

Authority: Government Management Committee Item 33.17,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 987-2010

To expropriate portions of 4066 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in writing of a desire for a hearing of necessity with respect to the said proposed expropriation was received and was withdrawn before the inquiry was held; and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. The fee simple interest and all other right, title and interest in a portion of the lands municipally known as 4066 Sheppard Avenue East, described as part of PIN 06104-0300 (LT), being part of Lot 28, Concession 3, Scarborough, City of Toronto, shown as Part 4 on Draft Plan of Survey Job No. 2008-0842, Plan 7C is hereby expropriated and taken for the purpose of constructing a corner rounding and road widening 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. A limited interest in a portion of the lands municipally known as 4066 Sheppard Avenue East, described as part of PIN 06104-0300 (LT), being part of Lot 28, Concession 3, Scarborough, City of Toronto, shown as Part 5 on Draft Plan of Survey Job No. 2008-0842, Plan 7C, 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. 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.
5. City staff are 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*.
6. 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 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)