

Authority: Corporate Services Committee Report No.11(46), July 29, 30 and 31, 1998
Intended for first presentation to Council: July 29, 1998
Adopted by Council: July 31, 1998

CITY OF TORONTO

BY-LAW No. 552-1998

To acquire certain interests in land for or in connection with the Sheppard Subway Project.

WHEREAS notice of an application to the Council of the Municipality of Metropolitan Toronto, now the City of Toronto, for approval to expropriate the interests in land hereinafter described for or in connection with the Sheppard Subway Project has been served on the registered owners thereof and has been published pursuant to the provisions of the *Expropriations Act*; and

WHEREAS an inquiry was held before an Inquiry Officer on July 8, 1998 and the report of the Inquiry Officer has been considered by Council;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The expropriation of the interests in land set forth in section 2 is hereby approved.
2. Pursuant to the provisions of subsection 191(1) of the *Municipal Act*, the interests described in clauses (a), (b) and (c) of this section 2 are hereby expropriated for or in connection with the Sheppard Subway Project from the property municipally known as 4711 Yonge Street and legally described as Parcel 948-1, Section B1967 being part of Block A, Plan 2090; Lots 948, 949, 950, 951, 952 and 953, Plan 1967, part of Lane, Plan 1967 designated as Part 1, Plan 66R- 12991 together with a right of way over part of Block A, Plan 2090, designated as Part 2, Plan 66R-12991 in the City of Toronto (formerly the City of North York), as shown on a draft Plan of Survey prepared by J.D. Barnes Limited dated March 12, 1998 and identified as No. 94-12-413-36 (the "Draft Plan") as follows:
 - (a) a temporary easement interest in the lands shown as Part 1 on the Draft Plan for a term of 39 months, commencing on the date of expropriation ;
 - (b) a permanent stratified fee interest in the lands shown as Part 2 on the Draft Plan; and
 - (c) a temporary easement interest in the lands shown as Part 3 on the Draft Plan for a term of 33 months, commencing on the date of expropriation.
3. 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 section 2, including the payment of all expenses incidental thereto.
4. The Commissioner of Corporate Services is hereby authorized to sign, and serve on the registered owners of the property set forth in section 2, the Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation), Notices of Possession and offers of

compensation contemplated by the *Expropriations Act*. In the event that TTC determines that the interest shown as Part 3 on the Draft Plan as described in section 2(c) is not required for the full term identified herein or at all, the Commissioner of Corporate Services is hereby authorized to take the necessary steps to amend or abandon Part 3 to conform to the actual construction requirements.

5. 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 31st day of July, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)