

Authority: Government Management Committee Item 33.16,
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. 989-2010

**To expropriate portions of 1030 Dufferin Street, 7 Russet Avenue, and a portion of
the leasehold interest in 1140 Bloor Street West for the Dufferin Station
Modernization 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a hearing of necessity with respect to the said proposed expropriation was received but that notice was subsequently withdrawn, and no other notice was received from any other owner of the said lands and the time for giving such notice has expired; and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 interests in land set forth in Sections 2, 3 and 4 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 interest in the lands described in Schedule "A" are hereby expropriated and taken for the purpose of constructing and maintaining transit station facilities in conjunction with the Dufferin Station Modernization Project and for all works and uses ancillary thereto.
3. A permanent interest in the lands described in Schedule "B", being a permanent easement in perpetuity is hereby expropriated and taken for the purpose of constructing and maintaining transit station facilities in conjunction with the Dufferin Station Modernization Project and for all works and uses ancillary thereto.
4. A limited interest in the lands described in Schedule "C", being a temporary easement for a limited time is hereby expropriated and taken for the purpose of temporary construction access in conjunction with the Dufferin Station Modernization Project 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 four years from the date of expropriation.

5. 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.
6. City staff are hereby authorized to serve on the registered owners of the properties, 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*.
7. 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)

SCHEDULE "A"

Municipal Address	Legal Description
1140 Bloor Street West	<p>Part of Leasehold interest (the indenture dated June 19, 1973, as amended on April 5, 1995 between the Municipality of Metropolitan Toronto and the Dovercourt Baptist Church) in Parts 1-7 Plan CAR 013-CAR-14 on the PIN 21310-0328 (LT)</p> <p>Part of Lots 1 to 6, inclusive, Block B, on Plan 622 North West Annex, City of Toronto, as owned by the City of Toronto.</p> <p>Designated as Parts 1, 4 and 5 on Draft Plans of Survey Reference Number 06-22-647-49A</p>
7 Russet Avenue	<p>Part of PIN 21310-0326 (LT)</p> <p>Lot 7, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Part 4 on Draft Plans of Survey Reference Number 06-22-647-49B</p>
1030 Dufferin Street	<p>Part of PIN 21310-0329 (LT)</p> <p>Lots 39 to 44, inclusive, Block B, on Plan 622 North West Annex and part of Lot 38, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Parts 2 and 3 on Draft Plans of Survey Reference Number 06-22-647-49C</p>

SCHEDULE "B"

Municipal Address	Legal Description
1140 Bloor Street West	<p>Part of Leasehold interest (the indenture dated June 19, 1973, as amended on April 5, 1995 between the Municipality of Metropolitan Toronto and the Dovercourt Baptist Church) in Parts 1-7 Plan CAR 013-CAR-14 on the PIN 21310-0328 (LT)</p> <p>Part of Lots 1 to 6, inclusive, Block B, on Plan 622 North West Annex, City of Toronto, as owned by the City of Toronto.</p> <p>Designated as Parts 6, 8, 10 and 12 on Draft Plans of Survey Reference Number 06-22-647-49A</p>
7 Russet Avenue	<p>Part of PIN 21310-0326 (LT)</p> <p>Lot 7, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Part 3 on Draft Plans of Survey Reference Number 06 22-647-49B</p>
1030 Dufferin Street	<p>Part of PIN 21310-0329 (LT)</p> <p>Lots 39 to 44, inclusive, Block B, on Plan 622 North West Annex and part of Lot 38, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Part 1, 4 and 6 on Draft Plans of Survey Reference Number 06-22-647-49C</p>

SCHEDULE "C"

Municipal Address	Legal Description
1140 Bloor Street West	<p>Part of Leasehold interest (the indenture dated June 19, 1973, as amended on April 5, 1995 between the Municipality of Metropolitan Toronto and the Dovercourt Baptist Church) in Parts 1-7 Plan CAR 013-CAR-14 on the PIN 21310-0328 (LT)</p> <p>Part of Lots 1 to 6, inclusive, Block B, on Plan 622 North West Annex, City of Toronto, as owned by the City of Toronto.</p> <p>Designated as Parts 2, 3, 7, 9, 11, 13, 14 and 15 on Draft Plans of Survey Reference Number 06-22-647-49A</p>
7 Russet Avenue	<p>Part of PIN 21310-0326 (LT)</p> <p>Lot 7, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Parts 1 and 2 on Draft Plans of Survey Reference Number 06-22-647-49B</p>
1030 Dufferin Street	<p>Part of PIN 21310-0329 (LT)</p> <p>Lots 39 to 44, inclusive, Block B, on Plan 622 North West Annex and part of Lot 38, Block B, on Plan 622 North West Annex, City of Toronto</p> <p>Designated as Parts 5 and 7 on Draft Plans of Survey Reference Number 06-22-647-49C</p>