

Authority: Government Management Committee Item GM10.19, as adopted by City of Toronto Council on March 10, 2016

**CITY OF TORONTO**

**BY-LAW No. 241-2016**

**To expropriate the permanent easement interest required for a storm sewer at  
34 Plymbridge Crescent.**

Whereas in accordance with the provisions of the *Expropriations Act*, an application has been submitted to the Council of the City of Toronto as approving authority for approval to expropriate the lands described below; and

Whereas Notices of such application have been published and have been served on the registered owners of the said lands; and

Whereas a notice in writing indicating 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 November 30, 2015; and

Whereas the Council of the City of Toronto and the City's Government Management Committee have considered the report of the said inquiry officer, dated December 22, 2015, finding that the expropriation of the easement interest was not fair, sound, and reasonably necessary, together with the recommendations of City staff advising, to the contrary, that the taking of the interest is fair, sound and reasonably necessary in the achievement of City of Toronto's basement flooding protection program and that the taking of the stipulated interest is the most strategic, logical, and cost-effective route; and

Whereas the Council of the City of Toronto, as approving authority, at the same meeting at which it is enacting this by-law, did approve the said application and gave leave to introduce and enact this by-law;

The Council of the City of Toronto enacts:

1. The expropriation of the lands set forth in section 2 is approved by City Council as expropriating authority, pursuant to sections 7, 8 and 9 of the *City of Toronto Act, 2006* on the basis that the said taking is fair, sound, and reasonably necessary as the most strategic, logical, and cost-effective route in the furtherance of the City of Toronto's basement flooding protection program.
2. A permanent easement interest in the lands municipally described as 34 Plymbridge Crescent and legally described Part of Lots 9 & Part of Lot 10, Plan 2478, as in TB753672, North York PIN 10537-00880(LT) (shown as Part 1 on Sketch No. PS-2014-112), is expropriated and taken for the purpose of a storm sewer.
3. Authority is granted for the signing, sealing and registration in the proper Land Registry Office of the plans showing the lands to be expropriated, including the payment of all incidental expenses.

4. City staff are authorized to sign and serve on the registered owners of the lands to be expropriated 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 authorized and directed to do all things necessary to give effect to this by-law, and the City Clerk and the Deputy City Manager and Chief Financial Officer are authorized and directed to execute all documents necessary in that behalf and affix the corporate seal of the City to all such documents.

Enacted and passed on March 10, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)