

Authority: Government Management Committee Item 15.13,
as adopted by City of Toronto Council on June 23 and 24, 2008
Enacted by Council: July 17, 2008

CITY OF TORONTO

BY-LAW No. 782-2008

To expropriate certain interests in land for or in connection with the Bus Rapid Transit - Spadina Subway to York University Project.

WHEREAS in accordance with the provisions of the *Expropriations Act*, applications for approval to expropriate the interests in land for a limited time as described in section 2, have been submitted to the Council of the City of Toronto as approving authority; and

WHEREAS notices of such applications have been published and have been served on the registered owners of the said lands and interest in land; and

WHEREAS a notice in writing of a desire for a hearing with respect to the said proposed expropriations was not received from any owner of the said lands and interests in land and the time for giving such notice has expired; and

WHEREAS the Council of the City of Toronto, as approving authority, adopted Government Management Committee Item GM15.13, at its meeting on June 23 and 24, 2008, and thereby approved the said applications for approval to expropriate and gave leave to introduce and enact this by-law; and

WHEREAS the Council of the City of Toronto by the adoption of Government Management Committee Item GM15.13, has authorized the City of Toronto as expropriating authority, to proceed with the expropriation of the interests in land for a limited time as described in section 2;

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

1. The expropriation of limited interests in land, as set forth in section 2, is hereby authorized by the City of Toronto as the expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*, S.O. 2006 Chapter 11, Schedule A.
2. Firstly, a limited interest in land, being an easement, for a limited time for the purposes of closing and removing from the land, the existing driveway access to and from the land (including the right to remove any fixtures and landscaping thereon and to re-grade), such easement to include the right to pass over and occupy the land with personnel, materials and equipment, for said purposes for a period of fifteen (15) months from the date of expropriation, the said land being described as:

Part of PIN 10179-0441 (LT), being part of Lot 21, Concession 3 West of Yonge Street, Toronto, designated as Part 2 on Plan 66R-23821; and

Secondly, a limited interest in land, being an easement, for a limited time for the purposes of opening and constructing on the land, a new driveway for access to and from the land (including the right to remove any fixtures and landscaping thereon and to re-grade) such easement to include the right to pass over and occupy the land with personnel, materials

and equipment, for said purposes for a period of fifteen (15) months from the date of expropriation, the said land being described as:

Part of PIN 10179-0441 (LT), being part of Lot 21, Concession 3 West of Yonge Street, Toronto, designated as Part 1 on Plan 66R-23821.

3. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of the expropriation plan(s) of the lands and interests in land expropriated pursuant to section 1 hereof, including the payment of all expenses incidental thereto.
4. The Executive Director of Facilities and Real Estate and the Director of Real Estate Services are hereby severally authorized to sign and serve on the registered owners of the lands and interests in land described in section 2 hereof, the Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation) and the Notices of Possession as contemplated by the *Expropriations Act*.
5. The Mayor 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 the Chief Financial Officer and Treasurer are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the corporate seal of the City to all such documents.

ENACTED AND PASSED this 17th day of July, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)