

Authority: Government Management Committee Item 30.12,
as adopted by City of Toronto Council on May 11 and 12, 2010
Enacted by Council: May 12, 2010

CITY OF TORONTO

BY-LAW No. 495-2010

To expropriate portions of 4046, 4054 and 4125 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 with respect to the said proposed expropriations was not received from any owner of the said lands and the time for giving such notice has expired; and

WHEREAS the Council of the City of Toronto, as approving authority, at the same meeting of the Council which is enacting this by-law, did approve the said Applications for Approval to Expropriate;

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

1. The expropriation of the lands and interests in land set forth in Sections 2 and 3 are hereby approved by Council as the expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006*.
2. A fee simple interest and all other right, title and interests in the lands described in Schedule "A", are hereby expropriated and taken for the purpose of constructing road improvements in connection with the building of a grade separation at the Agincourt GO Station and for all works and uses ancillary thereto.
3. A limited interest in the lands described in Schedule "B", being a temporary easement, for a limited time is hereby expropriated and taken for the purpose of constructing a barrier wall in connection with the building of a grade separation at the Agincourt GO Station and for all works and uses ancillary thereto, including the right to pass over and occupy the lands with all personnel, materials and equipment, for said purposes for a period of two years from the date of expropriation.
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 12th day of May, A.D. 2010.

GLORIA LINDSAY LUBY,
Deputy Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"

MUNICIPAL ADDRESS	LEGAL DESCRIPTION
4046 Sheppard Avenue East	Part of PIN 06104-0248 (LT), being part of Lot 37, Plan 3666 Scarborough, City of Toronto, designated as Part 2 on draft Plan of Survey Job Number 2008-0842, Plan Number 7B
4054 Sheppard Avenue East	Part of PIN 06104-0247 (LT), being part of Lot 37, Plan 3666 Scarborough, City of Toronto, designated as Part 3 on draft Plan of Survey Job Number 2008-0842, Plan Number 7B
4125 Sheppard Avenue East	Part of PIN 06164-0166 (LT), being 1 Foot Reserve on Plan 3395, Lots 20 and 27, Plan 3395, part of Lot 28, Plan 3395 and Lot 46, RCP 9945 Scarborough, City of Toronto, designated as Part 3 on Draft Plan of Survey Job Number 2008-0842, Plan Number 4

SCHEDULE "B"

MUNICIPAL ADDRESS	LEGAL DESCRIPTION
4125 Sheppard Avenue East	Part of PIN 06164-0166 (LT), being 1 Foot Reserve on Plan 3395, Lots 20 and 27, Plan 3395, part of Lot 28, Plan 3395 and Lot 46, RCP 9945 Scarborough, City of Toronto, designated as Part 4 on Draft Plan of Survey Job Number 2008-0842, Plan Number 4