAS no notice in writing of a desire for a hearing has been received with respect to such interests and the time for giving such notice has expired;

Now, therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. The expropriation of the interests in land set forth in sections 2, 3, 4 and 5 is hereby approved.

2. The fee simple interest in the lands municipally known as 4783 Yonge Street, described as Part of Block A, Plan 2090, in the City of Toronto (formerly the City of North York) (the "Lands"), and designated as Parts 1, 5, 8 and 9 on draft Reference Plan No. 94-21-413-23 prepared by J.D. Barnes and dated November 7, 1996, (the "draft Plan") and designated as Parts 2, 5 and 6 on Reference Plan 64R-14558, is hereby expropriated and taken for or in connection with the Sheppard Subway Project of the Rapid Transit Expansion Program pursuant to the provisions of subsection 191(1) of the *Municipal Act*.

3. A permanent easement interest in the Lands, designated as Parts 2, 4, 10, 11 and 14 on the Draft Plan is hereby expropriated and taken for or in connection with the Sheppard Subway Project of the Rapid Transit Expansion Program pursuant to the provisions of subsection 191(1) of the *Municipal Act*.

4. A temporary easement interest in the Lands, designated as Parts 3, 7 and 11 on the Draft Plan, for a period of Forty-four (44) months, commencing on the date on which possession is obtained, is hereby expropriated and taken for or in connection with the Sheppard Subway Project of the Rapid Transit Expansion Program pursuant to the provisions of subsection 191(1) of the *Municipal Act*.

5. A leasehold interest in the Lands, designated as Part 6 on the Draft Plan, for a period of Forty-Four (44) months, commencing on the date on which possession is obtained, is hereby expropriated and taken for or in connection with the Sheppard Subway Project of the Rapid Transit Expansion Program pursuant to the provisions of subsection 191(1) of the *Municipal Act*.

6. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of the plans showing the lands and interests in land to be expropriated pursuant to sections 2, 3, 4 and 5, including the payment of all expenses incidental thereto.

7. The Commissioner of Corporate Services is hereby authorized to sign, and serve on the registered owners of the properties set forth in sections 2, 3, 4 and 5 the Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation) and Notices of Possession contemplated by the *Expropriations Act*.

8. The Mayor of the Council and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to this by-law, and the City Clerk and City Treasurer are hereby directed to execute all documents necessary in that behalf, and the said Treasurer is hereby authorized and directed to affix the corporate seal of the City to all such documents.

ENACTED AND PASSED this 6th day of March, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)