

Authority: Government Management Committee Item 29.19,
as adopted by City of Toronto Council on March 31 and April 1, 2010
Enacted by Council: April 1, 2010

CITY OF TORONTO

BY-LAW No. 328-2010

To expropriate 4080 Sheppard Avenue East for the grade separation at the Agincourt GO Station in connection with the Sheppard East LRT Project.

WHEREAS in accordance with the provisions of the *Expropriations Act*, applications have been submitted to City Council as approving authority for approval to expropriate the lands and interests in land hereinafter described; and

WHEREAS Notices of such Applications have been published and have been served on the registered owners of the said lands and interests in land; and

WHEREAS a notice in writing of a desire for a hearing of necessity with respect to the said proposed expropriation was received and such hearing was held before an inquiry officer on February 8, 2010 pursuant to section 7 of the *Expropriations Act*; and

WHEREAS the Council of the City of Toronto, as approving authority, has considered the report of the said inquiry officer recommending approval of the application to expropriate the interests in land herein;

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

1. The expropriation of the lands and interests in land set forth in Section 2 is hereby approved by Council as the expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
2. The fee simple interest and all other right, title and interests in the lands municipally known as 4080 Sheppard Avenue East, described as PIN 06104-0243 (LT), being part of Lot 28 Concession 3, Scarborough, City of Toronto, are hereby expropriated and taken for the purpose of constructing a driveway access/egress to the Agincourt GO Station and road improvements on Sheppard Avenue East in conjunction with the building of a grade separation at the Agincourt GO Station, and for all works and uses ancillary thereto.
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, including the payment of all expenses incidental thereto.
4. The Director of Real Estate Services is hereby authorized to sign, and serve on the former registered owners of the property, the Notices of Expropriation (along with copies of Notices of Election as to a Date for Compensation) and 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 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 1st day of April, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)