

Authority: Government Management Committee Item 33.14,
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. 991-2010

To expropriate interests in multiple properties for the new Finch West Station and tunnel alignment in connection with the Toronto-York Spadina Subway Extension.

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 expropriation 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 at which it is enacting this by-law, approved the said Application for Approval to Expropriate and gave leave to introduce and enact this by-law;

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, 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*, in connection with the Toronto-York Spadina Subway Extension Project.
2. A fee simple interest and all other right, title and interests in the lands described in Schedule "A", is hereby expropriated and taken for the purpose of constructing elements of transit and/or other municipal systems.
3. A limited interest in the lands described in Schedule "B", being a permanent easement, is hereby expropriated and taken for the support and safe operation of subsurface transit and/or other municipal systems, including rights to restrain alterations to such lands, changes in use, and storage of materials which may impact the load on the subsurface systems or otherwise impact their safe operation.
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 construction purposes, including the right to pass over and occupy the lands with all personnel, materials and equipment for the periods specified in Schedule "C", to run from the date that construction is to commence on the lands.

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 former registered owners of the lands and interests in land described in sections 2, 3, and 4 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*.
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 |
|-----------------------------|---|
| 11-15 Kodiak Crescent | Part of PIN 10177-0026 (LT), being Part of Parcel 16-1 Section M1982 Lot 16 on Plan 66M1982 (North York) City of Toronto, designated as Parts 1 and 2 on draft Plan of Survey Project Number 09-080-3-0026, prepared by Mackay, Mackay & Peters Limited. |
| 23 Kodiak Crescent | Part of PIN 10177-0025 (LT), being Part of Parcel 15-1 Section M1982 Lot 15 on Plan 66M1982 (North York) City of Toronto, designated as Parts 1 and 2 on draft Plan of Survey Project No. 09-080-3-0025, prepared by Mackay, Mackay & Peters Limited. |
| 25-27 Kodiak Crescent | Part of PIN 10177-0024(LT), being Part of Parcel 14-1 Section M1982 Lot 14 on Plan 66M1982 (North York) City of Toronto, designated as Part 1 on draft Plan of Survey Project Number 09-080-4-0024, prepared by Mackay, Mackay & Peters Limited. |
| 40 Kodiak Crescent | Part of PINs 11686-0001(LT) to 11686-0017(LT), being part of the common elements of Metropolitan Toronto Condominium Corporation Plan 686, (North York) City of Toronto, designated as Part 1 on draft Plan of Survey Project Number 09-080-3-C686, revised July 20, 2010, prepared by Mackay, Mackay & Peters Limited. |
| 42-44 Kodiak Crescent | Part of PIN 10177-0033(LT), being Part of Parcel 23-1 Section M1982 Lot 23 on Plan 66M1982 (North York) City of Toronto, designated as Part 1 on draft Plan of Survey Project Number 09-080-3-0033, prepared by Mackay, Mackay & Peters Limited. |
| 1140 Sheppard Avenue West | Part of PIN 10177-0030(LT), being Part of Lot 21 on Plan 66M1982 (North York) City of Toronto, designated as Part 1 on draft Plan of Survey Project Number 09-080-3-0030, prepared by Mackay, Mackay & Peters Limited. |
| 1150 Sheppard Avenue West | Part of PIN 10177-0034(LT), being Part of Parcel 24-1 Section M1982 Lot 24 on Plan 66M1982 (North York) City of Toronto, designated as Part 1 on draft Plan of Survey Project Number 09-080-3-0034, prepared by Mackay, Mackay & Peters Limited. |
| 1280-1300 Finch Avenue West | Part of PINs 11863-0001(LT) to 11863-0322(LT), being part of the common elements of Metropolitan Toronto Condominium Corporation Plan No. 863, part of Block 1, Plan 66M-2221, City of Toronto, designated as Parts 1 and 2 on Plan 66R-24809, registered April 1, 2010. |
| 3940 Keele Street | Part of PIN 10246-0009(LT), being Part of Parcel 21-5, Section Y-6, Part of Lot 21, Concession 4 West of Yonge Street, Township of York/North York, City of Toronto, designated as Part 4 on draft Plan of Survey Job Number 09-080-9, dated July 22, 2010, prepared by Mackay, Mackay & Peters Limited. |

Schedule "B"

| MUNICIPAL ADDRESS | LEGAL DESCRIPTION |
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| 11-15 Kodiak Crescent | Part of PIN 10177-0026 (LT), being Part of Parcel 16-1 Section M1982 Lot 16 on Plan 66M1982 (North York) City of Toronto, designated as Parts 3 and 4 on draft Plan of Survey Project Number 09-080-3-0026, prepared by Mackay, Mackay & Peters Limited. |
| 23 Kodiak Crescent | Part of PIN 10177-0025 (LT), being Part of Parcel 15-1 Section M1982 Lot 15 on Plan 66M1982 (North York) City of Toronto, designated as Parts 3 and 4 on draft Plan of Survey Project No. 09-080-3-0025, prepared by Mackay, Mackay & Peters Limited. |
| 25-27 Kodiak Crescent | Part of PIN 10177-0024(LT), being Part of Parcel 14-1 Section M1982 Lot 14 on Plan 66M1982 (North York) City of Toronto, designated as Part 2 on draft Plan of Survey Project Number 09-080-4-0024, prepared by Mackay, Mackay & Peters Limited. |
| 40 Kodiak Crescent | Part of PINs 11686-0001(LT) to 11686-0017(LT), being part of the common elements of Metropolitan Toronto Condominium Corporation Plan 686, (North York) City of Toronto, designated as Parts 2, 3, 4 and 5 on draft Plan of Survey Project Number 09-080-3-C686, revised July 20, 2010, prepared by Mackay, Mackay & Peters Limited. |
| 42-44 Kodiak Crescent | Part of PIN 10177-0033(LT), being Part of Parcel 23-1 Section M1982 Lot 23 on Plan 66M1982 (North York) City of Toronto, designated as Part 2 on draft Plan of Survey Project Number 09-080-3-0033, prepared by Mackay, Mackay & Peters Limited. |
| 1140 Sheppard Avenue West | Part of PIN 10177-0030(LT), being Part of Lot 21 on Plan 66M1982 (North York) City of Toronto, designated as Part 2 on draft Plan of Survey Project Number 09-080-3-0030, prepared by Mackay, Mackay & Peters Limited. |
| 1150 Sheppard Avenue West | Part of PIN 10177-0034(LT), being Part of Parcel 24-1 Section M1982 Lot 24 on Plan 66M1982 (North York) City of Toronto, designated as Part 2 on draft Plan of Survey Project Number 09-080-3-0034, prepared by Mackay, Mackay & Peters Limited. |

Schedule "C"

| MUNICIPAL ADDRESS | LEGAL DESCRIPTION | TERM OF EASEMENT |
|------------------------|---|------------------|
| 3926-3932 Keele Street | Part of PIN 10247-0426(LT), being part of Parcel B-1 Section M1131, Block B, Plan 66M-1131, Township of York/North York, City of Toronto, designated as Part 4 on draft plan of Survey Job Number 09-080-13, dated March 19, 2010, prepared by Mackay, Mackay & Peters Limited. | 4 years |
| 3940 Keele Street | Part of PIN 10246-0009(LT), being Part of Parcel 21-5, Section Y-6, part of Lot 21, Concession 4 West of Yonge Street, Township of York/North York, City of Toronto, designated as Part 3 on draft plan of Survey Job Number 09-080-9, dated July 22, 2010, prepared by Mackay, Mackay & Peters Limited. | 3 years |
| 3940 Keele Street | Part of PIN 10246-0009(LT), being Part of Parcel 21-5, Section Y-6, part of Lot 21, Concession 4 West of Yonge Street, Township of York/North York, City of Toronto, designated as Part 2 on draft plan of Survey Job Number 09-080-9, dated July 22, 2010, prepared by Mackay, Mackay & Peters Limited. | 4 years |
| 44-46 Romfield Drive | Part of PIN 10247-0425(LT), being Part of Parcel A-1, Section M1131, Block A, Plan 66M-1131, Township of York/North York, City of Toronto, Designated as Part 3 on draft plan of Survey Job Number 09-080-13, dated March 19, 2010, prepared by Mackay, Mackay & Peters Limited. | 4 years |
| 50 Romfield Drive | Part of PIN 10247-0387(LT), being Part of Parcel 270-1, Section M1033, Lot 270 on Plan 66M-1033, Township of York/North York, City of Toronto, designated as Parts 1 and 2 on draft plan of survey Job Number 09-080-13, dated March 19, 2010, prepared by Mackay, Mackay & Peters Limited. | 4 years |
| 1 Four Winds Drive | Part of PINs 11128-0001(LT) to 11128-0496(LT), being part of the common elements of York Condominium Plan No. 128, Block H, Plan 66M-1299, City of Toronto, designated as Parts 5, 6 and 7 on draft plan of Survey Project Number 09-080-9, dated July 22, 2010, prepared by Mackay, Mackay & Peters Limited. | 4 years |