

Authority: Government Management Committee Item GM24.10, as adopted by City of Toronto Council on January 31 and February 1, 2018

CITY OF TORONTO

BY-LAW 106-2018

To expropriate the right of way easement interest in favour of the property municipally known as 40 Avondale Avenue located over part of 44 Avondale Avenue, for the purpose of a public highway and for all works and ancillary uses.

Whereas in accordance with the provisions of the Expropriations Act, an application has been submitted to City Council as approving authority for approval to expropriate the property interest hereinafter described; and

Whereas Notices of such application have been published and have been served on the registered owners of the said property interest; 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 property interest 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, 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 property interest set out 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.
2. The purported interest and all other right, title and interest in the property interest described in Schedule A, is expropriated and taken for the purpose of public highway purposes and for all works and ancillary uses.
3. Authority is granted for the signing, sealing and registration in the proper Land Registry Office of the plan(s) showing the property interest to be expropriated, including the payment of all expenses incidental thereto.
4. City staff are authorized to serve on the registered owners of the property interest to be expropriated 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.

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, Internal Corporate Services and Chief Financial Officer are authorized and directed to execute all documents necessary in that behalf and affix the seal of the City to all such documents.

Enacted and passed on February 1, 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule A
Property Interest

Municipal Address:

The Right of Way Easement Interest in favour of the property municipally known as 40 Avondale Avenue located over part of 44 Avondale Avenue.

Legal Description:

The Right-Of-Way Easement described in Instrument Nos. TB223539 and TB960961 in the Toronto Land Registry Office (No.66) describing the Right-Of-Way Easement over the westerly four (4) feet of the southerly seventy (70) feet of Lot 1263 on Plan 1967 in favour of those lands legally described as Lot 1264 on Plan 1967, Township of York and part of Lot 1265 on Registered Plan 1967 as in instrument No. TB960961, being all of PIN 10104-0659 in the Toronto Land Registry Office (No.66) (formerly City of North York) City of Toronto, Province of Ontario, such right of way being over a Part of PIN 10104-0658 (LT) being Part of Lot 1263, Plan 1967, designated as Part 1 on Draft Plan 2017-04674.