

CITY OF TORONTO

BY-LAW 801-2021

To expropriate lands at 50 Alma Avenue for municipal purposes, namely for the purpose of constructing the West Toronto Railpath Extension.

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 fee simple and temporary easement interests and all other right, title and interests, as described in Schedule A attached (collectively, the "Lands"), in the lands municipally known as 50 Alma Avenue, is expropriated and taken for municipal purposes, namely for the construction of the West Toronto Railpath Extension.
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. The Deputy City Manager, Corporate Services, the Director of Real Estate Services and the Manager of Transaction Services 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 Deputy City Manager, Corporate Services, the Director of Real Estate Services and the Manager of Transaction Services are hereby authorized and directed to do all things

necessary to give effect to this by-law, and 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 October 4, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A
Interests to be Expropriated

Municipal Address	50 Alma Avenue, Toronto, Ontario
Legal Description	PART OF PARK LOT 29, CONCESSION 1, FROM THE BAY, TOWNSHIP OF YORK AND PART LOT 4, SOUTH SIDE OF DUNDAS STREET, EAST SIDE OF BROCK AVENUE, NORTH OF THE CANADIAN NATIONAL RAILWAY, PLAN 256 OR 300, TORONTO, PARTS 1, 2, 3, 4, 5 AND 6, PLAN 64R-14776; CITY OF TORONTO (the "Property")
Property Requirements	<p>1. A fee simple interest in part of the Property designated as Part 1 property sketch Ref# PS-2019-139 for municipal purposes, including for the construction and installation of a multi-use trail corridor.</p> <p>2. A temporary easement or rights in the nature of a temporary easement on, in, over, under and through part of the Property designated as Part 2 on property sketch Ref# PS-2019-139 for the purpose of a construction access route to facilitate the construction and installation of a multi-use trail corridor on adjacent City-owned land, and all works ancillary thereto, including, without limitation, alterations to and removal of hard and soft landscaping, re-grading work and the right to enter and occupy the easement lands with all vehicles, materials, machinery, tools and equipment. Such temporary easement shall commence on a date specified in writing, on at least THIRTY (30) days' prior written notice to the registered owner, and will continue for FIVE (5) years. The City shall have the right to extend the temporary easement for an additional ONE (1) year on THIRTY (30) days' prior written notice to the registered owner. All rights under the temporary easement shall expire no later than December 31, 2028.</p>