

Authority: General Government and Licensing Committee
Item GL21.13, as adopted by City of Toronto Council on
April 7 and 8, 2021

CITY OF TORONTO

BY-LAW 256-2021

To expropriate lands at 16 Linnsmore Crescent and 18 Linnsmore Crescent for municipal purposes, namely improvements to transportation systems.

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 lands and interests in the lands hereinafter described; 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 of a desire for a hearing with respect to the said proposed expropriations 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, 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 interests set out in Section 2 are approved by Council as expropriating authority, pursuant to Sections 7, 8 and 9 of the City of Toronto Act, (Ontario) 2006.
2. The permanent and temporary easement interests and all other right, title and interests, as described in Schedule A attached (the "Lands"), in the lands municipally known as 16 Linnsmore Crescent and 18 Linnsmore Crescent, is expropriated and taken for municipal purposes, namely improvements to transportation systems.
3. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of a plan showing the Lands to be expropriated, including the payment of all incidental expenses.
4. City staff are hereby authorized to serve on the registered owners of the Lands, 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, (Ontario) 1990.
5. 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 the Director of Real Estate Services 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 April 8, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

Schedule A

Table of Private Property Requirements

Municipal Address	16 Linnsmore Crescent, Toronto, Ontario
Legal Description	Part of Lot 380, W/S Linnsmore Crescent Plan 517E Toronto as in CT868314; Toronto, City of Toronto, being all of PIN: 10412-0206 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division (the "Lands").
Property Requirements	<p>1. A limited estate, right or interest, comprised of a permanent easement in, on, over and through the Lands designated as Part 3 on Reference Plan 66R-31065, namely to construct, install, erect, operate, use, maintain, inspect, alter, remove, replace, repair, enlarge, expand and reconstruct utility pipelines, relocated from adjacent City lands, to facilitate below grade subsurface transit and/or other municipal system(s) structures and facilities on adjacent City lands, and for access to occupy the lands with all such vehicles, materials, machinery, tools and equipment as may be reasonable necessary for such purposes and for all works and uses ancillary thereto (to expire after 999 years from the date of registration of the Expropriation Plan in the event that such perpetual duration is precluded by statutes or common law).</p> <p>2. A limited estate right or interest, comprised of an exclusive temporary easement, in, on, over and through the Lands designated as Part 2 on Reference Plan 66R-31065, for the purpose of all work ancillary to the constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding and reconstructing of utility pipelines and below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing installation of construction hoarding, construction staging, a right to relocate Toronto Hydro overhead wires, including the right to enter and occupy the lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes for a period of three (3) years to commence upon ninety (90) days written notice, but not to extend beyond December 31, 2025.</p>

Municipal Address	18 Linnsmore Crescent, Toronto, Ontario
Legal Description	Part of Lot 379 W/S Linnsmore Crescent Plan 517E Toronto as in CT927582; S/T & T/W CT927582; Toronto, City of Toronto, all as in PIN: 10412-0207 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division (the "Lands").
Property Requirements	A limited estate right or interest, comprised of an exclusive temporary easement, in, on, over and through the Lands designated as Part 1 on Reference Plan 66R-31065, for the purpose of all work ancillary to the constructing, installing, erecting, operating, using, maintaining, inspecting, altering, removing, replacing, repairing, enlarging, expanding and reconstructing of utility pipelines and below grade subsurface transit and/or other municipal system(s) structures and facilities, including without limiting the generality of the foregoing installation of construction hoarding, construction staging, a right to relocate Toronto Hydro overhead wires, including the right to enter and occupy the lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes for a period of three (3) years to commence upon ninety (90) days written notice, but not to extend beyond December 31, 2025.